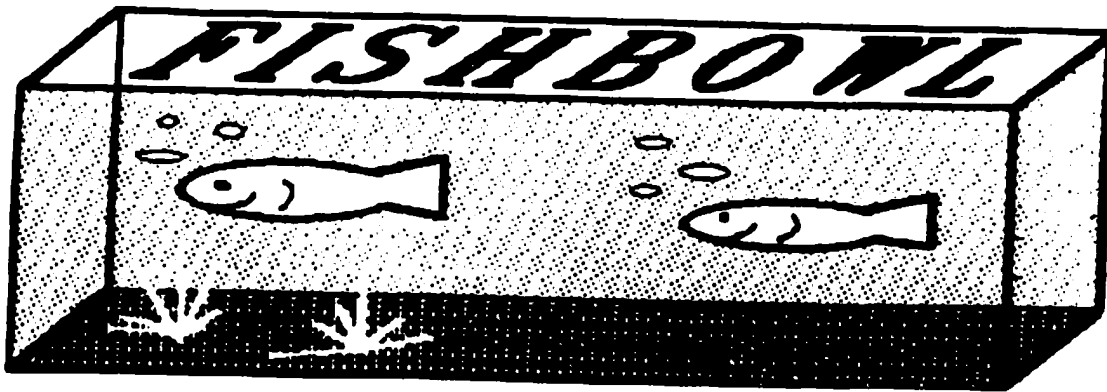


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INSIDE THE



**NATIONAL FEDERATION OF FEDERAL EMPLOYEES
LOCAL 2050**

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***"We must conduct our affairs at EPA as if we worked inside a
fishbowl ----" William Ruckelshaus, former Administrator ,
U. S. EPA***

NFFE LOCAL 2050 -- JOIN TODAY

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FROM THE EDITOR

DWIGHT WELCH STEPS DOWN AS UNION VICE-PRESIDENT Senior Vice President Dwight Welch has resigned his office in the Local effective the end of January. Dwight has served the Union in various leadership roles, including the presidency, during the past five years. He will be returning to work in the Integrated Pest Management Program in OPP, and will continue to serve as Health and Safety liaison for the Union with EPA management.

WELCOME TO ADMINISTRATOR BROWNER Local 2050 welcomes, for the first time in its history, an appointee of a White House not rightly suspected of environmental duplicity. A Local 2050 representative attended the confirmation hearings of the new Administrator in January and was impressed with the esteem in which she is held by those on the Hill with whom she has worked and must continue to work to carry out EPA's missions. Her stated willingness to engage all elements in a controversy in finding solutions is encouraging. We in the Union who have been involved in such controversies over the past several years and have felt frozen out of making contributions to solutions look forward to a change.

FORMER NATIONAL PRESIDENT IN HOSPITAL Former President of the National Federation of Federal Employees, Jim Peirce, is in Carteret Hospital, 3500 Randall St., Moorehead City, NC 28557, recovering from surgery for lung cancer. The thoughts, prayers and best wishes for recovery of all of Local 2050 go out to Jim and his family. It was during Jim's tenure that Local 2050 was formed, and his aid and guidance were instrumental in bringing this union into being. Over the years, Jim's continuing counsel on labor relations, effective political action and communications have been a big factor in the growth and development of Local 2050. EPA employees will also remember Jim's speaking appearance at the indoor air rally here in May, 1990. We look forward to seeing Jim again soon, and wish him well.

STEWARDED ACTIVITIES

In last month's issue we reported on several cases being handled by the Local's stewards, and promised to report on two others this month. Here are these cases and more.

PROFESSIONAL "RUBS THE WRONG WAY" AND SUFFERS HARASSMENT In October we heard from a female professional, GS-13, who was suffering a variety of harassments in her work unit: a year-plus delay in processing a promotion package, a trumped up complaint to the Inspector General about travel expenses, admonitions about using the Local Area Network to put key personnel communications in writing, attempts to negate her rights as an air quality-injured employee, giving her a 1992 performance evaluation low-ball satisfactory score (during the same year that she received a Special Act Award!) and failure to provide her FY 1991 performance evaluation at all.

Local 2050 provided a representative for three meetings with her, her management and a Personnel officer to discuss these problems.

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The anonymously filed travel expense complaint was quickly shown to be a malicious fraud, and itself a violation of law: we intend to pursue the matter, ferret out the perpetrator and insist on proper disciplinary action against that individual. Management promised to provide the long overdue performance appraisal by December 4, but hasn't yet done so. Management also asked the employee to update the promotion package she had submitted in August 1991 so that prompt action could be taken. Given the ill-kept management "promise" of providing the FY '91 performance appraisal, we are gearing up for prompt action within a short time after the new promotion package is submitted. Her management told her over a year ago that the reason she has not been promoted to GS-14, even though she does excellent work and carries the heaviest case load in the Division is that she "rubs (a senior manager) the wrong way".

Management has relented in its harassment regarding her use of the LAN to communicate important decisions in writing, and we trust that no future harassment occurs. The attempt to force her into accepting not an office mate, but a desk mate because of her need to spend some of her work week outside Waterside Mall has been thwarted as well.

Stewarding work for this employee continues.

OE GETS "MOVE OUR WAY" ULTIMATUM -- UNION TAKES ACTION The Office of Enforcement was notified several months ago that it might get to move to the Vermont Avenue space formerly used by the Clinton-Gore Transition Team, and it set up a Quality Action Team to address move issues; the Union was named a QAT member. So far, so good.

