# Comments on GSA Clover Leaf investigation into David Hendricks (deceased) and Jim Daniels complaint to the Office of Special Counsel, OSC

GSA, PBS, Region 6, and its tenants occupy the Bannister Federal Complex located in Kansas City, MO along with the DOE, NNSA and its subcontractor, Honeywell, which produces components for nuclear weapons. It has been determined that 900 plus toxins exist at the Bannister Federal facility including Beryllium, Asbestos, Uranium, Plutonium, PCB, PCE, TCE and 900 other toxic elements as reported in the KSHB investigation by Russ Ptacek (attachment 1). A complaint was filed to the Office of Special Counsel by Mr. David Hendricks and myself upon Mr. Hendricks death as co-complainant. David Hendricks and I worked for GSA as Trade and Craft employees. We worked on utilities, (plumbing, electrical, steam, HVAC etc.) that served the entire facility and in doing so we were required to work on both sides of the building i.e. the GSA side on the west and the NNSA/DOE side on the east.

I found many conflicting inconsistencies in the findings contained in the investigative report done by Clover Leaf on this complaint. The investigation failed to recognize that GSA's lack of documentation prior to 1999 was a direct violation of the Occupational Safety and Health Act of 1970 and GSA **did not** maintain a viable Health and Safety program for the Trade and Craft employees of the GSA Public Building Service. Clover Leaf was contracted by GSA to investigate the OSC complaint and they found no basis for the complaint nor concerns.

To date there have been many deaths and illnesses, including Mr. Hendricks, that are known to be directly linked to the exposure of the 900 identified toxins that exist at this facility. DOE maintained a good, well documented Health and Environmental program that included health monitoring, training, and personal protective equipment for their workforce and contractors. An amount in excess of $30 million dollars has been paid out to DOE employees and contractors at the KC Bannister facility through the EEOICPA Program that was established by President William Clinton for compensation of toxic exposure for ill and dying workers in the nuclear industry. GSA, Public Buildings Service, on the other hand, maintained a culture of lax oversight and inadequate environmental management that resulted in exposure to many of these lethal toxins and the resultant illness and death of

this Trade Craft subset of employees at the facility. An Inspector General's investigation (attachment 2) and the investigative report conducted by local news reporter Russ Ptacek, (attachment 1) confirmed that GSA, Region 6, PBS maintained a lax oversight of environmental management.

A letter dated November 30th 2010 (attachment 3) from Senator Claire McCaskill, Senator Christopher Bond and Representative Emmanuel Cleaver to the GSA Administrator Martha Johnson stated that the Inspector General's audit report regarding the handling of the health and safety concerns at the Bannister Federal Complex revealed a culture of lax oversight and inadequate environmental management on the part of GSA and Public Buildings service. The letter went on to direct GSA officials to take appropriate steps to hold those accountable and immediately implement both the IG's recommendations and additional reforms to regain the trust of GSA tenants and employees and required GSA to provide regular progress updates.

Our concerns of exposure to over 900 toxins suffered by the Trade/Craft employees who worked in the GSA occupied space and in **the plant** were not addressed in the report. The NIOSH Health Hazard Report (HHE) of 2011 was cited frequently throughout the Clover Leaf report and as stated in our complaint did not consider this subset of Trade Craft employees.

Many of the "allegations" addressed in the report were crafted in the "Statement of Work" by GSA and apparently failed to address these concerns and the elements of our complaint in their contract with Clover Leaf Solutions. Clover Leaf interviewed myself and two retired Trade Craft employees. We explained to them the locations where we worked, Personal Protective equipment provided and training received was primarily for asbestos exposure. One of the Cloverleaf investigators remarked, that no documentation had been found therefore the information we provided was false and anecdotal. I was shocked that they had dismissed the experience of over 100 years of cumulative government service in the trades and craft occupations. I had also given them the contact information for Mr. Don Markel, General Forman, who supervised the entire Trade Craft department for over 30 years at the GSA. They did not interview Mr. Markel who was a General Foreman with expert knowledge of the Bannister Federal Complex.

