

*Testimony of
James Buford
Interim Director
District of Columbia Department of Health*

*Hearing On Spring Valley – US General Accounting Office Report
Capitol Subcommittee On The District of Columbia
Committee on Government Reform
House of Representatives
June 26, 2002
Washington, D.C.*

GOOD MORNING CHAIRWOMAN MORELLA, RANKING MINORITY MEMBER NORTON,
AND DISTINGUISHED MEMBERS OF THE SUBCOMMITTEE.

I AM JAMES BUFORD, INTERIM DIRECTOR OF THE DISTRICT OF COLUMBIA
DEPARTMENT OF HEALTH (DOH). I AM JOINED BY THEODORE GORDON, SENIOR DEPUTY
DIRECTOR FOR PUBLIC HEALTH ASSURANCE. THANK YOU FOR THE OPPORTUNITY TO
PRESENT TESTIMONY TO THE SUBCOMMITTEE THIS MORNING ON MY AGENCY'S ROLE,
ITS AUTHORITY AND ITS RESPONSIBILITIES IN THE EFFORT TO REMEDIATE BURIED
MUNITIONS AND OTHER CONTAMINANTS IN THE SPRING VALLEY NEIGHBORHOOD AND
OTHER FORMERLY USED DEFENSE SITES IN THE DISTRICT OF COLUMBIA. MY
COMMENTS WILL FOCUS ON PROVIDING YOU AN UPDATE OF THE WORK THE DISTRICT
OF COLUMBIA DEPARTMENT OF HEALTH HAS COMPLETED IN SPRING VALLEY SINCE
YOUR LAST HEARING ON THIS SUBJECT IN JULY OF 2001. BUT FIRST I WANT TO
MENTION THAT THE DOH HAS HAD AN ONGOING WORKING RELATIONSHIP WITH THE
REPRESENTATIVES OF THE US GOVERNMENT ACCOUNTING OFFICE (GAO) IN ORDER TO
BE AS RESPONSIVE TO THEIR QUESTIONS AS POSSIBLE, AND PROVIDE AS MUCH
INFORMATION AS WE HAVE AVAILABLE TO THE DOH.

AS THE DEPARTMENT OF HEALTH TESTIFIED TO IN JULY OF 2001, MAYOR ANTHONY WILLIAMS ASSEMBLED AN INDEPENDENT GROUP, THE SPRING VALLEY SCIENTIFIC ADVISORY PANEL, WHICH INCLUDES SEVEN SPECIALISTS IN THE FIELDS OF EPIDEMIOLOGY, TOXICOLOGY AND ENVIRONMENTAL HEALTH, AND MEMBERS OF THE SPRING VALLEY COMMUNITY.

A DEPARTMENT OF HEALTH REPRESENTATIVE HAS CONTRIBUTED TO EACH OF THE SPRING VALLEY SCIENTIFIC ADVISORY PANEL MEETINGS BY PRESENTING INFORMATION OR RESPONDING TO PANEL RECOMMENDATIONS. THE DEPARTMENT HAS ADDRESSED EACH OF THE PANEL'S RECOMMENDATIONS RECEIVED AND WILL ADDRESS THOSE PROVIDED BY THE SCIENTIFIC ADVISORY PANEL MEETING MAY 29, 2002.

THE DOH IDENTIFIED DATA GAPS IN OUR AVAILABLE INFORMATION REGARDING THE ISSUES IN SPRING VALLEY AND ACKNOWLEDGED ADDITIONAL DATA NEEDED TO BE COLLECTED TO DETERMINE WHETHER RESIDENTS WERE EXPOSED TO ELEVATED LEVELS OF ARSENIC IN SPRING VALLEY. WE HAVE FOLLOWED THE GUIDANCE FROM THE MAYOR'S SCIENTIFIC ADVISORY PANEL AND EXPECT TO RESPOND TO ADDITIONAL RECOMMENDATIONS FROM THE MOST RECENT PANEL MEETING HELD IN MAY OF 2002.