The Union's representative, Jim Handley, worked with other employees to develop a consensus that old, rather than new, modular furniture be installed, and no carpet be used. These conditions would protect the ability of environmentally sensitive employees to rejoin their colleagues in EPA offices, thus helping prevent further erosion of their careers. Jim's work was done outside the QAT, which was never convened by management until an "ultimatum" arrived from OARM in February. The OARM missive stated that an "opportunity" to buy new furniture for the space would expire by end of February, and OE need to decide whether it wants the space - with all the wrong conditions for its handicapped employees. Based on previous OARM dealings of this kind, OE fears that demanding some negotiating room over furniture, flooring, and other employee concerns will cause OARM to withdraw its offer of the space. NFFE has sent a memo to Chris Holmes complaining of OARM's methods, which deny both the program offices and the unions their right to represent employee and management interests during moves. NFFE has explained that if OARM "offers" the new furniture/new carpet space to another office with bargaining unit employees, to get around OE objections to ultimatum-moving, there will be a fight. NFFE and AFGE are working in tandem on this issue.

We await Mr. Holmes reply, and hope that he will not emulate his unlamented predecessor.

ORD PROFESSIONAL UNDER ATTACK An Office of Research and Development professional has been the target of attack and retaliation by ORD managers. Local 2050 has been working in his behalf through Chief Steward, Rufus Morison.

We have filed three grievances, two unfair labor practices, and an EEO complaint in defense of this employee, and other action may be in the offing as well. We will report further on this case in the next issue.

GROUNDWATER PROTECTION DIVISION EMPLOYEES BALK AT IMPOSED PERFORMANCE STANDARD: NFFE STEPS IN An employee of the Groundwater Protection Division, Office of Water called the Chief Steward in mid January to complain that a mandatory Standard on "quality" was being imposed by their Director, and she asked for help. A Union representative spoke with the employees and found that, not only was a generally redundant Standard being imposed, but it was, in fact, a one-standard Critical Job Element (CJE). For those not in the know, an Unsatisfactory rating on any CJE means an automatic Unsatisfactory overall performance evaluation, and is the first step toward dismissal.

Management had gotten the word about employees' unrest over the issue (27 of 40 had stated they would refuse to sign a performance agreement containing the Standard) and had promised to convene a Quality Action Team to "reword" the Standard. Bill Coniglio is Local 2050's representative on the QAT. He reports that the problems which precipitated the Standard appear amenable to a cooperative solution, with all sides getting what they need: management getting work products of appropriate quality, and employees getting fair performance agreements. Chalk one up for employees standing up for their rights, with the Union doing the job it's here to do.

UNION DEVELOPS PERFORMANCE STANDARDS GRIEVANCE POLICY GUIDE

Based on the Groundwater Protection Division incident, Local 2050 has developed a guide for determining when a supervisor has deviated from the Agency's stated policy on developing performance standards, and thus precipitates a grievable problem. The guide will be available from Local 2050 soon; call 260-2383 or 308-7031 to reserve a copy.

OFFICE OF INTERNATIONAL ACTIVITIES (OIA) REORGANIZATION OPPOSED BY EMPLOYEES AND NFFE

Representatives of Local 2050 and sister Union AFGE Local 3331 met recently with several employees of OIA who are bitterly opposed to the proposed reorganization of that Office and the management that it has had for the past several years. In fact, an Equal Employment Opportunity Act complaint has been filed in the matter over the lack of women and minorities in leadership roles in the Office. Additionally, the Unions have learned that at least one "burrowing in" has occurred in the Office. The reorganization was instituted after the election and signed off by Administrator Reilly before he left office, a Transition no-no.

The Unions have written directly to Administrator Browner, with copy to Senator David Pryor, Chairman of the Federal Services, Civil Service and Post Office Subcommittee of the Senate Governmental Affairs Committee, asking that the 11th hour reorganization be halted, at least until the EEO complaint is heard and until information is provided to the unions to permit them to adequately bargain on behalf of employees. Issues of improper job classification, discrimination and preferential treatment in hiring and promotions, and "burrowing in" are of concern to the unions.

GENERAL NEWS AROUND HEADQUARTERS

LOBBY WEEK COMING UP During the week of March 1 - 5, NFFE members from around the country will come to Washington to join forces in visiting Capitol Hill. The Union activists will be part of the National Union's efforts at implementing the mandates of the 1992 Biennial Convention by lobbying Congress for the measures which the membership wants enacted.

Prior to visiting the Hill, training will be provided on the issues we are pushing, such as leave- and health care reform, Hatch Act repeal, and more.

Contact the Union office at 260-2383 to join the effort. We need all the help we can get, and with Local 2050's unique Official Time Agreement, you need not take leave for this work. Come meet your fellow unionists and help improve conditions for all Federal workers.

OPPT FOCAL POINT NETWORK The Office of Pollution Prevention and Toxics has a group of Branch representatives dealing with improving communications, training opportunities and compliance with TQM principles. Its called the Focal Point Network, and NFFE sent a representative, Bill Hirzy, to its February 11 meeting. Bill explained the Union's position regarding moves in OPPT (and elsewhere at Headquarters) and will work with the group to enhance communications between Local 2050 and employees and to provide training to employees and managers on the role of the Union at Headquarters. We hope to work with our sister union on these matters.

TRANSPORTATION SUBSIDY The Union has been dealing with management on this issue for some time. At last word, EPA was considering which of three options to adopt, but was also concerned that funding for the program had to come from the Salary and Expenses account. We could understand such concern several months ago, but no longer. One Office (OPPT), at least, is on a hiring binge, so there apparently is plenty of cash in the S & E account. Furthermore, OPPT is in a space crunch with existing staff levels. The Union has pointed out that a better use of S & E money than increasing staff (in the face of recent Presidential pronouncements) would be to put it into \$60/month subsidies for existing staffers to ride public transportation. If you agree, give Administrator Browner's office, and Local 2050, a call.