Another concern was the contracting of this investigation. GSA chose to use a third party versus using of GSA's Inspector General's Office. The reason cited by GSA was that the issues of this complaint required a more thorough understanding of OSHA laws and regulations as well as technical expertise in Environmental Health and Safety. The Inspector General's office was extremely knowledgeable and familiar with the Bannister facilities Environmental issues as they had completed a review in 2010. The IG investigation found that GSA could not assure that the complex has historically been a safe and healthy workplace. As to the technical issues I saw nothing in the Clover Leaf report that would require this expertise as the contract stated no additional testing was to be performed. (Attachment 4) Instead a contract was issued to Clover Leaf that spent about 30 minutes touring a 2.5 million square foot facility with the GSA building manager. GSA management was much more comfortable with the results that would come from this contract because they provided the Statement of Work.

At the time of the filing, Administrator Tangerlini was acting as the GSA Administrator and was tasked by Congress to address GSA abuse of taxpayers' dollars such as the Western Regions Conference reported widely by news organizations. Also, in that timeframe, a Congressional investigation was looking into acquisition improprieties by the GSA Region 6 PBS Deputy Commissioner. This acquisition procured a $234,000 contract for a public relations firm to address the media investigations into the Bannister Federal complex toxin issue. GSA PBS, already had on staff, full time Communication Specialists whose duties were to address media concerns. (Attachment 5)

The SOW and the investigation by Clover Leaf failed to address the 2010 review by DOE (referenced in footnote on the OSC letter to GSA) that found that the Complex historically experienced environmental incidents resulting in soil and groundwater contamination which continue to exist. Clover Leaf failed to address the plume of contamination which covers the entire Bannister Federal Complex to the Blue River on the East property line. Test wells exist over the entire Bannister acreage. These test wells were placed for the purpose of monitoring the underground containments. Test wells exist in at least 3 locations inside the GSA controlled side of the complex. Although the Plant had "what appeared to be appropriate environmental and worker health and safety systems in place," the report noted that it was not and should not be viewed as an epidemiological

study of the health consequences or long-term effects of exposure to contaminants at the plant." Why was this not addressed? This was a significant and critical issue in the complaint that needed to be investigated. GSA totally disregarded this fact as well as others. The DOE audit was enclosed in the original OSC complaint.

Another inconsistency is that Cloverleaf repeatedly found no or limited documentation to indicate that exposure to toxic substances occurred. "There is no documented evidence to prove or disprove that any employees were every exposed to a Permissible Exposure Level (PEL) during their career" as referenced in their summary statement. Cloverleaf stated in the introduction of their report that "in general during the relevant time period covered by the allegations, there was a lack of available documentation prior to the 1980's and limited documentation from the 1980s." The fact that no documentation by GSA existed, or could be found, was a substantial element of the complaint. It was a fact that the Plant was contaminated and these 40 plus GSA Trade/Craft workers performed their duties on common utility equipment and in areas that were common to both the Plant and GSA controlled space. The only difference in exposure to the Plant personal and GSA Trade/Craft personal was that the plant personal received training, Personal Protective Equipment, and were informed of areas where risks of exposure were the highest. DOE Honeywell, also documented and maintained records as prescribed by law. As is evidenced in the Clover leaf report and other documents, GSA failed to provide an adequate oversight and environmental management program. Destruction of documentation and failure to maintain documentation constituted a violation of law, rule, regulation, gross mismanagement and abuse of authority and substantial and specific danger to public health and safety. GSA was required to monitor, document and maintain records on environmental conditions and worker safety as mandated by the Occupational Safety and Health Act of 1970 but failed to do so for the Trade/Craft subset of employees. In the introduction (page 10) of the Clover leaf report it was stated that "lack of documentation and limited documentation from the 1980's hampered the investigation". My comment to this statement is we agree as to GSA's failure to maintain documentation. This was also verified in the 2010 Inspector General's Report. (Attachment #2) Also the unavailability of many Trade/Craft coworkers of Mr. Hendricks hampered their investigation. I personally

