

## The Gelman Sciences Clean-Up: A Chronicle of Misinformation and Intimidation

*In 1984, a University of Michigan Public Health School student detected an organic solvent called 1,4-dioxane in the otherwise pristine waters of Third Sister Lake in Scio Township, just west of Ann Arbor. The student claimed that contamination came from Gelman Sciences, a filter manufacturing company located nearby.*

- At first, Gelman Sciences and the Michigan Department of Natural Resources (DNR) denied the problem. Today, the DNR has documents which show that the company withheld data at that time which confirmed the pollution problem. In 1986, tests by Washtenaw County substantiated the pollution problem.

*In 1987, the DNR ranked the Gelman Sciences site as the second most contaminated site in the state. While many other sites have since surpassed Gelman Sciences in the rankings, the Attorney General's office still describes the site as "one of the most serious and extensive groundwater contamination problems in the entire state."*

- Charles Gelman counter-attacked the state. He hired a team of high-powered lobbyists, and accused the state of creating enormous pollution problems itself. In a 1991 speech at Eastern Michigan University, he claimed that the State of Michigan had created a huge pollution problem at Jackson Prison, arguing that the "prison authority had dumped thousands of tons of such materials as DDT and Agent Orange into unlined pits." The charge is unproven and untrue.

- Gelman's tactics were disowned by the company's statewide trade group, the Michigan Manufacturers Association, which represents 2,700 companies. Heidi Grether, the MMA's vice president for environmental affairs, said that "we as an organization could not support these tactics. . . . Disinformation is not a productive approach." Gelman sent letters to Grether's boss complaining about her work.

- Gelman established a so-called "citizens' group," the Southeast Michigan Environmental Response Association (SMERA) to run a public relations campaign against the DNR and his local opponents. SMERA was staffed by Adam Banner and Roy Meador. It sponsored newspaper advertisements, letters to editors, and other printed attacks.

*In 1987, Circuit Court Judge Patrick Conlin ruled that Gelman Sciences' insurance company, Fireman's Fund, had to pay Gelman's legal defense costs. An October 1991 legal brief said that the company had reimbursed Gelman \$8 million to that date. Through 1992, Gelman Sciences' pollution problems had spawned eleven separate lawsuits.*

- Gelman Sciences tried to defeat the state through a battle of attrition. Before the trial began, the company conducted more than fifty depositions of state officials, many of whom had only a marginal connection with the case. At one point, the company's photocopying bill alone for its litigation hit \$10,000 per month, which is "higher than a typical monthly defense bill in such an action, according to Fireman's Fund.

- Gelman hired a private investigator to gather "information on likely witnesses for the state," according to a billing invoice sent to Charles Gelman. The Attorney General believes that Gelman had hired the private eye to look into the private lives of people who had been taking public stands against the company.

*In 1991, the courts ruled in favor of the state on some counts, and in favor of the company on others. Instead of appeals, the parties agreed that Gelman Sciences would conduct a cleanup where the contaminated water would be pumped out of the ground, treated to lower pollution levels, and then either reinjected into the ground, or discharged into surface waters or City of Ann Arbor sanitary sewers. Gelman Sciences estimates the total cleanup cost at approximately \$3 million, approximately one-third of its legal defense bill.*

*To carry out the cleanup plan, the company wanted access to county drains, city sewers, and/or Honey Creek, a Huron River tributary that passes through Scio Township. Residents and county and city officials raised concerns about the impact of Gelman's discharges on those waters.*

- Gelman hired new persons to rifle through City and County records. As detailed in an October 1992 *Ann Arbor News* story, he used lawyers, letter writers, investigators, and anonymous tipsters to try to focus public attention away from Gelman Sciences and onto the perceived environmental sins of others. During the same year, he alleged that Ann Arbor's drinking water supply was polluted. He wrote the Michigan Department of Public Health that "it is dangerous to shower in this water." The claim was untrue.
- Gelman harassed Washtenaw County Drain Commissioner Janis Bobrin and former Ann Arbor Mayor Liz Brater for opposing some of his company's cleanup plans. Bobrin was threatened with groundless lawsuits and campaign ethics challenges. Brater was attacked with a long stream of letters and advertisements, including an "open letter to the Jewish community" in the *Washtenaw Jewish News*. Brater is an active member of the Jewish community.
- Gelman attacked Ecology Center staffperson Tracey Easthope in letters to the Center's Board of Directors. He then worked with local Libertarian Party leader David Raaflaub to attempt a membership takeover of the Center. The effort failed.

*In late 1992, the City of Ann Arbor and Gelman Sciences reached an agreement for the company to treat its contaminated groundwater from a small, less contaminated plume below the City's Evergreen subdivision using best available technology, and discharge it to the City's sanitary sewers.*

- Funded by Charles Gelman, local Libertarians tried to "gain revenge" for the 1992 agreement by defaming the Ecology Center and volunteer mediator David Stead. In letters to the Ecology Center's funders and to the general public, Libertarians charged that the Center had mishandled funds, violated its nonprofit tax status, and been taken over by extremists. None of the charges were true. In 1993, Stead was running for a seat on the Ann Arbor City Council. Libertarians falsely charged him with ethical breeches, as well. After the Ecology Center threatened them with a defamation suit, the Libertarians stopped their attacks.

*In 1994, Scio Township residents raised objections to Gelman's use of Honey Creek for its purgewater discharge. They took the position that any discharge to the Creek should have been previously treated to drinking water standards, since their drinking water wells are connected to the Creek. The Scio Township Board of Trustees, the Washtenaw County Board of Commissioners, and area environmental organizations all endorsed this position. Gelman Sciences has instead asked the DNR to weaken its permit, so that the cleanup can proceed over these objections.*

- Gelman has attacked Scio residents, Ann Arbor neighborhood activist Pat Ryan, the Ecology Center, and the Huron River Watershed Council over its opposition. Residents have had their professional reputations called into question. Gelman has attacked the Ecology Center with many of the same baseless attacks made the previous year by Libertarians. Many of these attacks have been again sent to the Center's funders. Gelman has also attacked the executive director of the Watershed Council, Paul Rentschler, in letters to the Council's Board of Directors.
- And again, Gelman has charged that other sources of pollution deserve more attention. He has falsely claimed that Honey Creek has elevated bacterial levels. And, he has made the argument in a series of advertisements and letters that 1,4-dioxane is present in human fecal matter. Evidence for this claim came from an obscure, unreviewed Russian study of industrial workers. And finally, Adam Banner claimed in letters to a number of public officials that the City's compost operations were a serious air pollution threat to nearby residents and workers.