PROGRAM FOR INFORMATION AND TESTING FOR LEAD EXPOSURE IN CHILDREN A group of volunteers, sanctioned by the Office of Pollution Prevention and Toxics, has set up a program to inform and encourage OPPT employees to have their young children tested for lead exposures through blood testing. The program is led by Joe Breen and Cindy Stroup, and has members from many OPPT Divisions and Local 2050. A letter from management and the unions is about to issue informing employees of the program and encouraging participation.

Lead exposures to children can sometimes occur without knowledge and it makes good sense to be sure your young child is safe. Information on availability of blood tests and treatment for high blood lead levels will be disseminated in the program, which will be

making a special point of contacting parents of new-borns within OPPT.

For information about the program call Joe (260-2659) or Cindy (260-3886).

EPA AND ANDERSON LABS KILL MICE IN CARPET TOXICITY TESTS: VERMONT NIXES 4-PC CARPET USE by Bill Hirzy From January 5 through 8, EPA and Anderson Laboratories researchers conducted parallel toxicity tests in Massachusetts on the same carpet sample, using each others' equipment. Each group killed one of four test mice.

According to a Congressional staff representative who witnessed the testing, the EPA group leader was "exhorting the mouse in the EPA test chamber not to die." The ORD Division Director of the EPA group, Bob Dyer, commented on the parallel toxicity testing to Associated Press writer David Gram saying, "Basically there was no scientific study done there that I was aware of." Dyer was reported to have indicated that the studies were "inconclusive." AP reports that Rosalind Anderson rejoined, "He's out of his mind." In spite of the results and the need for EPA to take action to protect the public as well as the carpet and chemical industries, EPA remains reluctant to face up to the fact that carpet can - and is - causing severe adverse health effects.

The results led Rep. Bernard Sanders (I-VT) to again ask EPA to drop its participation in the Carpet and Rug Institute's "Green Tag" program. (The Union filed a grievance on the same issue in September which was denied in turn by Bob Axelrad and his boss Eileen Claussen.) EPA's Vic Kimm, Mark Greenwood, Bob Axelrad and others met with Rep. Sanders on February 2 to "discuss next steps."

EPA says it will be June 30 before "real" verification of Anderson's work is done, and about two years more before any regulatory action could start. In the meantime, EPA is willing to change the carpet brochure it and industry are happy with to the effect that some people report flu- and allergy like symptoms, and asked those who "signed on" to the previous brochure (Carpet and Rug Institute, et al.) for comments on the proposed new language.

On February 3, Rep. Sanders met with Local 2050, representatives of other Congressional offices, several Attorneys General, consumer groups and Dr. Anderson to discuss EPA's "next steps" proposal. Dr. Anderson said that she has now tested 200 carpet samples submitted by prospective purchasers, carpet mills themselves, and people complaining of ill-effects; ten of the 200 were "OK"...yes, 95% were toxic to mice. She stopped counting "Street Stories"-inspired phone calls from consumers complaining of adverse effects at 600. Many of these deal with induction of seizures, convulsions and asthma in children, as well as chemical sensitivity and more "routine" breathing problems and irritancy in adults. Pathology findings on dead mice include severe lung and brain damage.

Based on that meeting, the Union has submitted its comments on the new language to Charles Auer of EPA. We have asked that the Dialogue be reconvened to consider the new language and the Anderson/EPA research findings. Copies of our letter to Auer are available.

Meanwhile, the State of Vermont, acting as EPA Headquarters did in 1988, has announced that it will no longer buy or use 4-PC containing carpet. And CBS has another "Street Stories" nearing broadcast featuring a carpet victim in the western U.S. whose lung pathology mimics that seen in Dr. Anderson's mice and in a Georgia carpet mill worker in

SERIOUS CONDITION.

serious condition.

THANKS TO SUSAN LAWRENCE by Tyrone Aiken And they say there is no such thing as luck; well here's a story that may change your mind.

Several years ago in the case of Tyrone R. Aiken v. William K. Reilly, I alleged that I was denied a section chief job because of selection factors being applied after the fact, and claimed that hiring practices at EPA are corrupt and discriminatory. In the case, Judge Oberdorfer, of the U.S. District Court for the District of Columbia, ruled in favor of EPA based on the evidence presented at the time. Needless to say, I was not happy with the result and kept digging for the truth. The evidence Judge Oberdorfer had before him consisted mainly of testimony by Agency officials that there were no selective placement factors for the position in question, before or after the fact. Among those so testifying were the selection panel members, Anne Barton and Ester Saito and Paul Schuda. (Dr. Schuda was the selecting official, and, as such, he sat on the selection panel in violation of Merit System Promotion Rules. Personnel specialist Charlotte Northern knowingly allowed Dr. Schuda, the selecting official, to sit on the panel in violation of the Rules.) Mrs. Northern also testified that there were no selective factors for the job, as did Robert Holst, the subject matter expert.

On September 8, 1992, Ms. Susan Lawrence responded to my Freedom of Information Act request for Dr. Schuda's records on the case. She said that interview questions I sought were not available, but that, "Dr. Schuda did locate a copy of the 'Selective Factors for the Environmental Fate Section Chief'".

Well, now, at last the truth: hard evidence that Selective Placement Factors did exist, in spite of such testimony by Robert W. Holst as, "I do not recall ever developing selective placement factors for vacancy announcements for any of the positions for which I served as Subject Matter Expert." The old Ronald Reagan Defense, eh? The new evidence came from the files of Paul Schuda, who claims that it was "overlooked" the first time.