gave them the phone numbers and contact information for General Foreman, Don Markel and others, none of whom had been contacted by Clover leaf or GSA. Page 10 of the Clover Leaf report refers to anecdotal reports of exposures and injuries without documentation from GSA. Prior to our telephone interview with Clover Leaf I requested a listing of questions to be addressed (Attachment #6). I did answer their questions and did provide to GSA many documents (Attachment #7) to support my complaint as well as the experiences of two other coworkers. Clover Leaf apparently dismissed this information as "anecdotal" due to GSA's lack of submitted documentation. Mr. Hendricks is deceased and obviously could not participate.

GSA's failure to obey the law resulted in exposures and injuries that could not have been recognized by these workers for years, and even then, were not diagnosed, as these workers had not been advised of the toxic exposures they suffered.

One exception was Asbestos, in which GSA established an asbestos control program, (Attachment #7) in 1983, due to the Unions inquiries into asbestos hazards and the subsequent grievance in which the Union prevailed based on potential exposure. Prior to this 1983 letter GSA had even denied the existence of asbestos. This program and noise hazards were referred to on page one and others. The Clover Leaf report addressed only the asbestos hazard program and noise hazards, no monitoring program or acknowledgement of other hazards existed. I would comment that had GSA maintained a viable Environmental Health and Safety program for the Trade/Craft subset of employees and monitored for the known 900 toxins such as Plutonium, Uranium, Beryllium, PCBs, Asbestos, PCE, TCE etc., more workers compensation and injury reports would have been filed and found in Clover Leafs' investigation. Identification of symptoms would have saved lives. Also identification of these toxins and associated Personal Protective Equipment would have prevented many of these unnecessary illnesses and deaths.

At this point I will comment on each of the "responses" to the 11 "Allegations" contained in the GSA/Clover leaf report that has been submitted in response to the OSC complaint filed by Mr. Hendricks and myself.

Allegation #1

Clover Leaf concluded that statement was correct, but did not address the Health and safety concerns of workers on the "Plant" side of the facility nor was it intended to address Plant workers who were employed by DOE. The response stated that Clover leaf quoted a DOE IG investigation that took place in 2011 and found that there was reasonable assurance that plant workers were adequately protected. As I have previously commented I cannot dispute that the plant workers were adequately protected. Our complaint did not address Plant workers, only the GSA Trade and Craft subset of workers and GSA's past failure to ensure and maintain a safe working environment for these employees and the associated violation of law. It would appear that the intent of the Clover Leaf response was intended to confuse and "reframe" the issues presented. The fact was stated on page 9 of the report that Clover Leaf found a lack of available documentation prior to the 1980s and limited documentation from the 1980s which is in fact violation of the Occupational Safety and Health Act of 1970.

**Allegation #2**

Clover Leaf stated the NIOSH interviewed 214 former GSA and tenant employees and that the report found no unusual patterns of disease were observed in the group. It goes on to state that interview groups were not divided into subcategories and could not determine if the Trade/Craft group suffered a higher mortality pattern than the general population. They concluded with a statement that this appears to be speculation on the part of the complainants. The fact is the NIOSH report did not address the Trade/Craft subset of employees. GSA failed to provide an adequate and viable environmental health and safety program for this subset of employees whose duties required them to work on the plant side and to suffer toxic exposures while performing their job duties. GSA did not monitor for or identify the toxins to which they were subjected. GSA did not adequately document any such testing or monitoring. It appears that Clover Leaf again attempted to justify the GSA's inadequate Occupational Safety and Health Program with more inconsequential statements. NIOSH was not responsible for safety and health of the tenants and employees at the Bannister Facility, but GSA, PBS was responsible under the law.

