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STATEMENT OF INTEREST OF THE AMICUS CURIAE

Pursuant to S.Ct. Prac. R. 16.06, *Amicus Curie* Ohio Environmental Council respectfully submits this brief in support of Appellee Donald Lee. The Ohio Environmental Council (“OEC”) is a non-profit, environmental-conservation advocacy organization dedicated to improving the diverse environment of the state of Ohio through legislative initiatives, legal action, scientific principals, and statewide partnerships. The mission of the OEC is to secure healthy air, land, and water for all who call Ohio home. We help individuals, communities, and businesses go green, save money, and live healthier.

Since its creation in 1969, the OEC has been the state’s most comprehensive, effective and respected environmental advocate for a healthier, more sustainable Ohio. The OEC, on behalf of its over 100 member environmental and conservation organizations and thousands of individual members throughout the State of Ohio, supports and advocates for strong and enforceable laws and regulations to protect Ohio’s environmental quality and human health and safety. For nearly 45 years, *Amicus* OEC has advocated for Ohio’s environment under the ideals that environmental protection is human health protection; and human health protection is economic prosperity protection. While Ohio’s environmental protection laws are enforceable by the state and federal Environmental Protection Agencies, environmental and human health cannot be protected without vigilant and resourceful individual citizens reporting pollution that threatens their community. Furthermore, a person should not have to choose between reporting an instance of criminal pollution and keeping one’s job – retaliation against a person for doing right by the environment and the health of his or her community must not be tolerated. Thus, it is our position that Ohio’s Whistle Blower Law protects not only worker’s rights, but also protects the environment of our communities.

Amicus OEC supports the Morrow County Court of Appeals ruling and believes that Mr. Donald Lee was inappropriately relieved of his duties as a Crew Chief at the Village of Cardington Waste Water Treatment Plant, as his efforts afford him the protections under Ohio's Whistle-Blower statute.

STATEMENT OF FACTS

Amicus adopts the Statement of Facts set forth in the Brief of Appellee, Donald Lee.

ARGUMENT

I. INTRODUCTION

Every day, millions of Ohioans go to work in industries that are essential to the state economy in a multitude of ways. Agriculture & food processing, manufacturing, and advanced energy & environmental technology are some of the industries that make up Ohio's \$471.3 billion Gross Domestic Product ("GDP"). *See* Ohio Economic Overview, JobsOhio, found at http://jobs-ohio.com/images/ohio_economic_key_benefits.pdf. One common link between these and similar industries is water. Many of these industries rely on clean water for everyday business operations; many produce gallons of wastewater that need to be disposed of safely; and there are those that work to guarantee that that wastewater is properly treated before it reenters the water cycle. Without proper oversight from several state, local, and federal agencies and without enforcing environmental protection laws, the state of Ohio would suffer a devastating economic collapse. However, pollution incidents can be prevented by diligent and attentive employees that support Ohio's economy by ensuring that all guidelines, rules, procedures, and laws to prevent water pollution are followed to the very letter.

For nearly a decade, Mr. Donald Lee was one such employee who continuously upheld environmental laws to protect his own community and those downstream. *See Lee v. Village of*

Cardington Case No. 13-1400 Appellee/Cross Appellant Donald Lee's Memorandum in Support of Jurisdiction at pp. 3-4 (September 27, 2013). As a Crew Chief who supervised up to ten other employees, he was the overseer of all street maintenance work, sewer maintenance work, and the operation of the Village of Cardington water treatment plant and waste water treatment plant ("WWTP"). *Id.* When the WWTP began to experience problems that it had never seen before, Mr. Lee began to investigate the cause. After discovering the root of the problem, he contacted the Village Administrator, Mr. Dan Ralley, to inform him of the situation and that corrective action was necessary. Not only was Mr. Ralley unresponsive to his report, he told Mr. Lee that he would lose his job if anyone else lost their job as a result of his investigation. Undeterred, Mr. Lee actively tried to find a remedy for the problem by contacting both state and federal environmental regulators.

After concluding that the Cardington Yutaka Technologies ("CYT") plant was responsible for putting the chemical known as glycol into the water, Mr. Lee reported this to the village council, explained why glycol should not be put into waste water treatment systems, that the glycol was damaging the equipment used at the water treatment plant, and that it would end up being used downstream by half a million people. Despite this information, the village council did not act to rectify the potential risk to the health, safety, and economy of the Village, and his employer subsequently terminated Mr. Lee for trying to do his job.

