

# Sunday Southern Illinoisan

## Marion warden tries to douse water concerns

By Phil Brinkman  
Of The Southern Illinoisan

Members of the Committee to End the Marion Lockdown presented evidence Saturday that they say proves the water at the U.S. penitentiary at Marion is unsafe.

Two hours earlier, Warden John L. Clark presented the same evidence as proof the water was fit to drink, then drank a glass of it for the press.

"It doesn't taste very good, but it's safe," Clark said after downing the water.

The CEML has long lobbied to have the prison's water source changed from Crab Orchard Lake, contending it is contaminated with polychlorinated biphenyls, lead and other toxic materials. Certain of the toxins have been found in the lake due to leaching from dumps in the area.

Before it was declared a national wildlife refuge, the area around the lake was used by industry for the production of munitions and electronic components. The dumps qualify as Superfund sites by the U.S. Environmental Protection Agency and plans are under way to clean them up.

The prison's water intake is 3½ miles from one of the dumps. Tests of the water going to the penitentiary by the Illinois Environmental Protection Agency have repeatedly found the water to be acceptable for drinking.

It doesn't taste very good, but it's safe.

Warden John L. Clark

In late September, the Agency for Toxic Substances and Disease Registry, a branch of the U.S. Department of Health and Human Services, released an independent study of the water. In separate news conferences Saturday, both sides presented copies of the study to bolster their viewpoints.

The study showed the water does not contain PCBs, furans, dioxins, pentachlorophenol, lead and iron "at levels of public health concern."

However, the water was found to contain high levels of total trihalomethanes, principally chloroform, formed by the interaction of chlorine disinfectant with organic substances in raw lake or river water. TTHMs are a byproduct of the chlorination process and do not come from the dumps. Long-term exposure to TTHMs is thought to increase the cancer risk in humans.

Test results showed TTHM levels varied from 111 to 245 parts per billion, above the U.S. Environmental Protection Agency's maximum allowable limit of 100 ppb.



Photo for The Southern Illinoisan by MICHAEL SWAN

**Down the hatch:** Warden John Clark drinks a glass to demonstrate how safe it is.

"They're killing these people," Mariel Nanasi, a member of the CEML, said at a press conference Saturday. She and fellow member Tim Lohraff called for an immediate transition to bottled water for the prisoners until an alternate water source can be found.

Though prison officials have known about the high levels of TTHM since 1986, they did not notify inmates of the contamination.

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as required by federal regulations, until late last month, Nanasi said. Those regulations require notification for contaminants that pose an "acute risk" to human health.

Warden Clark countered that the study vindicated the prison, proving, what prison officials have been saying all along: that the water is not toxic.

Despite the elevated levels of TTHMs, Clark said, the report acknowledges it is a long-term health risk. Under EPA guidelines, that is defined as drinking two liters of the water every day for 70 years with 100 percent absorption. The average inmate at Marion stays about three years, he said.

Clark also cited a federal regulation governing exposure to TTHMs that says the maximum level of contamination only applies to water systems that serve a population of 10,000 or more. The prison contains about 370 inmates, plus about 250 at the minimum-security work camp attached to it.

He said the levels of TTHM were comparable to most of the small water systems in Southern Illinois.

"It's not an acute risk," Clark said. "We're not in violation of the darn regulation and there's no requirement for us to notify the people."

He said the memo to inmates and staff, which explained the findings of the report, was meant as a courtesy.

Lohraff scoffed at the regulation's 10,000-population threshold.

"Are we going to quibble whether it's a carcinogen if there are 10,001 people in the prison system but say it's not if there are 9,999?" he said.

The CEML is opposed to the highly restrictive environment at Marion, the only level 6 maximum-

security federal penitentiary in the country.

The report also found that the water contained high levels of manganese, which it said could result in "objectionable conditions" such as an unpleasant taste or color, but was not a health risk.

The penitentiary plans to establish its own water system using five wells and a surface reservoir as a backup by 1991. The prison also plans to use water from the Rend Lake Water District, purchased through the city of Herrin, as an additional backup.