Allegation #3

Cloverleaf stated in the response that the FOH reported that B reading are subjective and it was not unusual for 2 B-readers to have different findings on marginal changes and that it was important to note the marginal changes observed were consistent with asbestos exposure but not diagnostic of asbestos exposure. In the Scope of Work Clover Leaf was to investigate the findings to determine the potential harm attributable to the allegation. Clover Leaf failed to explain why GSA denied a third reading and opinion as was suggested and requested by Mr. Hendricks's physician. I would comment that Clover Leaf did not even explore the possibility that the exposure was related to Beryllium, Plutonium, Asbestos, Uranium, PCB, PCE and TCEs or other 900 toxins from the plant or cross contamination from the plant in areas that this subset of employees worked. A viable safety monitoring program would have alerted GSA and the Trade/Craft employees to these other exposures. Clover Leaf did report that FOH did state the findings were consistent with but not strictly diagnostic of, asbestos exposure. Had GSA maintained a viable safety and health program they would have possessed the knowledge that the pleural changes could have in fact been related to Beryllium exposure as opposed to Asbestos exposure.

**Allegation #4**

Clover Leaf failed to address the violation of the Title 29 of the Code of Federal regulations and the 29 CFR 1910.1001 which required GSA to use an appropriately classified radiologist. Instead they belabored their findings in Allegation #3 regarding subjective interpretations on marginal changes by B readers. They discussed how GSA had attempted to settle the B reader controversy by holding a presentation by a Dr. Thomas Beller. They agree with the FOH again in that the interpretation differences between B readers may be valid; they even go on to say that that the results could be a result of fat deposits and that Dave, as per his BMI was obese and sub pleural fat was the source. Clover Leaf could not offer a valid reason for why GSA accepted the 1991 negative findings in the 1991 chest X rays. They failed to say that the findings in 1992, 1993 and 1994 reflected the positive findings previously identified. Nor did they find that Dave had an x ray in 1988 consistent to exposure to hazardous materials, subsequent chest x rays in 1989 and 1990 also identified pleural changes. Four other employees also had

positive readings between 1988 and 1990 and then had negative readings in 1991. I have to comment that interpretation issues between different B readers may be valid as stated by Clover Leaf and GSA, but the same interpretation issues for 5 people on the same years is hard to accept and there was an attempt by GSA to "cover up" toxic exposure issues including asbestos. GSA officials attempted to manufacture negative readings in 1991 as they were aware of Beryllium and the numerous other toxins these employees were being exposed to. At the very least this evidence proves gross violation of law and manipulation of contracts in doing so. The reason for GSA's destruction of the medical surveillance program becomes apparent because of the knowledge that occupational lung problems from asbestos reads much the same as that of beryllium and other toxins. GSA realized at this point that the trade/craft employees were being exposed to numerous toxins from the Plant operations. The attached E-Mail from the GSA, PBS Region 6 Project manager to the GSA Senior Assistant General Counsel talks about Beryllium contamination in the facility. (Attachment 12) They chose to cover-up rather than address exposures as is required by the Occupational Safety and Health of 1970. Reference the **American Thoracic Society Patient Information Series.**

**Allegation #5**

My comment to Clover Leaf's and GSA response to #5 is that Clover Leaf stated there is no OSHA requirement for ongoing medical testing of the complainant after his retirement. Clover Leaf's response was based on 29 CFR for General Industry and OSHA's standard for the construction industry, no periodic exams required. These standards addressed asbestos exposure. Clover Leaf gave no response to standards addressing Beryllium, Plutonium, Uranium, Asbestos, PCB, PCE, TCE and the 900 other toxins these employees were exposed to. GSA certainly wanted no further examinations after the retirement of this subset of employees. I cannot comment on standards for exposures consistent in the Nuclear Industry nor did Clover Leaf. Clover Leaf was limited in their investigation because the Statement of Work restricted them to conducting interviews with Mr. Hendricks or proxies and did not allow them to conduct interviews with the DOE plant side for expertise in nuclear contamination for this subset of GSA employees who worked in cross-contaminated areas.