The Village of Cardington argues that they are not responsible for the environmental acts of a third party. *Lee v. Village of Cardington*, OH S.Ct. Case No. 13-1400, Appellant Village of Cardington's Merit Brief, p. 17, (March 10, 2014). However, at the very least the Village of Cardington owes a duty to its residents to protect its environment regardless of who is doing

damage to the area, and owes its employees the respect to keep their jobs secure when they uncover such violations.

A. As a matter of public policy, “Whistle-Blowers” should be afforded the utmost protection under the law.

It should go without saying that whistle-blowers have to remain protected in order for anyone to ever gain the courage to come forward when a great injustice has happened, and not only protect themselves, but others as well. Since the beginning of our country’s existence, we as Americans have recognized that the contributions made by whistle-blowers are worthy of the utmost protection that can be afforded the law. In 1777, two years after the start of the Revolutionary War, U.S. Navy officers Richard Marven, Samuel Shaw and other sailors reported that the commander-in-chief of the Continental Navy, Commodore Esek Hopkins, was torturing British prisoners of war. After Hopkins was subsequently dismissed from the Continental Navy, he filed a criminal libel suit against both Marven and Shaw. The Continental Congress responded by passing the very first whistle-blower statute on July 30, 1778, stating “that it is the duty of all persons in the service of the United States, as well as all other the inhabitants thereof, to give the earliest information to Congress or other proper authority of any misconduct, frauds or misdemeanors committed by any officers or persons in the service of these states, which may come to their knowledge.” Congress then declared that the United States government would pay for all reasonable legal expenses in defense of Marven and Shaw against Hopkins. *Journals of the Continental Congress: 1774-1789*. Washington: Government Printing Office. 1908. pp. 732–33(<http://www.gpo.gov/fdsys/pkg/BILLS-113sres202ats/pdf/BILLS-113sres202ats.pdf>).

Over the course of the 237 years following Officers Marvin and Shaw’s first whistle-blow, our country has seen whistle-blowers attempt to protect the general public from grave atrocities such as the Tuskegee Syphilis Experiment, in which African-American men were deceived by

the U.S. Public Health Service into thinking they were receiving free medical care when they were actually being used to study the natural progression of syphilis without being told they had contracted the disease; to illegal police conduct in both New York City and the state of New Jersey; to gross government fraud with military contractors, to the more recent cases stemming from the Abu Ghraib prison, the waterboarding of Guantanamo Bay detainees, and the National Security Administration's surveillance programs. Without the brave men and women who have come forward throughout the years to bring to light some of the worst types of government corruption, misuse of taxpayer funds, and environmental impacts, the general public may never have had any clue at all that they were being taken advantage of so greatly by the people they elected to represent their best interests.

In these cases and many others, even with whistle-blower protection statutes, the initial whistle-blower often finds themselves in lengthy legal battles after they are fired or removed from their positions, despite the service they have done for the betterment of others. It takes a great amount of courage to make an adverse report while knowing the wide-spread ramifications it could potentially have, but it is imperative for the health of a community's environment and its people that these reports are made because of the potential damage that could happen if a corrective action is not taken.

Whether in the private sector or in public service, employees who proudly take the responsibility to adhere to strict human health and safety guidelines while acting within the scope of their employment, and who discover potential safety violations in that employment, have every right to proudly take the similar responsibility to report those violations to their supervisors without fear of repercussion. Without protection under the law, members of Ohio's labor force who spot environmental crimes could be relieved of their duties despite the overwhelmingly

tough decision they have made in service to their local and state communities and sometimes, their country. Tragically, this would result in a chilling effect on the very people who are in the best position to quickly report, and therefore quickly rectify, pollution impacts before they become environmental disasters. Ultimately, egregious or dangerous environmental impacts would go unreported, unresolved, and unmitigated.

Donald Lee, in the true spirit and letter of that law, took the proper actions when he recognized a serious health risk at the water treatment plant where he worked, and that his dismissal as a Crew Chief was a direct retaliation for his involvement in the process of trying to remediate the issue and this is a blatant violation of his rights under the Whistle-Blower Protection Act. The Court's decision in this case will stand as precedent to whether fear of employer retaliation will trump the protection and preservation of environment and human health. In Donald Lee's case, this court has the opportunity to uphold precisely what the law is designed to do, and protect him from retribution from his employer for doing what anyone who could have ended up drinking contaminated water would have wanted him to do.

