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## Watchdog quits EPA: Silenced, he says

### Martin questioned agency chief's connections

Tuesday, April 23, 2002

By [ROBERT McCLURE](#) AND [PAUL SHUKOVSKY](#)  
SEATTLE POST-INTELLIGENCER REPORTERS

The government watchdog who rides herd on the U.S. Environmental Protection Agency on behalf of citizens resigned in disgust yesterday, saying the Bush administration has moved to silence him.

EPA ombudsman Robert Martin's Earth Day resignation came after he raised questions about agency Administrator Christine Todd Whitman's financial ties to the owner of a Denver Superfund site and to a firm that provided insurance around the World Trade Center in lower Manhattan. Whitman denies any wrongdoing.

The EPA assured Manhattan residents they need not worry about contamination after the fall of the twin towers, even though residents reported they were getting sick.

Martin, a member of the Makah Indian tribe on the Olympic Peninsula, has intervened on behalf of citizens in dozens of pollution cases from Port Angeles to Florida.

In an interview, Martin said he returned from traveling last week to find that EPA officials had taken his files, changed his office locks and completed his long-threatened transfer to the EPA Inspector General's Office.

As ombudsman, it was Martin's job to listen to citizens who believed the agency had not done enough to help them -- usually people living next to Superfund sites who complained of too little pollution cleanup. Although Martin could not directly order the agency to take action, his recommendations carried weight and usually were heeded by the EPA.

Martin has been in a running fight with Whitman since last year, when EPA officials said he would be transferred. Agency officials said the move would give Martin additional support -- as ombudsman he had a staff of just two -- as well as bolstering his independence.

But Martin said he would no longer have his own budget or the ability to hire and fire his assistants, and would lose his ability to decide which instances of alleged



EPA impropriety to investigate.

"I saw that as a sham," Martin said. "My position was eradicated."

In his resignation letter, Martin complained to Whitman about her refusal to meet with him or to consider settling a lawsuit he filed over his treatment.

"By obliterating the independent ombudsman function, you have deprived the American people and the Congress of a valuable means ... to keep the EPA true to its mission of protecting human health and the environment and to be accountable to American communities," he wrote.

Martin's position as an independent ombudsman was assured by an act of Congress until the law expired last year. In his nine years in office, Martin angered many EPA employees. But even those whose work he criticized acknowledged his professionalism.

"He was objective and constructive," said Mike Gearheard, manager of the Superfund program for the EPA's Seattle-based Region 10. "Bob has been good at helping improve communication between EPA and mistrustful communities."

In Port Angeles, activist Darlene Schanfald credited Martin with launching a full-blown investigation of the old Rayonier pulp mill.

"Nobody would touch the site until Bob stepped in," Schanfald said. "He said he would look into it and pretty soon the agency fell into line. ... It made all the difference in the world."

Gearheard of the EPA said he remembers Martin advising the agency, but only after the EPA had launched an investigation.

"In terms of getting involved in that site initially, it's not my recollection that he was heavily involved," Gearheard said.

In northern Idaho, Martin was asked by environmental activists and by Sen. Mike Crapo, R-Idaho, to look into the EPA's handling of widespread mining contamination.

In a preliminary finding in December, Martin said the agency had failed to clean up the most contaminated area of the Silver Valley, so it had no business considering a wider cleanup that is unpopular among some residents who fear the Superfund tag will harm the business climate there.

"He went to painstaking efforts to set up hearings and involved and met with every single affected citizen that ever came to him," said activist Barbara Miller.

One of Martin's most blistering critiques of the agency came in Denver, where the EPA had decided to leave radioactive contamination in place in the middle of a neighborhood.

EPA officials reversed course and decided the material should be hauled away from the Shattuck Chemical Superfund site. The company on the hook financially to do

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the cleanup is Citigroup Corp., which bought out the site's original owner.

While looking into that, Martin discovered that Whitman, the EPA administrator, is married to a man who served for years as an officer of Citigroup and who now manages about \$800 million of the firm's investments, Martin said.

Whitman not only refused to recuse herself from any decisions about the site, Martin said, but also asked for a briefing on the matter. Later, the EPA reached a settlement allowing Citigroup to pay \$10 million to be relieved of liability there, Martin said, when the actual cleanup costs are likely to be between \$70 million and \$100 million.

In New York, citizens contacted Martin because they were suffering breathing problems and other maladies after the twin towers collapse.

Martin said he later discovered that Citigroup owns Traveler's Insurance, which insured many buildings in the area, and that because Whitman issued a statement assuring people that everything was fine, Traveler's saved a lot of money by not having to pay claims.

Justice Department officials have since launched an inquiry, according to news reports.



Two EPA spokeswomen referred inquiries about Whitman's conduct to Joe Martyak, her personal spokesman, but Martyak was unavailable for comment late yesterday. Martyak has welcomed an investigation, according to news accounts, because he believes it will clear Whitman of any wrongdoing.



Crapo has filed legislation to force the EPA to reinstate an independent ombudsman's office, said his spokesman, Lindsay Nothern.

"EPA needs an independent watchdog," Nothern said.

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