Allegation #6

I would comment on response #6 to Clover Leaf's and GSA's response is that GSA provided a "good faith" gesture by providing medical exams to former Trade/Craft employees that have been reclassified to other PBS positions, to track potential lung changes due to asbestos disease. The chest X-Ray was discontinued. This response is an admission to the fact that this subset of employees was exposed to asbestos while employed in the Trade/Craft work. This response does not address those employees who work in oversight of contractors who daily perform these duties in the same areas the trade/craft subset of employees worked. Asbestos toxins still exist in friable form throughout various locations in the building (Attachment 11). The areas where this work is performed has not changed nor is their evidence that potential exposures have changed. This statement highlights that GSA continues to ignore the law and does not provide a viable Health and Safety program for these workers. GSA is still required to provide medical surveillance and a safe and healthy workplace for GSA employees. This response is an admission by Clover Leaf that the Occupational Safety and Health Act of 1970 is still being violated by GSA. The SOW required Clover Leaf to determine potential harm attributable to each allegation that is verified. GSA has stopped tracking any potential lung changes related to the latency of asbestos disease. Asbestos disease is harmful and Clover Leaf should not have reported there was no basis for this allegation.

**Allegation #7**

The Clover Leaf and GSA response to this allegation quotes the 2011 NIOSH report that states we believe the Bannister Complex employees have received no "significant" exposure from substances in use now or in the past at KCP. Clover Leaf does admit there was exposure and in this case the term "significant" is anecdotal. This NIOSH report does not address nor has the intent to address the subset of GSA employees known as the Trade/Craft group. These employees worked on and in the Plant side of the building where potential exposure was much higher to the 900 toxins. I find that Clover Leaf's referral to their "careful review of documents" to be interesting in that they have stated in their introduction that they found no or little documentation in the 1980s and very little in the 1990s. Our complaint addresses the timeframe prior to 1999, as the

Inspector General's report makes clear that GSA failed to ensure and maintain a safe working environment for employees and tenants, post 1999.

Cloverleaf also explains that they held interviews with multiple employees, managers and supervisors and these interviews found minimal potential for exposures of Trade/Craft employees. I personally gave GSA and Clover Leaf the contact information for the General Foreman, supervisor of the Trade/Craft employees during the timeframes in question. He was not contacted. I and two retired Trade/Craft workers granted them an interview and they dismissed the information we gave as anecdotal. I also supplied documentation to GSA which was not even mentioned in the report. They do talk about one incident of contaminated water coming through the floor and found no evidence of "long term medical problems from the exposures". I also find this statement interesting in that most of these employees today are either dead or suffering illnesses as a result of their exposures. Clover Leaf states again that based on interviews there appears to be anecdotal reports of exposures but no documented reports of these events. The pattern that seems to emerge is that any reports of exposure from the M&Os are anecdotal, reports from people with little to no knowledge of these events seems to be accepted as fact. The Clover Leaf report goes on to say that there is no documented reports of these events. To this I would have to concur and also comment that this is the crux of our complaint that GSA had no viable Health and Safety program and no documentation as was found by Clover Leaf and the Inspector General's office. Clover Leaf stated "further investigation into these events would be needed to determine their validity and the potential for employee exposure to contaminants from the Plant side of the building" however the SOW did not allow Clover Leaf to perform this investigation. Any exposure to toxins is harmful to employees and their health but GSA did not contract with Clover Leaf to determine the validity of these exposures from the plant side of the building.

**Allegation 8**

Clover Leaf stated in their response that they found insufficient information to determine the frequency that Trade/Craft employees performed maintenance and repair on the sewage ejector system. They did agree that the plant sewage

ejector system was common and shared by the plant and the GSA portion of the building. My comment to that is once again GSA had no viable documentation. On Clover Leaf's interview of myself and two other retired Trade/Craft employees, they found our information to be speculative in that Trade/Craft employees were exposed, and the interview statements were anecdotal. The Trade/Craft employees performed these tasks daily in their tour of the facility and repairs were completed. Also, the Preventative Maintenance Program Guide were used by GSA determined the frequency of maintenance and tours. This is still in effect and this information should have been made available by GSA for Clover Leaf. The facts are that contaminated toxic materials flowed thru these systems per Clover Leaf statement. The M&O workers did work in and around these areas and suffered exposures. GSA offered no documentation nor monitoring to be able to establish levels of toxicity.