II. IN ORDER TO ENSURE THE ENVIRONMENT CONTINUES TO BE PROTECTED, EMPLOYERS MUST ACT APPROPRIATELY WHEN CONFRONTED WITH EVIDENCE OF MISCONDUCT.

As one senator has stated, without effective enforcement, environmental protection "lacks meaning, lacks truth, lacks reality." *Senate Committee on Environment and Public Works, Oversight of the Environmental Protection Agency's Enforcement Program: Hearings before the Subcomm. on Toxic Substances, Environmental Oversight, Research and Development, 101st Cong. 1st Sess. S. Hrg. 101-503, Nov. 15, 1989, at 2 (statement of Sen. Joseph I. Lieberman).* Indeed, environmental statutes are only effective to the extent that they are enforced. Any standard set by statute or regulation, if not enforced, acts merely as a recommendation. And just

as any criminal law requires vigilant citizens and neighborhood watch groups to supplement the police, environmental regulations require cooperation from the citizens and in many instances employees in industries intimately aware of potential environmental impacts, to help state and federal agencies find law breakers and enforce these laws that help protect human safety and the environment.

To facilitate citizen involvement in government enforcement of environmental laws, Ohio implemented a Whistle Blower statute that prohibits an employer from taking “any disciplinary or retaliatory action against an employee for making any report authorized” under that law. Ohio Rev. Code §4113.52(B). This facilitation of, specifically employee, involvement in environmental protection is evidenced by the special consideration granted to violations of Ohio’s environmental protection laws. The Ohio Whistle-Blower Protection Act, under R.C. § 4113.52, provides clear guidelines for employers and employees in these situations when the employee gains knowledge of criminal activity. For most crimes discovered by the employee, R.C. § 4113.52 (A)(1) requires for detailed written reporting to employer, and the opportunity for the employer to rectify the situation before the whistle is blown. As this Court has indicated, the employee may report the crimes to government officials

“if the following requirements have first been satisfied: (1) the employee provided the required oral notification to the employee's supervisor or other responsible officer of the employer, (2) the employee filed a written report with the supervisor or other responsible officer, and (3) the employer failed to correct the violation or to make a reasonable and good faith effort to correct the violation. *Contreras v. Ferro Corp.*, 73 Ohio St.3d 244, 248, 652 N.E.2d 940, 944 (1995).

However, when environmental crimes are concerned the process to obtain whistle blower protection is different. Specifically, R.C. § 4113.52 (A)(2) states:

“If an employee becomes aware in the course of the employee's employment of a violation of chapter 3704, 3734, 6109, or 6111 of the Revised Code that is a criminal offense, the employee directly may notify, either orally or in writing, any appropriate public official or agency that has regulatory authority over the employer and the industry, trade, or business in which the employer is engaged.”

The need in subsection (A)(1) to provide prior notice is absent, and the focus of allowing the employer the time to remedy the situation is replaced with swift governmental authority. In this case, as the following section explains, Appellee gathered information on violations of Ohio's environmental protection laws through the normal course of his job. To the letter, Mr. Lee followed the prescribed procedures to report the violations. Without question, Donald Lee made the right choice by reporting the environmental violations he uncovered to his supervisor and to the state and federal authorities and thus is afforded the protections of Ohio's Whistle Blower Law against retaliation by his employer.

A. Donald Lee acted prudently and appropriately by reporting environmental violations.

Appellee, Mr. Lee recognized that around the 4th of July and Christmas holiday shut downs of the CYT plant, the WWTP was experiencing a problem with the bacteria that is used to treat the raw sewage that goes through the plant. Appellee Memorandum in Support of Jurisdiction, at 4. That the bacteria were being killed by a toxic chemical was of great concern because the bacteria used in this process is the most essential element of the sewage breakdown operation. *Id.* In 2007, once Mr. Lee realized what the problem was, he contacted Mike Sapp, the Ohio EPA representative for the district that covers the Village of Cardington. *Id.* at 4-5. *Id.* Mr. Sapp and two other EPA employees then came to the plant to evaluate the operation, procedures and processes and determined that there was nothing wrong with the WWTP in itself and that they were not causing the problem, but after further investigation, the EPA determined