Thanks to the work of Susan Lawrence the "overlooked" evidence may get the judgement overturned. And with luck (or good management by the new EPA leadership) those who concealed evidence will be terminated and feel the full weight of Federal law upon their brows.

In the event such justice prevails, Ms. Lawrence gets a big piece of the credit. Ms. Lawrence, NFFE and I thank you.

(Editor's Note: If you feel you have been similarly short-changed, give the Union a call; we may be able to help you find some "good luck" too.)

ENTHUSIASTIC RESPONSE TO UNION MARTIAL ARTS COURSE The response to the NFFE Local 2050 sponsored martial arts course, to be taught by Local President Tyrone Aiken and Dr./Professor John J. Womble, Sr., has been enthusiastic. The course immediately filled with applicants at both the Waterside and Crystal Station facilities. Local 2050 thanks Leah Henry for helping the Union to make the course offering a success. Dr. Womble is the first Afro-American to teach the Martial Arts in the U.S.

UNION GETS MEETING ROOM Since last July Local 2050's main office has been located in LG-100, after the Union's staff was driven out of NE 302 by toxic fumes. Periodic air quality problems had plagued the room for at least 5 years. The room is also subject to periodic floods from a leaking roof and ventilation equipment in the ceiling, and is under constant bombardment by high background noise level from the ventilation equipment (we could have air, or quiet, but not both). With the move to open-bay space in LG-100, the Union had no space in which to conduct meetings. With many thanks to Barbara Bonofiglio, Portia Johnson and Phil Wirdzek, the Union now has a small lockable conference room in which to hold meetings and to store equipment. We look forward to a promised move to permanent, better space near the WIC by the end of March.

...AND FAX MACHINE The Agency stopped its contract communications operations in the Mall at the first of the year. This has made it hard for the Union to communicate by facsimile (as well as to return international phone calls). The Agency has provided a surplus fax machine to the Union, for which we express our thanks to OARM management.

HEALTH AND SAFETY NEWS

GSA SAYS "CUT ALTERNATIVE WORK SPACE" GSA, the government's landlord, is putting pressure on the Agency to utilize the Alternative Work Space in Crystal Station. The AWS, large enough to accommodate 30 employees, currently houses 5. Facilities director Rich Lemley has proposed walling off a quarter of this space for the chemically sensitive employees and using the rest of the space of non-sensitive employees. Other proposals include giving the MCS employees permission to work at home. The Union has asked Rich Lemley for a written proposal. This proposal, in turn, will be discussed with the AWS employees. The Union will negotiate with management based on the ideas and desires of the AWS employees.

WILL FLEXIPLACE REPLACE WORK AT HOME? When the Flexiplace pilot program was under negotiation, the Union suggested that employees too environmentally sensitive to work in EPA buildings should come under its auspices. But EPA declined this humane and logical approach. Now, according to Health and Safety Chief Dennis Bushta, the Agency is proposing just such an arrangement. Under the proposed course of action, employees would no longer have to document medical need, but merely apply for the program. As long as those who need this reasonable accommodation for work-related disability are sure of getting what they need, this may be OK, but NFFE will be vigilant about any adverse impact on injured employees.

BEAD EMPLOYEES GET COMPUTERS RADIATION TESTED In the Fall of 1991, NFFE's Tyrone Aiken started Extremely Low Frequency Electromagnetic Radiation testing at EPA Headquarters, long before EPA management or the media got into the game. Many employees have taken advantage of the program in the ensuing year and a half. Latest among these are employees of the Biological And Economic Analysis Division, OPP. With the exception of Division Director Allen Jennings, all of the employees of the have had their

work areas tested for exposure to ELF. Of the 70 or so areas tested 4 or 5 were in the moderate to high range. After making suggestions for lowering radiation exposure, Dwight Welch came back a couple of weeks later to retest. Without exception, rearranging equipment worked, significantly lowering employee exposure. Local 2050 thanks Linda Bass of the Division for her considerate and conscientious work on behalf of Division employees and for coordinating the testing with the Union.

CANCER AT CALIFORNIA SCHOOL BLAMED ON ELECTROMAGNETIC RADIATION--EPA/BUSH WHITE HOUSE COVERUP? According to a December 7, 1992 New Yorker magazine article, a seemingly high number of cancer cases, approximately 14 malignancies out of 140 employees past and present have been reported by faculty members at the Louis N. Slater Elementary School. Most of the cancers involved the reproductive system. Although officials are attributing this to coincidence, it is interesting that all the cases were employees working on the side of the school nearest high voltage power lines.

The article also described a draft EPA report that called exposure to electromagnetic fields a probable carcinogen. However, according to the article, after EPA's Richard Guimond, Director of the Office of Radiation Programs, and William Farland, Director of the Office of Health and Environmental Assessment, briefed officials at the White House Office of Science and Technology Policy and the White House Office of Policy Development on March 6, 1990, this conclusion was deleted. The EPA study described a body of experimental research showing that weak magnetic fields could change the chemistry of the brain, impair the immune system, and inhibit the synthesis of melatonin, a hormone known to suppress several types of tumors and which is present in reduced amounts in women who develop breast cancer. The article asserts that Dr. Farland went to considerable lengths to down play the importance of these corroborative findings. A New York Times article quotes Farland as saying that the report "should not cause undue alarm but does suggest the need for additional research."*

Some other studies described in the article:

* A Johns Hopkins study that found a seven-fold increase in leukemia and a general increase in other types of cancer among 4500 New York Telephone Company cable splicers;

* A New York Times report that indicated a world-wide increase of brain cancer, lymphoma, and melanoma (all diseases cited in the EPA report);