THE DEPARTMENT RECOGNIZED THE IMPORTANCE OF THE SCIENTIFIC ADVISORY PANEL'S RECOMMENDATIONS, AND REQUESTED FURTHER TECHNICAL ASSISTANCE FROM THE AGENCY FOR TOXIC SUBSTANCES & DISEASE REGISTRY (ATSDR) TO COLLECT ADDITIONAL DATA AND PERFORM "BIO-MONITORING" (AN EXPOSURE INVESTIGATION) OF RESIDENTS IN SPRING VALLEY. AS YOU ARE AWARE, THE ATSDR

PROVIDED SIMILAR TECHNICAL ASSISTANCE AT THE REQUEST OF THE DOH AT THE CHILD DEVELOPMENT CENTER ON AMERICAN UNIVERSITY'S CAMPUS WHERE THERE WAS CONCERN THAT CHILDREN MAY HAVE BEEN EXPOSED TO ARSENIC CONTAMINATED SOIL. THE RESULTS OF THE ATSDR'S TESTS INDICATED THAT NONE OF THE CHILDREN AT THE CHILD DEVELOPMENT CENTER HAD BEEN EXPOSED TO ELEVATED LEVELS OF ARSENIC AMONG CHILDREN WHO WERE CURRENTLY ENROLLED AT THE CHILD DEVELOPMENT CENTER.

DOH AND ATSDR MET WITH COMMUNITY MEMBERS TO DISCUSS THE PROPOSED EXPOSURE INVESTIGATION IN SPRING VALLEY. WE INVITED THE COMMUNITY'S PARTICIPATION AT THE VERY BEGINNING TO ENSURE THAT SPRING VALLEY RESIDENTS UNDERSTOOD THE OBJECTIVES OF THE INVESTIGATION AND ITS LIMITATIONS. WE PUBLICIZED THE COMMUNITY MEETING IN OUR SPRING VALLEY NEWSLETTER AND HAVE PROVIDED THESE NEWSLETTERS, WHICH WERE ALSO POSTED, ON OUR WEB SITE. WE HAVE ALSO PROVIDED THE INTERNET ADDRESS FOR THE MOST RECENT INFORMATION ABOUT THE HEALTH EFFECTS ASSOCIATED WITH ARSENIC EXPOSURE. THE DOH RECOGNIZES THAT THE COMMUNITY MUST HAVE A CLEAR UNDERSTANDING OF EACH STEP IN THE PROCESS WHILE WE INVESTIGATE THE POTENTIAL EXPOSURE TO CONTAMINANTS IN SPRING VALLEY. WE WILL CONTINUE THIS PROCESS BY MEETING WITH THE COMMUNITY AND PROVIDING INFORMATION TO THE RESIDENTS OF SPRING VALLEY AS WE OBTAIN IT.

FOLLOWING OUR COMMUNITY MEETING WITH SPRING VALLEY RESIDENTS, WE REQUESTED THAT RESIDENTS PARTICIPATE IN AN EXPOSURE INVESTIGATION TO COLLECT BIOLOGICAL SAMPLES FOR TESTING TO DETERMINE WHETHER THEY HAD

BEEN EXPOSED TO ELEVATED LEVELS OF ARSENIC BY ABSORPTION THROUGH THEIR SKIN, OR INGESTION OR INHALATION.