Regarding the 1995 Occupational Safety and Health Survey Report prepared by Events Analysis Inc. on August 3, 1995, GSA disregarded the confined spaces requirement prior to 1995. Prior to that time the only personal protective equipment provided was gloves and rubber bands to keep the coach roaches from crawling up your pants legs. These incidents of roaches in the pits were reported on a continual basis and the pest control logs would substantiate this fact. Clover Leaf did not comment in their response to these events which were reported in our interview that, was assumed to be anecdotal. It was established in Clover Leaf report that toxins were in these pits and that M&O workers maintained them thereby suffering exposure to toxic elements. Clover Leaf also established that GSA was in violation of the law by not monitoring and documenting the toxins.

**Allegation 9**

The Clover Leaf response did not address this allegation. The allegation was the agency had not taken sufficient action to protect employees from the hazards known to exist at the complex. Over 900 toxins existed at the plant. It was not until the 2010 IG investigation and KSHB Russ Ptacek investigation did former Trade/Craft employees become aware of these toxic elements to which they were exposed.

Clover Leaf assumed that the allegation "implied" that employees were exposed above a PEL and stated no documented evidence existed to prove or disprove these exposures. I would like to clarify that the intent of this allegation was that GSA failed to maintain a viable Occupation Health and Safety program which was in violation of law and did not monitor for or want to know what levels of exposures these employees suffered as well as what toxins existed in any given area at any given time. Clover Leaf did refer to the annual asbestos monitoring program that GSA did conduct. This program was established in response to the Unions concerns and subsequent grievance on or about 1989. I know of no one who received an exit physical upon termination of employment as required by law.

**Allegation 10**

Cloverleaf's findings in allegation #10 once again confirms our Allegations that GSA failed to monitor plant toxins and failed to offer their Trade/Craft employees a safe and healthy workplace as required by law. This is once again stated in the first sentence of their response, "There is no evidence that the complainant and other GSA employees were exposed to the same hazards as Plant workers." It has been established that GSA M&O workers worked in the same area and in areas where cross contamination existed. There is a program for nuclear workers known as the EEOICPA that has paid plant workers over $30 million dollars to date for illnesses and death caused by exposure to toxic substances used in the manufacture of nuclear weapons. It has also been established that over 900 toxins exist at the plant which occupies half of the Bannister complex facility. Prior to Mr. Hendricks death he did work for inclusion under this program and DOL found that he did not qualify for said benefits as he was not a "contract employee". The DOL did hear his claim and did not deny it or argue that he suffered toxic exposure, only that he did not qualify for the program due to his employment status. Mr. Hendricks has since passed away and therefore has not appealed this decision which was made by a hearings officer.

Clover Leaf goes on to deny illnesses and deaths of GSA Trade/Craft employees were a result of the contaminants and toxic exposure they suffered and stated that the exposures suffered during the 1980s and prior to, were not defined. I

would comment that based on the fact that these workers worked in the same areas as Plant workers, the 900 known toxins submitted were the defined exposures. Clover Leaf has stated throughout that no documentation exists, which again proves GSA failed to provide a viable health and safety program as defined by law. I also want to comment that 2 other former trade/craft employees have passed away as a result of illnesses suffered as a result of exposure since this complaint was filed. I cannot speak for GSA and Clover Leaf but I expect they would find this to be more "anecdotal" evidence. I want to point out that the facts are that these people were exposed and GSA had a lax safety culture at the Bannister Complex as found by the IG and reported to the Administrator of GSA by two US Senators and a Congressman. Also it is a fact that on or about half of these Trade/Craft workers are deceased. Fact. I also do not understand why Clover Lleaf did not pursue the causes of death as these records are available. Perhaps they were again limited by the GSA statement of work given them in their contract. I do not like to speculate but in this case I must comment and in my opinion it appears this is one of the reasons GSA contracted for this investigation instead of utilizing the IG's office, who would have known where and how to access this type of data and was familiar with the Bannister Complex toxic issues.

