Tracking Health and Environmental Problems at East Lansing’s Wastewater Treatment Plant [1]

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This is a landing page providing links to ELi’s coverage of health and environmental issues at East Lansing’s wastewater treatment plant.

East Lansing’s wastewater treatment plant, in 2015 officially renamed the Water Resource Recovery Facility, treats storm water and sewage from East Lansing, Meridian Charter Township, and Michigan State University before dumping the cleaned water into the Red Cedar River.
The plant is currently undergoing a major renovation, costing over $50 million, to try to bring it up to date in terms of technology but also to stem the problems the plant has had in terms of environmental contamination and worker health/safety.

In February 2015, East Lansing Info (ELi) became aware of problems at the plant because an anonymous packet was dropped off to us. That packet contained information about a suit being brought against the City of East Lansing by nine workers at the wastewater treatment plant.

The suit alleged that the workers (shown below with their attorney) had been harmed by unjust exposure to spilled liquid mercury and also friable asbestos at the plant. We started our reporting on this scene by first breaking the news of the lawsuit itself [2].

ELi? s Managing Editor Ann Nichols and I reported that the suit related to two major issues: (1) a covered-up spill and botched ?clean-up? of as much as a half-cup of liquid mercury at the plant; (2) management?s failure to act for seven years on a report that detailed friable (dangerous) asbestos at the plant.

The combination of Ann?s experience as an attorney (J.D.) in disability law and my Ph.D. in History of Science made us well-suited to tackling this story for our community.

Using the Freedom of Information Act, in early 2015 I produced a seven-part series for ELi readers called *The Mercurial Trail*. This traced out what exactly happened with the mercury spill. It also traced out what didn?t happen that residents might reasonably have expected of their local government and local agencies. This was the series:

- The Mercurial Trail: An Introduction [3]
That series shows how the mercury spill was mishandled and spread, the violation notices and fines leveled against the City of East Lansing, and misrepresentations by managers in City government with regard to what had happened.

In response to our reporting, City Manager George Lahanas (below) read a prepared statement at City Council defending his administration’s handling of the mercury spill and asbestos problems, which we checked against the facts.

Ann and I followed up with additional FOIA-based investigations, in August 2016 showing that mercury was probably landfilled following the spill.

The next month, September 2016, I reported that there had been another hazardous spill at the plant — this time a 600-gallon spill of ferric chloride. The same month, I reported that four years after the application had been submitted, two years after the mercury spill, the Michigan DEQ
was finally reviewing the plant's permit [13] to dump water into the Red Cedar River.

We kept tracking the lawsuit, looking at the depositions and other documents to see what we could find out. We brought forward the 2007 external consultant report from Fibertec [14] that informed the City that there was friable asbestos at the plant. That report advised the City to follow the law: train the workers; mark the hazardous locations; ensure that workers wore protective equipment. None of that happened for seven more years, that is, until workers found out about the report and their exposure to friable asbestos and blew the whistle.

You can read the report by Ann and me from July 2016, ?Lawsuit Contents City Workers Unjustly Exposed to Asbestos Risk,? [15] to learn more the Fibertec report [14] and issues surrounding it. In August 2016, Ann and I reported ?Testimony Shows Attention to Safety Lacking at Wastewater Treatment Plant.? [16]

To help people understand the dangers posed by asbestos and mercury, we enlisted the help of physicians at Michigan State University. Ken Rosenman, M.D., an occupational medicine expert, explained the dangers of asbestos [17], and Aron Sousa, M.D., an internist, explained the dangers of mercury [18]. (Disclosure: Sousa is my spouse.)

In October 2016, I reported that the judge in the workers' suit declined to dismiss their case [19], allowing it to go forward.

In March 2018, using FOIA, I showed that the City had by that point spent over $200,000 [20] fighting the nine workers' lawsuit. At the time, City Manager George Lahanas claimed [20] that none of the employees who are plaintiffs in this lawsuit have suffered any wage loss or needed medical care as a result of a work-related injury or illness.?

But in response to that, Neal Willensky, the workers' lawyer, told ELi that Lahanas was lying [21]. Willensky showed us documentation that seemed to support his contention.

In June 2018, we reported [22] that the Michigan Appeals Court ruled in favor of the City because the workers could not show that City managers had intentionally set out to harm them.

In its decision, the Court wrote: ?It is admittedly stunning that a maintenance supervisor and a plant superintendent would be so uninformed about how to handle the hazardous materials around which they and their employees work. As was the case with the WWTP's statutory violations involving asbestos containing material, authorities rightly cited and fined East Lansing for not having in place an emergency plan to handle such spills, not informing employees of the spill, and not properly cleaning the spill.?

On the last day of 2018, the administration of the City of East Lansing fired Troy Williams [23] (below), who had been the lead whistleblower into problems at the plant. The City claimed it had to terminate Williams' employment because it could not find a job for him that would accommodate two disabilities he had developed as a result of working at the plant: a torn bicep and asbestos in his lungs.
In a special interview [24], Williams told us that he absolutely intended to keep working to shine a bright light on health and environmental problems in the City of East Lansing. Williams ended up suing the City of East Lansing for wrongful termination [25], a story we also broke. In May 2019, the City made what his lawyer termed a bizarre job offer [26] to Williams, and in November, the City Council voted to settle with Williams [27].

The issues at the wastewater treatment plant have dogged George Lahanas, who was Director of Human Resources when the Fibertec report was obtained and apparently ignored and who had become City Manager by the time of the mercury spill and the revelation of managers having failed to act on the Fibertec report.

The issue arose again in 2019 as Lahanas sought a contract extension and raise [28]. We used FOIA again to confirm that Lahanas had not ordered an investigation [29] to track where the mercury went after it was spilled. In response, the City posted a note on Facebook suggesting that Lahanas had ordered such an investigation but that there were no records kept of that, and that is why our FOIA request came back ?no records found.?

In a controversial move, City Council awarded Lahanas [30] a contract extension and raise in February 2019, six weeks after his administration fired Troy Williams.
As part of this reporting, we have had to repeatedly fight the City of East Lansing over transparency, as it has sought to hide information about lawsuits [31] from the public view.

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