that CYT was responsible for the problem, due to the plant putting glycol into the waste water which was ultimately ending up at WWTP. The EPA continued investigating the CYT plant, while Mr. Lee began to inform Dan Ralley of the problems with the WWTP. In September 2008, Mr. Lee then attended a village council meeting to inform them of the damage that had occurred to the propellers of the pumps at the water treatment facility, and that the glycol being put into the water would ultimately end up downstream in the drinking water of nearby communities. *Id.* at 8-9. Mr. Lee also made several other suggestions to Mr. Ralley concerning the way the WWTP was being run, but none of those recommendations were taken favorably. Mr. Lee also let Mr. Ralley know that CYT was violating two other local village ordinances, the first being that no single user of water can use more than five percent of the total average of the village's water production, yet CYT was doing so. This would have been another good way to limit the amount of glycol put into the plant, but Mr. Ralley did nothing to enforce this ordinance. The second violation, which is admittedly not as concrete, came from Mr. Lee's suspicion that CYT was using a separate well as a source of fresh water. This would allow for waste water to be put into the sewer system without CYT paying for the sewer service.

Mr. Lee's last attempt to rectify the situation came in the form of a written report that was to be given to the village council that would outline the problems the WWTP was experiencing and establish all of the damages that had occurred as a result of the bacteria dying due to the glycol being put into the water. *Id.* at 11. This report also made recommendations as to what equipment needed to be repaired or replaced in order to keep the plant operation at the levels required by its EPA permit. In April of 2009, Mr. Lee was terminated by Mr. Ralley, despite never having received any type of formal reprimand for job performance or deficiencies. *Id.* at 11-12.

Donald Lee became aware through his employment as the Crew Chief at the WTPP that state environmental statutes were being violated and he notified the Ohio EPA and the U.S. EPA, because he knew that the situation was serious enough that if he did not do something there would be severe consequences. While Lee suspected that it was CYT that was polluting the water at the plant, he contacted both Dan Ralley **and** the EPA. This makes sense, because if the cause of the contamination had been the village's own doing, contacting Ralley would have constituted an "appropriate public official," since Ralley was the village administrator and in charge of the WTPP. According to R.C. § 4113.52 (A)(2), Lee was within his rights to contact "any appropriate public official or agency that has regulatory authority over the employer and the industry, trade, or business in which the employer is engaged." Ohio Rev. Code R.C. § 4113.52 (A)(2). Under R.C. § 4113.52 (A)(2), Mr. Lee could have taken, and did take, the information he had about CYT's behavior and notified "any appropriate public official or agency that has regulatory authority over the employer and the industry, trade, or business in which the employer is engaged" once one of the environmental protection statutes listed in R.C. § 4113.52 (A)(2) has been violated.

B. Appellant's Construction of the Statute would achieve an absurd and harmful result not intended by the General Assembly

Amicus OEC does not subscribe to the Appellant Village's assessment of the facts that Mr. Lee did not follow the strict guidelines of the Whistle Blower law, and as outlined above agree with Appellee that the requirements were in fact met to the letter. Nevertheless, we feel it is appropriate and necessary to address the Village's argument and the absurd and deleterious affect it would encourage.

First, Appellant argues that the whistleblower protection law "was designed to regulate an employer's own offenses or violations, not that of third parties." Appellant's Merit Brief at

17. Under this interpretation, an employer can act as an agent for another to silence the reporting of illegal activity. This court has stated that the “General Assembly will not be presumed to have intended to enact a law producing unreasonable or absurd consequences.” *State ex rel. Cooper v. Savord*, 153 Ohio St. 367, 371 (1950). Condoning an activity (employer discharging an employee for “blowing the whistle” on the illegal activities of a **third party**) what would otherwise be illegal (an employer discharging an employee for “blowing the whistle” on **its own** illegal activities) would be just such an absurd result. No person who is in a position to discover criminal pollution in their job would ever feel secure to report such crimes if the polluter can simply call the whistle blower’s employer and have he or she terminated. The result is also far reaching as not only would the pollution and the negative health and safety impacts continue, but an improper chilling effect on public participation would ensue -- not limited to the employees of potentially polluting employers. In a small town like Cardington, where everyone knows everyone else, and businesses are much more inter-linked than in larger cities, entire populations would be fearful of losing their livelihoods by merely uncovering illegal activity and pollution in their community.