THE ATSDR SUPPORTED THE DOH'S REQUEST FOR TECHNICAL ASSISTANCE AND WE COORDINATED OUR EFFORTS TO PROVIDE FURTHER INFORMATION ON POTENTIAL EXPOSURE TO ARSENIC CONTAMINATION. THE INITIAL REVIEW OF WHICH RESIDENTIAL AREAS TO INCLUDE IN THE EXPOSURE INVESTIGATION WAS DETERMINED FROM A REVIEW OF MAPS THAT IDENTIFIED WHERE THE HIGHEST LEVELS OF ARSENIC IN SOIL WERE LOCATED. IN ADDITION, PREFERENCE WAS GIVEN TO PROPERTIES WITH SMALL CHILDREN. THE OBJECTIVE WAS TO DETERMINE WHETHER THERE WAS ELEVATED LEVELS OF ARSENIC EXPOSURE AMONG RESIDENTS WITH THE HIGHEST ARSENIC CONTAMINATION ON THEIR PROPERTY BECAUSE WE BELIEVED THESE FAMILIES WERE AT THE HIGHEST RISK OF EXPOSURE. THE MAYOR'S SCIENTIFIC ADVISORY PANEL RECOMMENDED THAT WE COLLECT BIOLOGICAL SAMPLES FROM SPRING VALLEY RESIDENTS INCLUDING CHILDREN AS SOON AS POSSIBLE, AND DURING THE SUMMER MONTHS WHEN INDIVIDUALS ARE EXPECTED TO SPEND MORE TIME OUTDOORS. WE COMPLETED THE INITIAL COLLECTION OF BIOLOGICAL SAMPLES FROM SPRING VALLEY RESIDENTS IN MARCH OF 2002. THE INITIAL RESULTS SUGGESTED THAT SPRING VALLEY RESIDENTS HAVE NOT BEEN EXPOSED TO ARSENIC FROM CONTAMINATED SOIL ON THEIR PROPERTY. HOWEVER, THE ADDITIONAL COLLECTION OF BIOLOGICAL SAMPLES HAS NOT BEEN COMPLETED DURING THE SUMMER MONTHS, BUT WE EXPECT TO COMPLETE THESE BY COORDINATING WITH ATSDR THIS SUMMER. ONE OF THE CHALLENGES THE DOH FACES INVOLVES DESCRIBING THE SOMETIMES COMPLICATED CONCEPTS OF HOW CONTAMINATION IN THE SOIL RELATES TO HUMAN EXPOSURE AND HOW WE DETERMINE WHETHER PEOPLE HAVE RECEIVED AN AMOUNT

OF EXPOSURE THAT POSES A HEALTH RISK. IN ORDER TO HELP EDUCATE THE CONCERNED RESIDENTS, COMMUNITY MEMBERS, REPRESENTATIVES FROM THE RESTORATION ADVISORY BOARD AND OTHERS, THE DOH REQUESTED THAT THE ATSDR OFFER TRAINING ON THE PRINCIPLES USED TO DETERMINE HOW ENVIRONMENTAL DATA AND HEALTH OUTCOME DATA ARE USED TO:

- IDENTIFY ACTUAL EXPOSURES TO CHEMICALS AND OTHER CONTAMINANTS
- ASSESS REAL OR PERCEIVED SITE-RELATED HEALTH PROBLEMS
- RECOMMEND FOLLOW-UP ACTIONS
- RECOMMEND MEASURES TO STOP OR PREVENT EXPOSURE

THE DOH ALONG WITH ATSDR HAS HELD "FOCUS GROUP" DISCUSSIONS TO IDENTIFY THE COMMUNITIES CONCERNS AND TO HELP DETERMINE THE TYPE OF EDUCATION NEEDED FOR SPRING VALLEY RESIDENTS. THE DOH WILL EXPAND OUR OUTREACH AND EDUCATION OF THE SPRING VALLEY COMMUNITY TO PROVIDE MORE INFORMATION ON THE POTENTIAL HEALTH EFFECTS FROM ARSENIC.

IN ADDITION, THE DOH WILL ADDRESS ALL DISEASES THE COMMUNITY HAS CONCERNS ABOUT AND REVIEW THEIR POTENTIAL ASSOCIATION WITH ARSENIC EXPOSURE. WE WILL ALSO SUBMIT TO THE MAYOR'S SPRING VALLEY SCIENTIFIC ADVISORY PANEL THE VARIOUS DISEASES AND CONDITIONS REPORTED BY RESIDENTS FOR THE PANEL TO REVIEW.