* A University of Southern California School of Medicine report that found a ten fold increase (over the expected rate) in astrocytoma (a type of malignant brain tumor) in electricians and electrical engineers who have worked 10 or more years in jobs involving strong electromagnetic fields;

* Swedish studies that show children exposed to greater than three milligauss had four times the risk of leukemia than children exposed to less than one milligauss (from electric power lines);

* A Swedish occupational exposure study of 1361 workers that showed a three fold increase of chronic lymphocytic leukemia in workers exposed to 2.9 milligauss when compared to those that averaged less than 1.6 milligauss and a four fold increase in workers exposed to greater than 4.1 milligauss. The study also showed an increase in brain tumors, but with a less strong association;

* Studies that show an increase in miscarriages and fetal damage in laboratory animals exposed to VDT radiation;

* A study from the Institute of Occupational Health in Helsinki which found that women exposed to an average of 3 milligauss had 3 and a half times the miscarriage rate of women exposed to an average of one milligauss;

* A study at the University of Adelaide which found that women working at computer monitors were developing primary brain tumors at nearly five times the expected rate.

(* Editor's Note: We believe that EPA scientists are ethically bound to tell the truth about risk. The Swedish Government, in contrast to the Bush Administration, took swift action to inform and protect their populace.)

HAVE YOU HAD YOUR WORK AREA TESTED YET? For your free ELF test, west of the river, call Dwight Welch at 305-6533; east of the river, call Bill Coniglio at 260-1362. It takes only a few minutes and you do not need to be a member of the bargaining unit, you can even be a manager--Local 2050 cares about all EPA employees. About ten employees a week are calling for tests. Calls from outside the Agency, which also are coming in, are referred elsewhere.

POWER SURGE SENDS MALL EMPLOYEES HOME; NO PCBs SAYS BUSHTA On December 14, 1992 Pepco employees working on a transformer which services Waterside Mall accidentally caused a power surge which wreaked havoc throughout the complex. According to EPA Headquarters Health and Safety Officer Dennis Bushta, the surge overloaded two roof mounted ventilation motors, burning the windings and frying the wiring harnesses leading to the machines and causing light failures and sporadic computer malfunctions. The entire Waterside complex was initially evacuated because of odors from the burned wiring. Mall employees were sent home, and East and West Tower employees returned to work. In response to an inquiry by Local 2050, Mr. Bushta indicates that no PCBs were released. Mr. Bushta further asserts, "...there is no PCB containing equipment in Waterside Mall."

IRATE SMOKERS SIGN PETITION A conflict has arisen concerning the rights of smokers in the Crystal Station building. According to the Smoking Agreement signed by Local 2050 and EPA, the Agency is committed to providing smoking lounges for smokers. This policy was designed to give smokers an area to smoke where they would not contaminate non-smokers. A smoking lounge would mitigate the temptation for smokers to sneak a quick one inside the buildings. No smoking lounges have thus far been set up in any EPA building despite the 2 year old agreement.

A petition signed by about 50 smokers in Crystal Station asks EPA to honor its commitment to a smoking area. Smokers object to having to puff outside in the deep freeze. Crystal Station also contains Alternative Workspace for environmentally sensitive employees, who suffer greatly from smoking in the lobby. The problem is the Agency once again renegeing on its word. Dennis Bushta, a management signatory to the agreement for the Agency, also supports the need for lounges. But competition for space is intense, and John

Beecher, responsible for space allocation, does not seem to regard the smoking lounges as a high priority. NFFE intends to meet with Rich Lemley on this situation.

THIRD STREET EMPLOYEES GET DAY OFF FROM WATER MAIN BREAK Employees at the 501 Third Street building got a day off on December 29th. A nearby water main break cut off the water supply to the building's sprinkler system. Facilities Director Rich Lemley wisely decided to send the employees home.

TOXIC PLUME SENDS EMPLOYEES HOME AT CRYSTAL STATION An uncontrolled release of smoke that bypassed pollution controls at a nearby sewage sludge incineration plant sickened some Crystal Station employees and sent them home on January 13. Numerous emergency vehicles were in the neighborhood that same day.

Even under ideal conditions the incinerator is a problem. According to experts, a "cold plume" is normally released from the facility. The cold plume does not rise well, fumigating people in the surrounding area. And the initial stage of incineration heats the liquid sludge, driving off water, VOCs, and other easily volatile chemicals which bypass the pollution control systems. About 20% of the time, when the wind comes from the Southwest, the plume blows toward EPA's Crystal Station building, where it is sucked into the building's ventilation system.

Ironically, that building houses our "clean space" for environmentally sensitized employees and is home to the Stationary Source Compliance Division.

PESTICIDES USE COMPLAINT The Union has received a complaint that the Agency is doing weekly applications of pesticide in the East Tower Basement. This is apparently an outgrowth of the Great Fruit Fly Infestation of over a year ago, but we question the wisdom of continuing applications. The complaining employee gets "foggy" after about ten minutes time in the East Tower Basement. We've asked the Health and Safety group for an explanation and we will follow up.

CRIME SCENE

The following incidents were reported to Local 2050 in the month of January.

EMPLOYEE STONED NEAR EAST TOWER A female employee walking near the Safeway loading dock at approximately 5:55 PM was stoned by two teenagers. The employee received a head injury as a result of the stoning.

ANOTHER KIND OF STONING ON THE EAST TOWER RAMP? An employee reported some lights out on the East Tower ramp. While leaving the East Tower, the employee claims that two people from the neighborhood had some "white packets" and some "plastic vials containing a white powder" lined up on the retaining wall at the dark end of the ramp. The employee reported it to the guards in the North East Mall. Next day, after finding an empty purse, the guards claimed that it was not a drug deal after all, but merely thieves dividing up the contents of a stolen purse. Whew, what a relief!

