

Letters

Oak Ridge Mercury

The article by Eliot Marshall about the mercury situation at Oak Ridge (News and Comment, 8 July, p. 130) presents a biased viewpoint. I would like to provide more perspective on that complex issue because I believe I was unfairly treated in that article.

Contrary to Marshall's account, I was concerned about our local mercury problem long before Stephen Gough began grab sampling. In 1975, as a result of our division's involvement in a preliminary environmental assessment of the Oak Ridge facilities, I became aware of elevated levels of mercury in the fish in Poplar Creek. This stream, which is adjacent to the Oak Ridge Gaseous Diffusion Plant (ORGD), receives waters from the East Fork of Poplar Creek, the stream that receives effluents from the Y-12 weapons facility. As the testimony at the congressional hearings in Oak Ridge on 11 July 1983 showed, I sent internal memoranda to my management, urging that Oak Ridge Operations (ORO) of the Department of Energy (DOE) improve its monitoring of mercury and other substances in the entire Poplar Creek system. No action was taken. In 1976, we were requested to do a limited sampling of fish in the vicinity of the ORGD. The 1977 report of this study, including its recommendations, was restricted in distribution by ORO.

This 1976 survey was limited to the lower Poplar Creek area and did not include the East Fork. We were prevented from doing a study on the East Fork of Poplar Creek, which we suspected to be the main recipient of mercury releases from Y-12. In 1977, I again urged that we be given the opportunity to study the East Fork of Poplar Creek, although we did not know the magnitude of the mercury releases because the information on these releases was classified and remained so until May 1983. Our request was not acted on despite a formal communication from the Oak Ridge National Laboratory (ORNL) to ORO recommending that the sources and extent of mercury contamination be defined.

Throughout this time, early 1975 to late 1982, the ORO office took the position that the Y-12 plant fell under a national security umbrella because it fabricated weapons and, therefore, informa-

tion related to its effluents was to be regarded as sensitive. These were the constraints under which I was operating when Gough took his samples. Recognizing the sensitivity of and having been prevented by ORO from becoming involved with the Y-12 facility, it was necessary for me to take some administrative action. This action was aimed at rectifying what was a procedural error on Gough's part and was not a reprimand "for insubordination," as stated by Marshall.

The statement that, on 5 December 1981, Stephen Gough and his brother Larry "had begun to document the highest levels of mercury contamination ever recorded in the United States" is incorrect. Records of the mercury problem in the East Fork Poplar Creek dated back many years and were on file in our division; also, Gough had participated in the preparation of an environmental assessment document on ORNL and ORGD. The "toxic residue problem of enormous proportions" which the Goughs allegedly stumbled onto was not a problem for ORNL, Stephen Gough's employer, but relates to discharges from the Oak Ridge Y-12 plant, at which ORNL Environmental Sciences Division staff members have no jurisdiction.

Marshall states that, as soon as I learned about the unauthorized sampling, I "stopped the project," but there was never any project to stop. Although Gough said that he planned to write a proposal for a joint project between ORNL and the U.S. Geological Survey (USGS), where his brother is employed, no such proposal was submitted. I did request that the USGS return Gough's samples, but did not "insist that no cover letter accompany the package." I also did not refuse USGS permission to record data from the samples, nor did they make this request of me.

Marshall asserts that Stephen Gough was forced to leave ORNL "under a cloud" because he and his brother collected unauthorized samples from a sensitive work area. Gough was one of 12 employees in the Aquatic Ecology Section of the Environmental Sciences Division who were informed in early February 1982 that there was a chance they would receive notices of a reduction-in-force because of budget cuts. When Gough left ORNL in June 1982, he told

me he had already accepted other employment, but he requested and was granted a voluntary reduction-in-force that enabled him to receive separation pay.

Finally, the study conducted during the spring of 1982 was not done to "protect the management" but to provide additional information about the mercury pollution problem, which had been known by us to exist since 1975. The Environmental Sciences Division conducted the 1982 study at the request of and in cooperation with Y-12 plant management.

STANLEY I. AUERBACH
*Environmental Sciences Division,
Oak Ridge National Laboratory,
Oak Ridge, Tennessee 37830*

Auerbach's description of this case as a matter of enforcing national security regulations is at odds with available written records. It conflicts with a memo for the files written by Gough's supervisor, W. Van Winkle. He was asked to sit in and make a record of a meeting in which Auerbach reprimanded Gough, in April 1982. A copy of this supervisor's report was sent to Auerbach, according to a notation at the bottom. It indicates that Gough was told that his greatest failing was an insensitivity to bureaucratic protocol. It is excerpted here.

Auerbach pointed out that after being here six years he would expect an employee to know how the system works, and that he is astounded that Gough did not perceive the sensitivity of this issue. Gough responded that he did know the Y-12/Hg [mercury spill] issue was sensitive, but that at the time he had not viewed the collection of samples as inappropriate. Auerbach responded that Gough had shown poor judgment and that the proper approach would have been to work through the system, regardless of the perceived low probability of obtaining authorization to collect such samples.

Auerbach asked Gough if he understood the message being communicated at this interview. Gough responded that he believed in working within the system and that with this "injudicious" exception, he had. Auerbach pointed out that we cannot appoint ourselves as environmental policemen and that we must accept the constraints of the system, especially within the context of the policies of the sponsoring government agency. . . .

Gough apologized for the problems he had caused and assured us that this one act was not indicative of a generic inability to perceive bureaucratically sensitive situations.

On USGS' involvement, Auerbach said in a telephone interview earlier this year that he asked a USGS official to "keep the findings out of his records," and that the official "agreed to do so." In addition, Auerbach said, "No cover letter was sent" by USGS.

—ELIOT MARSHALL