THE DOH HAS REVIEWED, ALONG WITH OUR PARTNERS, ALL RESULTS FROM THE SOIL SAMPLING AND EXCAVATION OF PROPERTIES WITHIN SPRING VALLEY AND CONTINUES TO REVIEW ALL PLANS FOR ADDITIONAL GEOPHYSICAL SURVEYS WHERE OTHER

BURIED MUNITIONS MAY BE LOCATED. THE EPA HAS RECOMMENDED A SITE-SPECIFIC CLEAN-UP LEVEL IN SPRING VALLEY WHERE ARSENIC CONCENTRATIONS IN SOIL GREATER THAN 20 PPM BE REMOVED. THE DOH AND THE MAYOR'S SCIENTIFIC ADVISORY PANEL AGREE WITH EPA'S RECOMMENDATION.

OUR REVIEW OF INFORMATION REGARDING OTHER FORMERLY USED DEFENSE SITES WITHIN THE DISTRICT IS CONTINUING. UNDER THE DEFENSE/DISTRICT MEMORANDUM OF AGREEMENT (DDMOA) SIGNED IN MAY 1994, DOH IS RESPONSIBLE FOR REVIEWING AND COMMENTING ON SITE-SPECIFIC INFORMATION PROVIDED TO US BY THE APPROPRIATE MILITARY SERVICE. FOR FUDS, THE APPROPRIATE MILITARY SERVICE IS THE CORPS OF ENGINEERS. AS THE CORPS ADDRESSES EACH FUDS AND PROVIDES REPORTS AND OTHER DOCUMENTS TO THE DOH, A REVIEW IS CONDUCTED TO ENSURE THAT THE WORK BEING DONE AT THE SPECIFIC SITE IS BEING CONDUCTED ACCORDING TO DISTRICT LAWS AND REGULATIONS AND THAT IT IS PROTECTIVE OF THE PUBLIC HEALTH AND SAFETY. DOH STAFF MEETS WITH CORPS REPRESENTATIVES, ATTENDS TECHNICAL MEETINGS, CONDUCTS SITE VISITS IN CONJUNCTION WITH THE CORPS, AND PARTICIPATES IN ANY PUBLIC MEETINGS THAT MIGHT BE HELD FOR EACH OF THE SITES. AS PART OF THE DDMOA, THE DEPARTMENT OF DEFENSE HAS PROVIDED A LIST OF FUDS WITHIN THE DISTRICT. THE LIST OF FUDS CONSISTS OF A TOTAL OF THIRTY-TWO SITES, INCLUDING SPRING VALLEY. TWENTY-TWO OF THESE SITES BELONG TO WHAT IS KNOWN AS THE "CIRCLE OF FORTS", CIVIL WAR EMBLEMMENTS THAT WERE PART OF THE DEFENSIVE STRUCTURE OF THE DISTRICT DURING THAT WAR. THEY INCLUDE SUCH SITES AS FORT DUPONT, FORT BUNKER HILL, FORT TOTTEN, FORT RENO, FORT STEVENS AND OTHERS. THE CORPS HAS NOT YET ADDRESSED THESE SITES.

DURING THE JULY 2001 CONGRESSIONAL HEARING THREE FUDS WERE MENTIONED AS SITES IN THE DISTRICT WHERE THERE MAY BE CONTAMINATION. THEY ARE CAMP SIMMS, CATHOLIC UNIVERSITY AND THE UNIVERSITY OF THE DISTRICT OF COLUMBIA.