PANHANDLER INVADES WATERSIDE MALL BUILDING We've all been hustled for "spare change" in the commercial mall and on the streets and parks surrounding the mall. One enterprising panhandler recently made his way inside the building and was soliciting money on the stairway at the Southeast entrance to the mall. He was quickly turned out after the situation was reported.

MORE 11TH HOUR SLEAZE

REILLY OVERRULES CAMPT, APPROVES EXEMPTION FOR BIRD KILLING PESTICIDE by Dwight Welch Hydrogen cyanamide, a pesticide used in Mexico by grape growers to ensure uniform ripening of grapes, has also been used in the U.S. since 1988 under Section 18 of FIFRA, which allows the use of unregistered and canceled pesticides. Growers in California and Arizona have previously convinced EPA that the grape-growing regions were experiencing a warming trend that threatened grape production. Although the Agency has approved this exemption for years, OPP Director Douglas D. Campt turned down the latest renewal on November 24, 1992 indicating that the growers had not been able to show that a damaging warming trend would continue. A month later the lame-duck EPA Administrator overturned Mr. Campt's decision.

The problem with the pesticide, according to environmentalists, is that data on hydrogen cyanamide are scarce. One thing that is known is that one of the chemical's breakdown products is lethal to birds. Growers are supposed to ensure that over-watering doesn't occur creating puddles (right!). Birds coming to drink from these puddles get killed. Among the angry environmental responses, Jay Feldman, executive director of the National Coalition Against the Misuse of Pesticides, was quoted, "This is another one of Reilly's parting political gifts to the pesticide lobby."

REILLY ACTS ON CONTESTED WTI PERMIT by Dwight Welch In the last issue of **INSIDE THE FISHBOWL**, we hailed as a victory Vice President-Elect Al Gore's involvement in the ill-sited WTI toxic waste incinerator. In an announcement that **ENVIRONMENT WEEK** termed, "...a direct slap in the face for the Vice President-elect Al Gore...", Reilly announced that there was no reason to block a WTI test burn. Assuming a position first taken then abandoned by Regional Administrator Valdus Adamkus, Reilly is quoted as saying, "From what I've seen from photographs and heard in reports, it could have been better sited than it is," adding, "Siting is not within the jurisdictional authority of the EPA."

Air inversions which occur mainly in the fall of the year trap toxic emissions from the plant within this river and mountain valley town. The lame-duck Administrator's lame argument seems to refute the first law of EPA. "Dilution is the solution to pollution." All toxed up with no place to go, the polluted air will be most concentrated for the children at the nearby elementary school and by inner city folks living as close as 320 feet to the incinerator. Reilly's decision may seriously limit the legal options of the incoming Clinton-Gore Administration. Federal Judge Ann Aldrich of Cleveland issued a temporary restraining order against WTI on January 15 and set February 15 as the day she decides on whether to

issue a temporary injunction against WTI from conducting the test burn until the health issues are sorted out in a trial.

OFFICE OF INTERNATIONAL ACTIVITIES (OIA) REORGANIZES (Covered above in the "Stewarding Activities" section)

EPA REPORT CALLS CIGARETTE SMOKE A RISK TO NONSMOKERS ..BUT..

"...smoking is not just a health danger for smokers, but a significant risk for nonsmokers, particularly children," said lame-duck Administrator Reilly to the Washington Post in releasing an EPA report on the subject of secondary tobacco smoke risks.

(James Repace, an EPA Headquarters physicist, has been the leader in fighting for recognition of this fact within government. James has suffered attacks from politicians and the tobacco lobby -and received the 1989 Surgeon General's Medallion award - for his work in this field. Steve Bayard of ORD was the Project Manager for the landmark Report, and also merits high praise for his work.)

What Reilly failed to mention in the release was that his agency has yet to build smoking lounges (despite an agreement between management and unions to do so) to protect non-smokers from secondary smoke. The lounges would protect non-smokers by reducing the temptation to sneak a smoke inside the buildings during cold or inclement weather.

Smokers outside the West Tower routinely fumigate the kids in the Early Environments Child Development Center play area. The Agency also recently approved a number of FIFRA Section 18's, allowing the use of unregistered or canceled pesticides on tobacco.

AEROSOL FLAMMABILITY UPDATE by Dwight Welch A draft notice regarding pesticide aerosol flammability has been generated by the Aerosol Flammability Work Group. I got hold of a "bootleg" copy; my previous work in this area apparently did not qualify me to comment officially on the notice. I don't feel too bad being excluded from the circulation list; other chemists who worked on the problem in my former section were also excluded and didn't realize the draft was out until I gave them copies.

While the draft contained some good ideas, such as the use of "flammable ingredient", "explosive ingredient" symbols, the draft is significantly flawed and contains outright false information. For instance, the notice claims that a majority of problems were from foggers, and therefore only the foggers are dealt with. But the CPSC data base indicates that at least 95% of accidents involve hand-held aerosols, not foggers. The notice fails to mention contradictory industry comments (within the same letter) indicating that the products were somehow safe to the unsuspecting consumer, but dangerous to trained, fire-lab personnel testing the products.

The notice also betrays a lack of scientific expertise, implying that CFCs are flammable (they are very stable and nonflammable). The notice also cites only a very few of the hundreds of accidents/explosions, fails to mention the false arson charge problem, overlooks the fact that all three states of matter (solids and gases and well as liquids) can be flammable, ignores the drum test protocol from other countries, and ignores auto-ignition data

suggesting dangerously high static electricity charges from discharging cans. The notice rejects appropriate precautions for all aerosol products as being too costly.

