



Public Employees for Environmental Responsibility

2000 P Street, NW, Suite 240 • Washington, DC 20036
Phone: (202) 265-PEER • Fax: (202) 265-4192
Email: info@peer.org • Web: <http://www.peer.org>

September 24, 2018

Ms. Mary Kendall
Deputy Inspector General
U.S. Department of Interior
1849 C Street, NW
Mail Stop 4428
Washington, DC 20240

Re: Request for Investigation into and Performance Evaluation of Biosafety Practices at the U.S. Geological Survey (USGS) Western Fisheries Research Center (WFRC)

Dear Ms. Kendall:

I am writing on behalf of Public Employees for Environmental Responsibility (PEER) to request that your office review a series of biocontainment and maintenance breakdowns that, among other concerns, have resulted in a federal laboratory discharging high-risk aquatic pathogens into freshwaters in Washington State for a six-month period during 2017.

Background

The U.S. Geological Survey (USGS) operates two animal containment biosafety labs at its Western Fisheries Research Center (WFRC) in Seattle. This facility conducts scientific research involving dangerous invasive viruses and bacterial fish pathogens.

On June 29, 2017, WERC officials discovered that its biosafety level-2 (BSL-2) lab had been discharging untreated or partially treated pathogen-contaminated wastewater into the wetland in Warren G. Magnuson State Park draining into Lake Washington, the state's second largest lake. The lab's effluent was last checked the prior January. The BSL-2 lab's chlorination system had broken down, but it lacks an alarm to indicate when its chlorine line is clogged.

On July 21, 2017, USGS acknowledged this containment breach in a "Notice of Standing Operating Procedure Deviation" [ATTACHMENT I]. However, WFRC administrators did not know for how long, and how many, pathogens were flushed into Lake Washington which also is the source of the lab's water.

While the aquatic pathogens WFRC uses in animal testing are not known to cause human disease, they carry their own unknown and sometimes dangerous pathogens, such as virus species from the rabies virus family.

Besides the potentially serious environmental consequences, this breach violated conditions of the fish transport permit that the Washington Department of Fish & Wildlife (WDFW) had issued to WFRC.

Documents obtained by PEER from WDFW under the state Public Records Act indicate that the state took no enforcement action against WFRC for these permit violations. Nor did WFRC promise to install a chlorine meter alarm. Instead, WFRC administrators merely proposed to tighten monitoring protocols. These records also reflect that no other corrective action was imposed or taken.

In addition, these records suggest that the BSL-2 breach in 2017 was not an aberration, as the WFRC has suffered a long history of maintenance problems causing containment losses [ATTACHMENT II]. Further, serious breakdowns have recurred after the January-July 2017 containment loss.

The records detail ongoing tension between USGS budgetary and administrative priorities versus concerns about biosafety and researcher safety. In addition, maintenance breakdowns can compromise animal welfare and the integrity of the scientific research, leading to possibly misleading results, as well as potentially wasting the federal funds supporting compromised research.

Request

PEER is requesting that your office initiate both an investigation and a performance review.

The investigation should, at a minimum, address –

1. The chain of events leading up to the January-July 2017 BSL-2 loss of bio-containment;
2. Whether WFRC administrators ignored warnings from its own staff or other red flags that should have triggered a response;
3. Whether corrective actions have been taken to ensure against any recurrence, and if not, why not;
4. The extent to which the BSL-2 breach was an isolated incident or the product of a pattern of maintenance failures, and, if so, does this pattern persist today; and
5. Whether responsible WFRC and/or USGS officials were held to account for these failures, and, if not, why not.

A performance review should focus on system-wide issues, including –

1. What redundancies and other safety measures should WFRC employ in its animal containment laboratories;

2. Whether these maintenance failures are limited to WFRC or do they plague other USGS animal research facilities;
3. Do WFRC administrators have the autonomy and/or budgetary authority to address these maintenance failures or does USGS hierarchy impose dysfunctional limits on them; and
4. Would subjecting USGS laboratories to accreditation review by recognized third party experts help ameliorate and prevent these breakdowns.

PEER is concerned that unless your Office undertakes such a review that the danger will remain that bigger and more damaging biosafety breaches may happen tomorrow.

I am happy to answer any questions about this request. In addition, should you undertake this review PEER has additional documents and information that we can make immediately available. Thank you for your attention to this matter.

Sincerely,

A handwritten signature in blue ink, appearing to read "Jeff Ruch". The signature is fluid and cursive, with the first letters of the first and last names being capitalized and prominent.

Jeff Ruch
Executive Director