**Allegation #11**

Allegation #11 states that none of the audits or evaluations performed by GSA, DOE, and NIOSH examined the potential exposures of the GSA employees who performed work at the plant. Mr. Hendricks and myself stated in allegation that the 2010 OIG investigation found "GSA did not have a strong environmental management program prior to 2010 and that without a comprehensive historical perspective, there is insufficient evidence to conclude that occupants at the complex were not exposed to hazardous toxins". Our allegation stated the OIG review only focused on the timeframe from 1999 to 2010 and no health hazard review has been completed for the time period prior to 1999 and that such a review is necessary to establish the potential exposures GSA, Trade/Craft employees have experienced as a result of the cross-contamination from the

Plant, as well as exposure from working on equipment on the DOE controlled side of the facility.

Clover Leaf concluded that allegation #11 was not true and fundamentally based this finding on a historical review of workman's compensation claims filed by federal employees from 1988 through April 9th of 2010. This review of workman's compensation claims was for federal employees at the Bannister Federal Complex, (BFC) and did not specifically address the subset of employees known as the GSA Trade/Craft employees that performed maintenance on utilities on the GSA side of the building as well as the plant. There would have been no workman's compensation reports filed on the exposures suffered by the Trade/Craft group, as the resulting illnesses and deaths did not materialize for many years subsequent to the exposures. Without the knowledge that these hazards existed, these employees would not have had the ability to understand that their illnesses were linked to these past exposures. Cloverleaf seemed to miss the fact that this was a direct result of GSA's failure to monitor and protect these employees from these hazards, as required by law. I would also like to comment that Clover Leaf stated in the Introduction of their report that they were hampered by a lack of documentation prior to the 1980s and limited documentation from the 1980s timeframe, they referred to other exposures and illnesses reported to them by Mr. Hendricks coworkers as anecdotal reports without documentation. They failed to give any due consideration to the answers I gave them to the questions presented during the investigative interview, nor to the observations and comments presented by my two other former coworkers. I will comment that it is apparent that the Clover Leaf investigative report did strive to justify their conclusion that this allegation was false. The response to this allegation #11 only succeeded in a vain attempt to sidestep the allegation. They failed to address Mr. Hendricks assertion that no historical review of employee health hazards has been completed for the timeframe prior to 1999 and that such a review is necessary to establish exposures suffered by the Trade/Craft subset of employees who worked in cross-contaminated areas of the facility as well as on the plant side. The HHE report as quoted in the response does not address this specific subset of GSA workers therefore does not meet our request for a historical review of health hazards for GSA Trade/Craft employees.

Summary:

GSA controls about 40% of the over 5 million square foot of the Bannister Federal Complex. This building has housed both GSA and their tenant agencies on the western side and DOE/NNSA and their contractor, Honeywell, which produces nuclear weaponry components on the eastern side. This facility is the only one, to my knowledge, in the nation that house both nuclear manufacturing and Federal agencies in the same building. Also unique was the jobs of the forgotten 40 GSA M&O* employees who worked in the building to assure continuity of utility operations for this facility. Their duties as well as their counterparts on the DOE controlled side of the building were essential in the operations of both the functions of the Federal agencies as well as the DOE manufacturing operation that supported our nuclear program through the cold war years and beyond. The GSA M&O employees worked on equipment in both sides of the plant and in areas where ventilation systems were common. There has been over 1400 verified cases of worker illnesses and deaths on the DOE controlled portion of the building and over 50% of the GSA workers have become ill or died as a result of exposures to the 900 identified toxins in the building. Mr. David Hendricks, my co complainant has passed away since the initial filing of this OSC complaint. I myself suffer illnesses that are directly attributable to exposure to these toxic substances. GSA officials have historically chosen to cover up the toxic problems that have existed at the facility and in doing so have violated the law by failing to monitor and maintain documentation as required by law. This was found in the Inspector General's report of 2010.

