

WRITTEN TESTIMONY
SUBCOMMITTEE ON FEDERAL WORKFORCE, POSTAL SERVICE, AND
THE DISTRICT OF COLUMBIA
COMMITTEE ON GOVERNMENT REFORM
US HOUSE OF REPRESENTATIVES
JUNE 10, 2009

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Deputy Assistant Secretary of the Army
(Environment, Safety, and Occupational Health)

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I am pleased to have the opportunity to provide the Committee this written statement describing the Army's activities at the former American University Experiment Station, Formerly Used Defense Site (FUDS) located in Spring Valley, District of Columbia. My testimony will briefly discuss the Department of Defense (DoD) FUDS program and the issues the Committee identified in its May 27, 2009 letter.

In our efforts at Spring Valley, we have sought the expertise and input of the District of Columbia's Departments of Health (DDOH) and Environment (DDOE), the United States Environmental Protection Agency (USEPA), and the Center for Disease Control's (CDC) Agency for Toxic Substances and Disease Registry (ATSDR), as well as the views of the community. Our progress at Spring Valley would not have been possible without their contributions as well as the dedication of the military and civilian professionals in the Department of the Army.

I would also like to acknowledge the significant role that Congress has played in availing the funds necessary to fulfill our responsibilities at Spring Valley and at other FUDS projects. Funding for the FUDS Program has stayed relatively level for the last several years. However, the program has received annual "plus-ups" from Congress that have allowed us to accelerate work at high priority sites, including Spring Valley, which received \$4 million dollars of funding above the original planned allocation in FY 2009.

Based on known data, ongoing field work, and investigation results, the Army anticipates completion of the majority of field work at Spring Valley at the end of calendar year 2010. Although this means that there will be fewer visible signs of Army activities, like trucks and trailers onsite, the Army remains committed to its efforts to protect human health and the environment at this FUDS project. We understand the concerns of the Spring Valley

community and assure you and the public that the Army will remain committed to working with our Partners—the DDOE and USEPA—as well as the community to ensure this site is safe from potential hazards associated with past military use at the conclusion of our field efforts and remains safe in the future. We will continue to work hard to keep the stakeholders informed of activities related to this site. This hearing is one more way we can accomplish this goal.

As the Deputy Assistant Secretary of the Army (Environment, Safety, and Occupational Health), I oversee environmental, safety, and occupational health programs within the Army, including restoration, compliance, pollution prevention, environmental technology, occupational health, and safety. My responsibilities include the development of Army policy and guidance, oversight of the Army's environmental programs, programming funds for these Army environmental programs, and consultation with Congress and other governmental officials on these programs. As one of my duties, I serve as DoD's Executive Agent responsible for DoD's FUDS program under which Spring Valley is being addressed.

The FUDS program is part of the Defense Environmental Restoration Program (or DERP) established by Congress in 1986. Under DERP, DoD has the authority and funding to respond to releases of hazardous substances resulting from past military operations. The United States Army Corps of Engineers (USACE) executes the program under my supervision as DoD's Executive Agent for the FUDS program. USACE is well-suited to the task because of its expertise, experience, and organizational structure, spearheading the Army's execution of the program through its geographic Divisions and Districts.

This program has examined 9,971 properties transferred from DoD control prior to 1986, 2,811 of which have been determined to require some type of action. USACE currently manages 4,684 restoration/cleanup projects on those 2,811 properties. The Army uses a risk-based prioritization approach based on site-specific conditions. The Army first addresses those sites with the highest relative priority based on potential risks to human health and the environment before addressing sites of a lower priority.

The Army conducts cleanup under DERP in accordance with the Comprehensive Environmental Response, Compensation, and Liability Act (or CERCLA) for site characterization and remedy implementation at FUDS projects. The Army actively works with regulators who set and enforce the appropriate standards necessary to ascertain that the

cleanup is protective of human health and the environment. Further, the Army reaches out to the community to ensure its concerns are understood and considered.

The Spring Valley FUDS project includes the former American University Experiment Station where, during World War I, the Army developed and tested chemical agents. Spring Valley is now a complex site incorporating nearly 90 years of urban construction and development over areas found or suspected to contain chemical warfare material (CWM) and conventional munitions from World War I era activities. The presence of CWM and its location in a residential community make Spring Valley one of the highest priority sites in the FUDS inventory.