Of special interest to corporate attorneys is the fact that the precautionary language is less severe than that now used on disposable butane lighters. While these lighters contain only 2 or 3 grams of explosive gas, many aerosols contain 50 times that much, and the gas is released hundreds of times faster than from the lighters. At the same time, the industry recommended instruction to not use the foggers within 6 feet of an ignition source is a defense attorney's dream come true--can you find a single spot in your home or apartment which is more than 6 feet from a pilot light, appliance, phone, doorbell, or electrical outlet? (Wouldn't it be easier just to flip the main circuit breaker than to find such a spot?) While the 6-foot restriction could lower the number of accidents (if you could find such a spot to set off the fogger), nearly every fire/explosion will now become a misuse, exempting the manufacturer from liability.

The notice cites two accidents as "misuses"; but in one of the incidents, misuse could not be determined by the "Agency Experts" from the product label--they had to research and compare the product to similar registered products. I don't call that a misuse, I call that a bad label. The notice also made no reference to storage and disposal hazards which have accounted for deaths, accidents and fires.

CONTRARIAN'S CORNER

ALL SMILES, NO CARES by The Scarlet Pumpernickel In the recent January 1993 EPA InSight article, Bill Reilly and Hank Habicht are characteristically self-congratulatory and adulatory. Apparently the Reilly exchange program with the former Soviet Union includes hiring its former revisionist historians.

The complete record of the duo's work affecting EPA employees and wildlife includes a few items not covered in the article, and we should remember those too.

These two oversaw some of the most definitive low level human neurotoxicity experiments and one of the most efficient human toxic exposure chambers since the end of World War Two. From March 1988 through at least the Spring of 1989, Local 2050 and Dr. Mark Bradley, former Occupational Physician with the EPA Employee "Health" Unit, (among others) warned Reilly of the consequences of the Waterside Mall Buildings' poor air quality. Over 50 employees have permanently lost their health and had their careers damaged, in part, because Reilly did not take effective action. Busy with Princess Di, Bill? How's her health?

Habicht and Reilly later condoned - at minimum - the vicious reprisal against whistleblower Dr. Bill Marcus by Margaret Stasikowski, Tudor Davies, John Martin and Francis Kiley. The Agency was found guilty by Department of Labor Judge David A. Clarke, Jr. of reprisals against Bill Marcus for whistle-blowing on the Agency's science fraud on fluoride (another one of Habicht's and Reilly's accomplishments, although they were late comers).

Massive contract fraud (~\$19 million in 6 years) and nepotism in the Office of Research and Development involving Gilman Veith, Director of the Duluth Laboratory, has

gone essentially unpunished. Veith was appointed Senior Scientist and the contractor and former ORD manager, Ris Haque, long time chum of ORD Assistant Administrator Erich Bretthauer, has lost his contracts with Duluth. OARM AA Christian Holmes is the damage controller for that one. Habicht is the senior manager who is responsible according to the charts.

Inspector General John Martin exonerated Reilly of conflict of interest with waste management lobbyists and former Administrators Lee Thomas and Bill Ruckelshaus. Of course, Habicht constantly maintained that he had no control over OIG officials Martin, Barden, Virbick, et al.

Neglectful of the birds and bunnies and plants, Reilly promoted the GATT treaty's harmonization program through OPPTS AA Linda Fisher - a tidy scheme to "harmonize" our environmental protection regulations (such as they are) with those in Europe. Hey, Bill, ever tried to find wildlife and rare plants in most of western Europe? Its all in the parks and zoos. The last wild fauna in Europe is probably *Phthuris pubis* (Linn.), found free ranging from Amsterdam and Copenhagen to Paris and Madrid. Fisher recently (Dec. 1992) weakened fish and wildlife field safety testing by replacing by it with computer modeling and lab tests, a parting gift from Reilly and Fisher to the pesticide industry.

In the EPA Insight article, Reilly says:

"... There are the 'green' programs. The very idea that we could tell industry how to save money struck me as counter intuitive. I don't want to say I've been amazed, but I think we've revolutionized energy and conservation opportunities...."

Any recounting of Reilly's contribution to "green" programs must include EPA's "Hear no Evil, See No Evil, Speak No Evil" policy to protect the carpet industry. The policy involves the collusion of Indoor Air officials Claussen and Axelrad and OPPT officials Greenwood and Auer in the "Green Tag" consumer fraud of the Carpet and Rug Institute. EPA, with other Agencies, joined CRI in the program that tests ca. 0.00001 % of production, then hangs a "Green Tag" on 100% of production, implying safety. This "green" scam is dangerous, because people getting sick from "green" carpet suspect it last, instead of first, as the cause of their sickness, and get worse and worse before they get help - if ever. At least one such case is on record in Baltimore. NFFE Local 2050 filed a grievance with Axelrad and then Claussen (denied) and a complaint with the Federal Trade Commission (under investigation) over this calumny.

Instead of citing any more of Saville Row Bill's and the Hawk's transgressions, let me leave you with a question and a reflection, following this excerpt from the January 17, 1993 edition of The New York Times. It is from an article on The Worldwatch Institute report, "State of the World 1993."

"... The report cites familiar examples of the earth's environmental problems, including rising population, increasing carbon emissions (which many scientists blame for global warming), depletion of the ozone layer, vanishing forests and the erosion of topsoil.

"It contends that if such trends continue, the world will be populated by too many people with too few resources to sustain them. By the middle of the next century, the report says, poverty, hunger and pollution will be

widespread and perhaps irreversible.

"Though recycling and conservation can help alleviate these problems, the report says such measures are insufficient and calls for sweeping changes by government, industry and the public....