CAMP SIMMS IS A FORMER NATIONAL GUARD FACILITY IN SOUTHEAST WASHINGTON. THE NATIONAL PARK SERVICE CURRENTLY OPERATES A PORTION OF THIS SITE, AND THE REST HAS BEEN TRANSFERRED TO THE CONTROL OF THE DISTRICT OF COLUMBIA. IN THE 1990'S, THE CORPS OF ENGINEERS DID EXTENSIVE SURVEYS OF THIS AREA AND DECLARED THAT NO FURTHER ACTION WAS NEEDED. HOWEVER, AFTER MAYOR WILLIAMS ANNOUNCED THAT THE DISTRICT PORTION OF THE PROPERTY WOULD BE DEVELOPED INTO A SHOPPING CENTER AND RESIDENTIAL DEVELOPMENT, DOH BECAME CONCERNED THAT MUNITIONS REMAIN AT THE SITE. THIS CONCERN WAS BASED ON CREDIBLE INFORMATION THAT AMMUNITION AND RIOT CONTROL AGENT WERE BURIED AT THE SITE. LAST YEAR, AT OUR REQUEST, THE CORPS REVIEWED THE GEOPHYSICAL INFORMATION THAT THEY HAD COMPILED EARLIER AND DECIDED TO INTRUSIVELY CONDUCT A SUBSURFACE INVESTIGATION OF OVER 90 ANOMALIES. THIS INVESTIGATION CONCLUDED THAT THERE WAS NO BURIED ORDNANCE REMAINING ON THE PROPERTY. THE CORPS HAS ALSO, AT THE REQUEST OF THE DISTRICT'S DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT, CONDUCTED A FOCUSED SITE INVESTIGATION TO DETERMINE IF ANY CHEMICAL CONTAMINATION REMAINED ON THE SITE. THIS INVESTIGATION HAS CONCLUDED THAT THERE IS MINIMAL CONTAMINATION THAT WILL NOT POSE ANY POTENTIAL ADVERSE HEALTH EFFECTS. HOWEVER, IN OUR REVIEW OF THE REPORT ON THIS INVESTIGATION, WE DISCOVERED THAT A SMALL EXPLOSION HAD OCCURRED WHILE FIELD PERSONNEL WERE DIGGING A MONITORING WELL. SMOKE AND SOIL WERE BLOWN FROM THE HOLE, BUT

FORTUNATELY NO ONE WAS HURT. EVEN THOUGH THE CORPS INVESTIGATED THIS EXPLOSION AND CONCLUDED THAT AN ORDNANCE DEVICE WAS NOT THE CAUSE, THEY WERE NOT ABLE TO CONCLUSIVELY DETERMINE WHAT CAUSED THE EXPLOSION. THEREFORE, WE HAVE ASKED THE CORPS TO CONDUCT A SUBSURFACE INVESTIGATION OF THIS ONE AREA TO ENSURE THERE IS NOTHING BURIED THAT COULD POSE A HAZARD DURING OR AFTER CONSTRUCTION.

AT CATHOLIC UNIVERSITY, DOH HAS MET WITH STAFF FROM THE UNIVERSITY, ALONG WITH REPRESENTATIVES FROM EPA AND THE CORPS, REGARDING POTENTIAL CONTAMINATION OF THE CAMPUS FROM PREVIOUS WWI ACTIVITIES. DOH HAD BEEN CONCERNED ABOUT THIS SITE BECAUSE OF THE REPORTED BURIAL OF CHEMICAL WARFARE AGENTS BEHIND THE MALONEY CHEMICAL LABORATORY ON THE CAMPUS. IN ORDER TO ADDRESS THIS SITE, EPA ENLISTED THE ASSISTANCE OF ITS ENVIRONMENTAL PHOTOGRAPHIC INTERPRETATION CENTER (EPIC). EPIC PRODUCED A SURVEY OF AERIAL PHOTOGRAPHS FROM THE WWI ERA THROUGH THE PRESENT. BASED ON A SITE VISIT THAT WAS CONDUCTED BY THE PROJECT PARTNERS (DOH, EPA, CORPS) ON MARCH 19, 2002 AND REVIEW OF EPIC'S SURVEY, THE PARTNERS DETERMINED THAT MORE INFORMATION WAS NEEDED BEFORE AN INFORMED DECISION COULD BE MADE ABOUT THE NEXT STEPS TO TAKE IN THIS INVESTIGATION. CATHOLIC UNIVERSITY GRANTED EPA PERMISSION TO REVIEW UNIVERSITY ARCHIVES, AND THE PARTNERS ARE STILL ANALYZING THIS INFORMATION. DOH BELIEVES THAT THERE IS NO IMMINENT DANGER ON THE CAMPUS OF CATHOLIC UNIVERSITY.