The Army has built an extraordinary team to address the special challenges the Spring Valley project poses. Prioritizing safety, thoroughness, and transparency, the Army invited the DDOH, and, later, the DDOE as well as USEPA to enter into a working partnership with the Army for the Spring Valley cleanup. The Partners share information and coordinate plans and future actions. The Army seeks to find, execute, and ensure the quality of the best course of action for each task through open dialog, data review, and a plurality of knowledgeable viewpoints. Our Partnership at Spring Valley is unique in the FUDS Program and a strong factor in the success of our cleanup.

The Army also works closely with landowners, including American University, during the cleanup process. The Army is dedicated to keeping the stakeholders informed of progress and cleanup-related events in the neighborhood. The Army developed a Public Involvement and Response Plan, which establishes a community involvement program that includes tours, community meetings, newsletters, a website, and an information repository at the Palisades Neighborhood Library. In 2001, a Restoration Advisory Board (RAB) was established after a request from the public. The purpose of the RAB is to provide an expanded opportunity for public input into the cleanup process. The Spring Valley RAB meets monthly in a public meeting and has been an effective mechanism of public involvement.

In 1995, the Army, based on historical research and knowledge that few munitions had been discovered in over 60 years of farming and development, came to the conclusion that no further action was necessary for most of Spring Valley. The Army received support for this decision from the District of Columbia, USEPA, the Spring Valley community, and the property developers. The Army acted in good faith at every stage of the development of its decision

and used the best information and technology available at the time. The Army's conclusions were reviewed and validated with independent testing by the District of Columbia and USEPA. Nonetheless, it is clear that CWM, conventional munitions, and environmental contamination went undetected. Upon the discovery of additional munitions and more environmental contamination, the Army re-evaluated the adequacy of site characterization data and alternative actions at the site and subsequently proceeded with the appropriate response actions.

By working systematically and cooperatively, the Army has worked diligently to reduce the uncertainties associated with the nature and extent of contamination and the potential risk to human safety and health by the implementation of appropriate response actions. The Army coordinated with ATSDR to conduct two health studies. These studies found no probable exposures of concern for public health hazards related to contamination from past military activities. The Army continues to work with USEPA to build risk assessments and groundwater models. The Army also has installed an extensive network of monitoring wells in Spring Valley to help protect the District of Columbia water supply from contamination caused by past military activities on this property. The Army has conducted removal actions to eliminate exposure to arsenic and other toxic chemicals on residential properties. Additionally, we continue, as part of current field activities, to look for and remove conventional munitions, CWM, and related debris from land parcels within the Spring Valley FUDS property known or suspected to contain such material.

Through our investigations at Spring Valley, we have learned a great deal about the operational and waste management practices during the World War I era and how to better detect burial sites and characterize legacy contamination. As previously stated, the Army is nearing a key milestone at Spring Valley. Based on the Army's investigative efforts and site data collected using the best technology and expertise available, the Army developed a cleanup plan that was carefully reviewed and agreed upon by the Partners. This plan projects that the majority of field work will be complete by the end of 2010. We will then begin an extensive data review and report writing phase. At the conclusion of the report writing phase, it is not out of the question that certain long term management actions may be implemented. Further, the Army envisions that it will continue to interface with the community and respond if

there are discoveries of CWM, conventional munitions, or environmental contamination caused by past military activities that pose a threat to human health or the environment.

Later this year, the Army plans to use the Army-developed, DDESB-approved Explosives Destruction System (EDS) to neutralize CWM and conventional munitions that contain a non-chemical agent liquid fill that were found onsite. The Army successfully used the EDS technology at Spring Valley in 2003 to destroy 15 recovered chemical munitions. I have complete confidence in this technology and the expertise of the Army team that will conduct this operation again later this year. As always, the Army will employ redundant safety measures and conduct extensive air monitoring during EDS operations. In addition, the destruction plans for this operation will be reviewed and approved by our Partners and external agencies, including the DDESB and CDC. We have coordinated extensively with our Partners, who have likewise expressed their confidence in the technology and the safeguards to be used. We have also worked diligently with the local authorities to build an emergency response plan in the unlikely event of an incident. The Army will keep the local community informed on the upcoming event, as we did for the destruction event in 2003. After the event, the Army will issue a press release as to the nature of the munitions neutralized. Based on my experience as the DoD Executive Agent for the FUDS program, I consider the Spring Valley community involvement to be exceptional.

Bottom line, "Doing the right thing" has always been the Army's intent at Spring Valley. The Army has acted responsibly at this extraordinary site and continues to coordinate actions with its Partners. Though the majority of the planned field work is expected to be completed by the end of 2010, the Army will stay responsive to new requirements at Spring Valley, keep the community informed, and continue to allocate resources to the Spring Valley project as needed to ensure human health and safety are not compromised.