"People in industrialized nations must want, and even demand, environmentally sustainable technologies, although this may require higher taxes, the report says. Governments, in turn, must make private companies responsible by enacting policies 'that make economic and ecological imperatives converge.....'

"Governments should repudiate the burning of fossil fuels, the production of hazardous - chemical and nuclear waste, and the use of pesticides, the report says. More important, it goes on, they should subject all of these activities to taxation. The carbon tax, which is intended to discourage the use of fossil fuels, would be one such example, Sweden, Finland, Denmark and the Netherlands have already adopted it...."

How did you do on these issues, Bill and Hank? You had enough time.

And how will you do, Ms. Browner?

There is an old, hill-country slogan: "PRAY FOR A GOOD HARVEST - AND KEEP HOEING".

Let the record - not propaganda - define character and accomplishment.

EPA'S TRIBUTE TO MARTIN LUTHER KING, JR. by Dr./Professor John J. Womble, Sr. **A.A.R.P.** On January 13 a "Tribute" to the late Rev. Dr. Martin Luther King, Jr. took place in the EPA Auditorium. All who experienced this worthy observance had to come away feeling they had a unique experience. I was exceptionally moved by the Rev. Dr. Calvin Butts. Dr. Butts, pastor of the Abyssinian Baptist Church of New York, gave us a sense of what his parishioners must experience every Sunday with his sermons. Dr. Butts verbal sojourn through the history of the civil rights struggles in this country, paralleling those of the Bible, was so eloquently phrased one couldn't help but be enlightened and entertained. His mastery of the subject was spell-binding. The Office of Civil Rights Black Employment Program rightfully deserves the title of "Best Production of the Year." Look out, Spike Lee, your competition has arrived.

WHAT IS A QUIET ROOM AND WHY SHOULD THERE BE ONE AT WATERSIDE MALL? by Roger Connor A Quiet Room is a simple, peaceful, quiet room, without symbols of any religion, where men and women may go to be still from time to time.

During the summer of 1992, I and others tested opinion about having a Quiet Room here. We surveyed 1400 employees, getting 771 responses. 46% of respondents agreed that a Quiet Room should be built at EPA Headquarters as soon as possible, 29% disagreed, and 25% expressed no opinion. 42% said they would visit the Quiet Room once a month or more. Copies of the complete survey report are available from me at 260-3312.

I believe that EPA Headquarters should have a Quiet Room because employees want and would use it. If EPA can afford to build smoking lounges, it can afford to provide a

Quiet Room. The Room would keep EPA in the forefront as an innovative Agency concerned with the well being of its employees. We found no other civilian Agency with a Quiet Room.

Such a room would complement other EPA quality of work life programs and would be a low cost item. It would use less than 0.02% of the space at EPA Headquarters. No expensive equipment or construction is required, and it would require minimal maintenance. And it could be considered a six-month pilot project. At the end of that time, if it is deemed unnecessary, unpopular or controversial, it could simply be designated an office or conference room.

If you would like to be part of an effort to make the Quiet Room a reality, call Roger Connor (260-3317).

"SUPER AFSEEE" GETS OFF THE GROUND (Third of a Three Part Series)

by Cheri Brooks Public Employees for Environmental Responsibility--PEER--is the name of a new organization which will allow all government resource management and environmental protection employees to join together in one, powerful, united voice for change. The primary function of PEER will be to organize state and federal employees of resource management/environmental protection agencies nationwide to speak out for environmental ethics and to protect the integrity of individual employees and scientists within the government who dissent for ethical reasons. While AFSEEE is issue-focused and particular to the Forest Service, other agencies have other types of issues not applicable to AFSEEE's agenda. PEER will narrow its focus and concentrate on encouraging employees to speak out for environmental ethics, as well as pressure agencies to uphold laws and the public trust.

PEER will focus on grassroots organizing of all resource management and environmental protection employees in the state and federal governments. It will support employees who take a proactive role in speaking out for environmental ethics within their agency and the government at large. Eventually, we hope PEER will act as a federation representing numerous AFSEEE-type groups throughout the government.

Initial activities of the new organization will be an organizing campaign, an annual Protecting Integrity and Ethics conference, a quarterly newsletter, and (in partnership with the Government Accountability Project), initiation and support for legislative initiatives, Congressional education, hearings, and whistleblower support from Congress. For more information, contact PEER at P.O. Box 428, Eugene, OR 97440.

WHAT THINK YOU OF THE PROPOSED SALARY FREEZE, TAX HIKE, FTE CUTS?

Local 2050 wants to accurately represent your views on President Clinton's proposals affecting Federal workers. Please, take a minute to write us at UN-200 and tell us what you think. We will publish your views if we have space and you want them published. In any event, we will pass them on to NFFE National so our representatives on the Hill can carry your message forward. And...don't forget that Lobby Week is fast approaching (See above). You can visit the Hill and make your thoughts known in person!

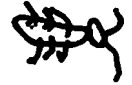
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ROACHEZ HOW EPA "PROMOTES" YOUR CAREER

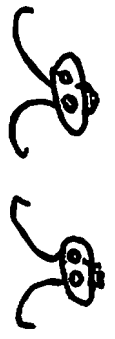
-Dwight

EMPLOYMENT OFFICE

I see here that you had a 3.8 average; very good.



And that you have a Ph.D. in biochemistry from a prestigious university; excellent!



And that you've been working for EPA for the last 10 years.



Which EPA lab did you work at?

I didn't work at a lab, I worked at Headquarters.



So you reviewed biochemical data?

Well not exactly, I forwarded the data to contractors.



I'm sorry, but we have no clerical openings at the present time. NEXT.