

Rachel's Environment & Health News

#254 - Editorial: EPA Chief Harassing Whistle Blowers

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William Reilly, chief of EPA (U.S. Environmental Protection Agency) is trying to punish two whistle blowers inside his agency. Mr. Reilly has taken steps to prevent William Sanjour and Hugh Kaufman from ever again traveling outside Washington, DC, to meet a local grass-roots group, give a speech, or analyze a waste disposal problem. If Mr. Reilly gets away with this cowardly behavior, no one in EPA will be safe from arbitrary punishment by the chief, in violation of federal laws on civil service and civil rights, and in violation of universal laws of human decency.

For over 10 years two EPA employees, William Sanjour and Hugh Kaufman, have been voluntarily helping grass-roots citizen groups. Donating their time, these two men have traveled back and forth across the country to make speeches, offer consultations, and provide technical assistance to citizen groups fighting dumps, incinerators, and deep-well injection proposals. They are technically trained (one a physicist, the other an engineer), politically savvy and plain-spoken. What separates them most clearly from their colleagues at EPA is their serious commitment to helping people at the grass-roots level. They often make local appearances and help people understand why EPA is working for the polluters and against the citizenry. They offer an insider's view that is refreshing and heartening to anyone who has ever heard them speak. (See RHWN #210, "An Insider Tells Why EPA Is Like It Is.")

Now William Reilly is punishing these men by ruling that they can no longer accept money from citizens as reimbursement for travel expenses they incur on their own time, even when they are officially on vacation and traveling as individuals, not as government employees, to assist citizen groups. If Reilly is successful, it means Sanjour and Kaufman-- AND ANY OTHER AGENCY EMPLOYEES WHO MIGHT TRY TO HELP CITIZENS--will have to pay for all their own travel, which would essentially restrict them to local appearances. It is an unmistakable attempt by Mr. Reilly to punish these men and to cut off the last vestige of support to grass-roots groups available from within EPA. It must be obvious that Mr. Reilly's ruling is a violation of these men's human rights and a slap in the face to grass-roots activists everywhere who count on Sanjour and Kaufman for help.

Both Sanjour and Kaufman have been at odds with their bosses inside EPA for many years. For example, Hugh Kaufman was put under surveillance by Anne Burford (Ronald Reagan's first chief of EPA). Kaufman had criticized Burford and her sidekick Rita Lavelle (who later served time in jail, thanks to Kaufman) for playing fast and loose with Superfund monies, so Burford set out to "get" Kaufman. She had him tailed to a motel where he was photographed entering a room with an unknown woman. A gleeful Ms. Burford thought she has the goods to ruin Kaufman's career--to discredit him and perhaps even get him fired. Turned out the unknown woman was Kaufman's wife. And it was Burford who ultimately got fired as Kaufman turned the tables and left her twisting in the wind.

For his part, Sanjour has been at odds with his supervisors since the days of the Carter administration when he saw that his bosses were dragging their feet developing hazardous waste regulations Congress had ordered them to create. He pointed this out. He was reprimanded and then transferred to an uninteresting job; since then he has viewed the bureaucracy around him as part of the problem and not part of the solution. He puts his faith in an aroused public, not in wimp government bought and sold by polluters.

Sanjour's jaundiced view of EPA seem justified by the record. Despite Mr. Reilly's claim that his leadership has brought science into EPA decision-making for the first time, a stream of reports issuing from the U.S. General Accounting Office [GAO] (an arm of the Congress) reveals nearly continuous failure by Mr. Reilly's EPA to fulfill its responsibilities. These reports are available free from GAO at P.O. Box 6015, Gaithersburg, MD 20877; phone (202) 275-6241. For example, TOXIC SUBSTANCES; EPA'S

CHEMICAL TESTING PROGRAM HAS MADE LITTLE PROGRESS [GAO/RCED-90-112]; and HAZARDOUS WASTE--CONTRACTORS SHOULD BE ACCOUNTABLE FOR ENVIRONMENTAL PERFORMANCE [GAO/RCED-90-23]; SUPERFUND CONTRACTS; EPA'S PROCEDURES FOR PREVENTING CONFLICTS OF INTEREST NEED STRENGTHENING [GAO/RCED-89-57]; and WATER POLLUTION--MORE EPA ACTION NEEDED TO IMPROVE QUALITY OF HEAVILY POLLUTED WATERS [GAO/RCED-89-38].