The Appellant then suggests that, in its assessment, Mr. Lee did not supply a written report as required in the statute, and thus he cannot be afforded the protection of this law. Appellant’s Merit Brief at 22. While the R.C. § 4113.52 (A)(2) does not require a written report to the employer or even the regulatory authority, the facts of the case, as referenced above, show that a written report **was** generated by Mr. Lee. Nevertheless, if the Court was to rely on the Village’s assertion that a report was somehow required or that the written report was unsatisfactory for some reason, it appears less than logical that the General Assembly would put paperwork ahead of the health and safety of the people when developing the whistleblower law.

If a an employee uncovers illegal activity that is a violation of Ohio's environmental protection laws, the delay of minutes, hours, or days of reducing the complaint to writing and delivering it to the officials in writing could mean the difference between pollution prevention and disaster cleanup.

However, the paperwork argument is moot. The priority of stopping or fixing a pollution problem outweighs the method of reporting, and this is evidenced by the law's special treatment of an employee's report of environmental violations. Just as with an employee's reporting of crimes that may cause an imminent harm, and juxtaposed to the detailed written reporting needed for other crimes, when an employee discovers environmental crimes, he or she need not report the crimes in writing nor even report them to the employer at all.

Appellant's attempt to re-write the requirements of Ohio's Whistle Blower Law, works only to add more hardship on an already difficult decision to potentially risk one's job for the environmental and human health of the community. Again, because the impacts to Ohio's environment and its citizens could be severe in the case of criminal acts of pollution, the goal of R.C. 4113.52(A)(2) is to quickly fix, if not stop, criminal pollution. The Court must allow this goal to continue, and not erect road blocks that stop environmental protection. The absurd result such a reading of the law would have, unfortunately, could result in far reaching health risks and economic damage.

III. RECENT EVENTS SHOW THAT THE ACTIONS OF CARDINGTON YUTAKA TECHNOLOGIES ("CYT") COULD HAVE PRODUCED SERIOUS NEGATIVE EFFECTS ON LOCAL RESIDENTS

As *Amicus* has stated, the spirit of the Whistle Blower law, at its essence, is to facilitate citizen involvement with the protection of the environmental and human health of their

community without fear of retaliation. The Court's decision in this case, thus, can have long lasting effects on the continued protection of Ohio's air, land, and water, and not just Ohio's labor force.

Due to Mr. Lee's reporting, it was found that CYT was routinely discharging glycol into waters of the state of Ohio through its wastewater during plant shutdowns. Ethylene Glycol, more commonly referred to as glycol, is a synthetic liquid substance that absorbs water. It is odorless, but has a sweet taste to it. It is most commonly found in antifreeze, hydraulic brake fluids, de-icing solutions for cars, airplanes and boats, and ink used in stamp pads, ballpoint pens, and print shops. These are all products which carry warning labels about ingesting any of them, of course because of the large amounts of other chemicals in them, but the glycol in them can have damaging health effects as well. *See* United States Environmental Protection Agency, Technology Transfer Network - Air Toxics Web Site, "Ethylene Glycol" (<http://www.epa.gov/ttnatw01/hlthef/ethy-gly.html>).

The Environmental Protection Agency (EPA) identifies the most hazardous waste sites in the country, and places them on the "National Priorities List" (NPL). Sites listed on the NPL are targeted for long-term federal clean-up activities, and there have been 1,689 sites listed on the NPL. Of these sites, ethylene glycol has been found at least 37 sites, despite the EPA not actually looking for glycol at the sites. When the EPA does begin testing for glycol, there is certainly the possibility that glycol will be found at other locations. *See* United States Environmental Protection Agency, National Priorities List Web Site (<http://www.epa.gov/superfund/sites/npl/>).

When a substance is released, either from a large area like an industrial plant, or from a small container such as a drum or a bottle, it enters the environment, but this does not necessarily

lead to exposure. However, when glycol gets into water and soil, it will take anywhere from several days to a few weeks to completely break down which increases the chances that it could be ingested. While the EPA does not expect that exposure to glycerol can come from drinking it that does not mean it is impossible. A prime example of the effects of a possible water contamination occurred in January 2014 in West Virginia. A tank operated by Freedom Industries that contained the chemical "4-methylcyclohexane methanol," or MCHM for short, leaked an estimated 7,500 to 10,000 gallons of MCHM into the Elk River. Gabriel, Trip, "Thousands Without Water After Spill in West Virginia," The New York Times. (January 10, 2014). The tank is located only one mile upstream from the largest water treatment facility in the entire state and supplies the drinking water for nine counties. Lisenby, Donna, "300,000 West Virginians Told Not to Drink Water After Coal Chemical Spill, 600+ Sick." EcoWatch. (January 10, 2014) (<http://ecowatch.com/2014/01/10/west-virginia-coal-chemical-spill/>).

