

Saturday, February 12, 1994

The Frederick Post

EPA ordered to reinstate Montgomery scientist

By GLENN McMAHAN
News-Post Staff

Secretary of Labor Robert Reich has ordered the reinstatement of a Montgomery County scientist who was fired by the Environmental Protection Agency after he opposed the use of fluoride in drinking water.

Dr. William Marcus, of Boyds, was awarded back pay for his \$87,000 per year job as a senior toxicologist, \$50,000 for hardship and other com-

pensation under Mr. Reich's order, issued Monday.

Mr. Reich rattified a Dec. 3, 1992, ruling by administrative law judge David Clarke that the EPA "retaliated" against Dr. Marcus by firing him in May 1992 for his scientific reports which recommended removing fluoride from drinking water.

Fluoride, Dr. Marcus said in an interview Friday, is "a poison" found to cause liver cancer and other

health problems. It also causes lead to leach from plumbing into water supplies, he said.

Dr. Marcus, an EPA scientist for 18 years until he was fired, was protected under federal "whistleblower" laws designed to safeguard employees who report damaging facts about their employer, Mr. Reich said.

The EPA is an independent federal agency, but the Labor Department has jurisdiction in disputes involving

its employees.

Before Dr. Marcus was fired, EPA Inspector General John Martin issued a report on him "which contained slanderous, false and derogatory information," said Mr. Reich.

The report's charges were "unsubstantiated," and that "the true reason for the discharge was retaliation," Mr. Reich said.

Dr. Marcus said the report was an attempt to discredit him because he

had testified in 38 court cases about the harmful effects of chemicals produced by national and international companies.

Dr. Marcus said EPA officials sent out memos calling him "a threat," claiming that he had carried a gun to work to possibly kill his superior.

Upon learning that Dr. Marcus had filed a lawsuit, EPA officials broke a federal law by shredding documents

(Continued on Page A-4)

EPA

(Continued from Page A-1)

that would have exonerated him, said Mr. Reich.

Dr. Marcus was accused of "stealing time" from the government by working as a consultant while on the EPA payroll. His attorneys found that time cards were falsified in the investigation process. Government officials attempted to file charges against him using the fake documents, Dr. Marcus said.

"Fighting the federal government is by no means an easy task," he said describing a two-year legal battle

with his employer. "Since (EPA lawyers) have jobs and their job depends not upon doing what is right but on fighting, they will fight forever. . . . It is a vicious circle in which the costs to the taxpayer are never considered."

"There are independent, hard-working (EPA) scientists who are afraid to publish the truth because they're afraid of losing their jobs," Dr. Marcus said. "It has a chilling effect."

EPA officials would not comment on the matter, spokeswoman Denise Gravline said Friday.