But EPA does have one thing it can be proud of. At the Citizens Clearinghouse for Hazardous Waste (CCHW) national grass-roots convention in 1989, Bill Sanjour and Hugh Kaufman were each given special awards for extraordinary service to local people protecting the environment nation-wide. Obviously, to thousands of Americans these men are a credit to the EPA--they are the agency's finest.

Why is William Reilly out to get them? For one thing, they brought formal charges against Mr. Reilly for clear violations of federal law when he tried to reverse federal policy based on an ill-fated breakfast meeting with Dean Buntrock, chief of the nation's largest waste disposal company, back in 1989. Because charges were filed, EPA's Inspector General was forced to open an investigation. Unfortunately, Mr. Reilly proved to be slippery; he managed to appoint his own investigator and he chose someone whom he had the power to hire and fire. To no one's surprise, this "investigation" exonerated Mr. Reilly of all wrong-doing despite substantial documentary evidence to the contrary. (See RHWN #151, #156, #157 and #159.)

Now Mr. Reilly evidently sees an opportunity to get revenge while sending a signal to grass-roots environmentalists in the process--"You don't count, and my agency will do everything in its power to see that you don't get help." Mr. Reilly has seized upon a law passed by Congress last year, the Ethics in Government Act, which was Congress's attempt to curb the corruption of the Reagan-Bush years--years when more public servants have been jailed, fined and banished from government in disgrace than in any other decade of American history. Clearly, no Congressman or Senator intended the Ethics in Government Act to prevent citizens from buying Bill Sanjour or Hugh Kaufman a plane ticket so they could get some help from these two. It is a perverse and self-serving misinterpretation of the law by Mr. Reilly, a tacit admission that his character is petty, his understanding of grass-roots environment protection shallow, and his appreciation of American democratic values lacking in depth and substance.

Do not let William Reilly get away with this shameful deceit. Call or write your Senator and Congressman. Ask them to investigate. Ask them, "Is this what was intended when you passed the Ethics in Government Act?" To learn their phone numbers, phone (202) 224-3121 in Washington, DC. Or drop them a note; just address it to Senator So-and-so or Congressman So-and-so; the only address you need is "Washington, DC" and a zip code: for the Senate, it's 20510 and for the House 20515. Urge them to investigate.

As it happens, Environmental Research Foundation has just published an astonishing little report authored by William Sanjour called ANNALS OF THE EPA: PART 1. WHO'S POLICING THE POLICE? in which Sanjour reveals a new story of deception and intrigue within the EPA--a story that EPA chief Reilly has so far successfully stonewalled. In 1986 citizens in Kentucky reported that a notorious waste hauler was dumping liquids into a hole in the ground leading to an old coal mine. The citizens say EPA Region IV (Atlanta) sent investigators twice but then EPA was silent. Corinne Whitehead of the Coalition for Health Concern asked Sanjour to investigate. But when Sanjour tried to get the official EPA report--and ALL EPA field investigations ALWAYS produce a report--the file was empty. Who had removed the report? As Sanjour probed further, the plot thickened. Where does the buck

stop in this felonious mystery? The buck stops at Bill Reilly's door.
So far that door remains closed and ominously silent.

It is clear from this report that several highly-placed EPA officials
may have violated federal laws, and that Mr. Reilly has failed to
investigate. Who DOES police the policeman?

Get: William Sanjour, ANNALS OF THE EPA: PART 1. WHO
POLICES THE POLICEMAN? (Washington, DC: Environmental
Research Foundation, July, 1991). \$5.00.

--Peter Montague

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