Once the investigation by state authorities was complete, Governor James Earl Tomblin declared a state of emergency and activated the National Guard, which was followed by President Obama declaring the spill a federal state of emergency and dispatching the Federal Emergency Management Agency (FEMA) to provide assistance to the nine counties and 300,000 residents that were in danger of being affected. West Virginians were told to not use the water for drinking, cooking, bathing, or washing. The government took these actions despite very little being known about the long-term health effects MCHM can have on human beings. MCHM does contain glycol however, which the EPA has said can cause nausea, dizziness, diarrhea, rashes and reddened skin, serious illness or death when ingested in large amounts. Fortunately, there were no deaths as a result of using the water, but number of people were hospitalized with symptoms related to chemical exposure and to date, and Charleston, West Virginia residents

went nearly a week before the ban on using water was lifted. *See* Centers for Disease Control and Prevention, “2014 West Virginia Chemical Spill”, CDC Official Website (<http://www.bt.cdc.gov/chemical/MCHM/westvirginia2014/>). The effects of this, both environmentally and economically, will be felt in West Virginia for even longer than the spill or the cleanup.

The Freedom Industries incident is different from CYT’s actions. First, there were not the reported millions of dollars of economic impact and lost revenue, nor the reported illnesses. Perhaps that is because the West Virginia incident did not have a Donald Lee on the lookout or willing and able to investigate the problem. Most of all, however, the Freedom Industries incident is different from CYT’s actions because CYT was purposefully putting glycol into the environment from its plant, which is one of the most troublesome facts of this case. Donald Lee saw this and tried to do what he could to prevent CYT’s dumping of glycol from resulting in what later became of the spill by Freedom Industries; to keep pollution in Cardington, Ohio from becoming the next headline story; to prevent people from being hospitalized.

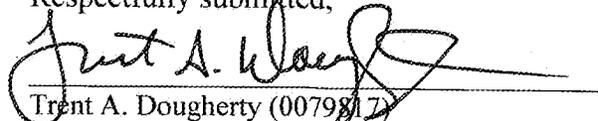
CYT ultimately was taken to court for their actions and agreed to a plea deal that resulted in the company being fined \$1.2 million dollars, of which over \$500,000 dollars was given to the Village of Cardington for damages. *See United States v. Cardington Yutaka Industries, et. al*, Docket Number #2:11-cr-00140, Judge Michael H. Watson, Magistrate Judge Terrance Kemp. Without Donald Lee’s attention to detail and persistence in this matter, CYT could have continued causing serious problems at the water treatment facility and possibly to the residents of the area without being held accountable. Yet, Appellant employer found it inappropriate for Donald Lee to be trying to avoid such a situation. Mr. Lee should have been commended for his work and attention to detail for keeping Cardington and the surrounding areas from all the ill-

effects and negative attention associated with chemical spills, but instead he fired him from his employment. This is exactly the type of situation that prevents citizens who want to do the right thing from reporting what they see and hear to authorities.

CONCLUSION

The outcome of this case will determine the precedent in what recourse Ohioans have against employers when they are unlawfully terminated for trying to prevent damage to the environment and possibly keep whole communities from experiencing long-term health effects, when the employers have the ability to fix such problems that are being caused by a third party. Donald Lee was by all accounts a diligent employee at the Waste Water Treatment Plant of Cardington, with his only indiscretion being that he tried to alert the village council of the actions of Cardington Yutaka Technologies that were damaging the water treatment facility's equipment and contaminating the water that could end up being used by hundreds of thousands of people. We respectfully ask this court to uphold the Morrow County Court of Appeals decision and grant Donald Lee full protection under the Ohio Whistle-Blower statute, so that future whistle-blowers will not be hesitant to come forward with information when harmful actions against the environment are occurring and no one has taken a corrective action. The environmental and human health of our communities, our state, and our country rely on these types of people that have the courage to speak up when other do not, but they should not have to fear repercussions for doing the right thing.

Respectfully submitted,



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CERTIFICATE OF SERVICE

I certify that a copy of this Brief of Amicus Curiae was served by Regular U.S. Mail on this 29th day of April, 2014, on the following counsel:

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