

House Subcommittee on the District of Columbia
The Honorable Constance Morella, Chair
Testimony of Benjamin Ladner
July 27, 2001

My name is Benjamin Ladner. I have been President of American University (AU) since July 1994. I reside at 4835 Glenbrook Road in the Spring Valley neighborhood of northwest Washington, DC, a site currently being investigated by the Army Corps of Engineers. On behalf of the University, I would like to thank the Committee for the opportunity to testify before you today. I appreciate your holding these hearings and share your goal of working together to reach a solution that protects the health and well being of the Spring Valley community, now and in the future.

American University offered its campus to the federal government in April 1917 in support of the United States entry into World War I. The War Department accepted the offer and established Camp Leach and the American University Experiment Station on AU property. Approximately nine other owners of wooded properties in Spring Valley contiguous to the University also leased their land to the government for use in military operations.

In November 1918, after the armistice with Germany, the War Department began closing its facilities on the AU campus. During the final stage of dismantling the AU site, the Army entered into an agreement with the University and accepted responsibility for cleaning up the remains of their operations and restoring the AU campus to its pre-war condition.

In 1986, while preparing for the construction of an athletic facility, AU discovered a 1921 student newspaper article claiming that the Army had buried munitions along the campus perimeter during the clean-up and dismantling process. To ensure the safety of its campus, AU sought confirmation from the Deputy Secretary of Defense that no munitions and ordnance were present on campus property, and also invited the Environmental Protection Agency (EPA) to participate in the assessment.

Also in 1986, in response to a request from the University, the Department of the Army conducted archival research and undertook a munitions survey of the construction sites. Army testing to depths of fifteen feet revealed no suspicious items. The Army also sent an explosives ordnance disposal support team to be on site during excavation of the construction area. Recognizing the need to keep the AU community informed about the Army's activities on campus, the University distributed campus communications about these operations, which was reported in the student newspaper.

Several months after the University's initial inquiry, the Army concluded that "... the source that says munitions were buried is historically suspect..."; and also that "There is no official evidence of any such burial." In June 1986, the EPA advised the University that it had no first-hand information about the presence of hazardous wastes in the vicinity of the campus. The agency also indicated that investigations of hazardous wastes at these locations were the responsibility of the Department of Defense, due to its prior use.

Seven years later, in 1993, a construction worker was digging a utility trench and uncovered unexploded ordnance and munitions on what is now 52nd Court, NW. This led to the Army Corps' 1993-1995 investigation and clean-up, known as "Operation Safe Removal." The AU campus was one of nine regions within Spring Valley targeted for investigation. The Army completed its operations and issued a "Record of Decision" in June 1995, concluding that conditions at the site did not "... pose unacceptable risks to human health and the environment. Therefore, no further remedial action is necessary...."

However, a year and a half later, in January 1997, the Army Corps began a new investigation of the area in response to inquiries from the Washington, DC Department of Consumer and Regulatory Affairs. They determined that burial sites for old munitions might be located on property adjacent to the AU campus, formerly owned by the University and now belonging to the Republic of Korea. In the fall of 2000, the Army Corps notified the University that it wanted to test soil on the AU campus, as a result of findings at the Republic of Korea property. Preliminary tests on the south side of campus registered elevated levels of arsenic in the soil near the University's Child Development Center (CDC),

athletic fields, and admissions office. In January 2001, more intensive tests confirmed even higher levels of arsenic in the soil at the CDC.

Upon receiving these test results, the University immediately took steps to safeguard the health of the campus community. We immediately closed the CDC facility and relocated its operations, literally overnight. We subsequently closed the intramural fields as well; they will remain closed until a remediation plan is developed. Because of the health threat that arsenic in soil could pose, especially to children, AU began gathering the best, most accurate data possible about the extent of the contamination. It sponsored health testing for employees, student athletes, and CDC staff and students. We were relieved and gratified to learn that almost all test results to date have shown non-detectable levels of arsenic.

Equally important, while taking steps to compile complete and accurate information, the University implemented an “open communication” approach to its constituencies regarding the activities of the Army Corps on campus. University officials have met with CDC parents, as well as AU students, faculty, and grounds and maintenance staff at significant times during the project to provide information and to address their concerns. Numerous, regular updates have been provided and an information line established to enable people to ask questions and get information. A project-specific web site has been set up with information about the project and links to other sites, including the Army Corps and D.C. Health Department web pages.

Although the University has suffered injury as a result of the War Department’s failure to live up to its commitment to return our campus to its original condition, the Army Corps has assured us that there is no imminent danger and that AU community members are safe. Nevertheless, the University has assembled its own team of expert toxicologists, staff, and expert consultants to assist in compiling and verifying reliable data that can be used to design an effective clean-up operation. As part of our commitment to achieve a solution that fully protects the health and well being of the AU campus community, the University is working cooperatively with the DC Department of Health, the Army Corps, and the EPA to develop a thorough remediation plan for the entire campus.

Despite these efforts, American University has suffered severe disruption and other damages, and faces the prospect of incurring additional damages in the future. For this reason, the University filed an administrative claim with the Army on July 13, 2001 seeking damages arising from the Army's activities.

We hope this hearing and members of Congress will assist the University, our Spring Valley neighbors, and all other affected parties by taking all necessary steps to ensure that the Army's remediation efforts are swift, comprehensive, and fully effective.

Thank you for allowing me to address the District Committee. In addition to this testimony, I have submitted written testimony and supporting documents. Please feel free to contact me if American University can further assist the Committee. I would be pleased to answer any questions at this time.