THE UNIVERSITY OF THE DISTRICT OF COLUMBIA (UDC) IS THE SITE THAT WAS ONCE OCCUPIED BY THE NATIONAL BUREAU OF STANDARDS AND AN AGENCY KNOWN AS

THE DIAMOND ORDNANCE FUZE LABORATORY. THE FUZE LABORATORY IS ON THE LIST OF FUDS THAT THE DEPARTMENT OF DEFENSE PROVIDED TO DOH. DOH BECAME CONCERNED ABOUT THIS SITE BECAUSE OF ANECDOTAL INFORMATION THAT AT LEAST ONE ORDNANCE ITEM WAS DISCOVERED DURING THE CONSTRUCTION OF THE ENGINEERING BUILDING AT UDC. DOH HAS ASKED THE CORPS OF ENGINEERS TO INVESTIGATE THIS FACILITY. EPA-REGION III HAS BEEN ABLE TO PROVIDE FUNDING TO CONDUCT A PRELIMINARY ASSESSMENT OF THE SITE AND HAS RECOMMENDED THAT FURTHER INVESTIGATION BE DONE. EPIC HAS ALSO COMPLETED A SURVEY OF AERIAL PHOTOGRAPHS OF THE SITE, WHICH IS CURRENTLY UNDER REVIEW BY THE PARTNERS. UNFORTUNATELY, NO FURTHER INVESTIGATION CAN BE DONE AT THIS SITE UNTIL FURTHER FUNDING BECOMES AVAILABLE.

CONCLUSIONS

IN SUMMARY, THE DEPARTMENT OF HEALTH HAS ESTABLISHED AND MAINTAINED A WORKING RELATIONSHIP WITH THE ARMY CORPS OF ENGINEERS AND THE US ENVIRONMENTAL PROTECTION AGENCY, AND HAS SUCCESSFULLY REQUESTED AND RECEIVED TECHNICAL ASSISTANCE FROM THE AGENCY FOR TOXIC SUBSTANCES AND DISEASE REGISTRY. THE MAYOR'S SPRING VALLEY SCIENTIFIC ADVISORY PANEL HAS CONSISTENTLY PROVIDED ADVICE THAT MAINTAINS THE DEPARTMENT OF HEALTH'S STRONG COMMITMENT TO ADDRESS ANY REAL OR PERCEIVED RISK FROM ENVIRONMENTAL CONTAMINANTS IN SPRING VALLEY. THE DEPARTMENT OF HEALTH HAS FOLLOWED ITS PLAN TO IDENTIFY EXISTING DATA AND COLLECT ADDITIONAL INFORMATION TO DETERMINE WHETHER RESIDENTS IN SPRING VALLEY HAVE BEEN EXPOSED TO CONTAMINANTS THAT WILL INCREASE THEIR RISK OF DISEASE OR DYSFUNCTION.

I INVITE ANY QUESTIONS YOU MAY HAVE CONCERNING THE WORK OF THE DEPARTMENT OF HEALTH OR MY TESTIMONY.

THANK YOU AGAIN FOR THE OPPORTUNITY TO PARTICIPATE IN THE SUBCOMMITTEE'S OVERSIGHT HEARING.