Clark said the changes were being made partly because the water treatment plant at Crab Orchard was scheduled to be closed in mid-1991 and partly because of the long-term health risk posed by the TTHMs.

"There are esthetic problems with the water as well," he said. The water sometimes appears yellowish-brown from the manganese.

In the meantime, Clark said, prison officials are working with the refuge and the city of Herrin to speed up the switch by the refuge to use water from Rend Lake. Existing water lines could then bring the Rend Lake water to the prison.

Clark said he hoped the switch could be made before the end of the year.

The Committee to End the Marion Lockdown (CEML) has been involved in an intensive water campaign since the beginning of 1990. In April we published a pamphlet by Dr. Alan Berkman and Richard Clapp entitled "Suppressed Government Study Documents Health Risks Of Water At Marion Prison." This piece pointed very specifically to the chloroform levels as the source of toxicity. Our work included a petition campaign which eventually gathered over 6500 signatures from around the world, as far away as New Zealand and Germany, seven demonstrations across the United States, a delegation which sought to meet with head of the Bureau of Prisons (BOP), Michael Quinlan, and a bottled water mailing. We took regular plastic bottles and relabeled them with labels which read "PRISONERS AT MARION DESERVE CLEAN WATER" and sent them to the entire Congressional Committee which oversees prisons, the Warden at Marion and the head of the BOP. Pursuant to this pressure Robert Kastenmeier, chair of the Congressional Committee which oversees prisons, toured Marion in May 1990 to address our charges of water contamination and other atrocities at the prison.

In late October CEML received two separate reports which indicated that the water taken by Kastenmeier from the kitchen sink at Marion was, in fact, toxic - containing at least twice the amount of chloroform ( a well known carcinogen)allowed by Federal Standards. On November 1, 1990 CEML issued a press release notifying the media that on Saturday, November 3rd we would be releasing definitive evidence which proves that the water utilized at Marion is contaminated. The two independent government reports and a letter by Kastenmeier to Quinlan expressing his outrage and demand for an alternative water source would constitute this evidence. Mysteriously enough, it was on that same day, November 1st, that a memo was posted by Marion Warden John Clark acknowledging the toxicity of the water, but denying that any concern was warranted.

Three television stations, two newspapers, and one radio station showed up at our press conference. Standing with relabeled CEML bottles in hand, two members of CEML blasted the BOP for forcing the prisoners to bathe and consume toxic water. We charged that the BOP had known about this since 1986 and continued contaminating the prisoners purposely. Additionally, we cited the Code of Federal Regulations which demands notification to a known poisoned population. We also noted that not until announcement of our press conference was any posting done - and that it was inadequate, at best.

The media informed us during our press conference that the BOP had called a last minute press conference of their own in an attempt to preempt ours, only two hours earlier. Warden Clark publicly declared his intention to change the water supply, but said it had nothing to do with our efforts, and was instead due to the "bad taste" of the water. He then drank a glass of water under the watchful eye of the camera - claiming its safety.

We refuted his lies and claimed victory. We had forced the Warden to hold the press conference on Saturday( a day, on which the press said he is never available), and publicly acknowledge that it did have high levels of carcinogens and that the BOP was going to change the water supply. We exclaimed our joy at the impending change, but demanded that the prisoners be supplied bottled water until the change occurs.

Prisoners saw us on t.v. and were grateful for the publicity and pressure that we brought to bear on the prisoncrats. Our efforts energized them and helped strengthen their will, said one prisoner "you're beating them, you're really beating them."

We were the lead story on all t.v. stations, made the front cover of the Sunday Southern Illinoisan, generated an article in the Marion Daily Republican, and was featured on the local radio station.

Although the struggle to end the lockdown and its associated brutalities has not yet succeeded the campaign against toxic water at U.S.P. Marion demonstrates that victories are possible even during these difficult times. To not struggle is to concede the BOP's ability to control every aspect of the prisoners' lives.