When confronted by the media about these toxic problems GSA officials procured a $234,000 contract to a public relations firm that later became the focus of a Congressional Investigation chaired by Senator Claire McCaskill. Rather than taking an honest approach to this problem GSA chose instead to hire professional "spin doctors" in hopes they could make this problem go away. The factual evidence was already there that the toxins existed and mentioned in the February 2010 Floor Statement by

Senator Kit Bond in which he stated he was worried about the 1,000 people working in a dump in Kansas City at the mercy of an agency that refuses to act to remedy a problem they acknowledge exists. (Attachment #8)

On November 30th 2010 a Bi Partisan letter from Senator Bond, Senator McCaskill, and Representative Emanuel Cleaver went to GSA Administrator Martha Johnson stating they expected GSA to identify those responsible for the lax safety culture at the Bannister complex and take appropriate steps to hold those accountable and immediately implement both the IG's recommendations and additional reforms. Upon receipt of Mr. Hendriks OSC complaint dated February 28 2013 GSA, under Administrator Dan Tangerlini, once again resorted to the old tactic of hiring a consultant to respond to the allegations that GSA failed to take appropriate precautions to protect maintenance employees from exposure to unsafe concentrations of asbestos and other toxic chemicals including Beryllium Asbestos, Uranium, Plutonium, PCBs PCEs and TCE. GSA failed to provide a viable medical surveillance program and that these actions were in violation of law, rules, regulations, gross mismanagement an abuse of authority, and specific danger to the public health and safety.

GSA officials maintained that they needed the expertise of this company in environmental, safety and health issues. They maintained the Inspector General's office did not have that expertise. I would comment that this resulting report has nothing of any concrete evidence that would have required any expertise in medical or toxic chemical exposure. The statement of work given them by GSA "framed" the issues and prevented them from an objective investigation, even if that had been their intent. I believe they verified the allegations of Mr. Hendricks and myself in that they stated in their introduction and throughout this report that they were hampered by a lack of documentation prior to the 1980s and limited documentation from the 1980's time-frame.

The report presents no fact based evidence that Mr. Hendricks, myself and the forgotten 40 M&O workers were not exposed to hazardous toxins from the plant nor does it prove that GSA offered protection to this subset of workers as required by law. They have taken statements from context of

the NIOSH report that does not address this subset of workers. They cited statistics in an attempt to exonerate GSA regarding a lack of workers compensation claims were filed from the 1980s as a result of toxic exposures. I would have thought that with their expertise in this field they would have also noted that these exposures can take years, decades, to manifest into illness such as cancer, respiratory failure and other illnesses! They did acknowledge GSA's asbestos health and safety review but failed to note that this was also the agency's responsibility under the law and that even in that endeavor they attempted to manipulated the results, in violation of the law.

Clover Leaf could not find any documentation of a union arbitration in which the workers were awarded environmental differential pay for asbestos exposure nor did they mention that GSA, had denied existence of asbestos in this facility prior to a grievance that resulted in the arbitration award. I sent them this information which also was not mentioned in this report. The report went on to state that eyewitness evidence presented by myself and two other coworkers in response to questions imposed at their interview was "anecdotal" and could not be verified due to lack of documentation. Why did they waste the taxpayers' dollars with even holding the interview if they did not believe the statements given them? Why did they fail to conduct an interview with General Foreman Don Markel, whose name and contact information I had provided? I can only comment that they feared the information they received may not have furthered GSA's objective to cover up these historical deceptive practices and violation of law.

Administrator Tangerlini was appointed to an acting position and later confirmed on the heels of the GSA Western Regions Conference in which over $800,000 was spent on a 4 day party in Las Vegas. He was tasked by Congress to Work with Brian Miller and the Inspector General's office to conduct a top to bottom review of corrupt, illegal and wasteful practices within GSA. I find it incredible that a more objective investigation was not initiated given the serious health ramifications of GSA's PBS, Region 6 willful illegal activities regarding M&O worker Health and Safety.

This M&O function was contracted out in or about 2002 in GSA R-6 and these workers were not even given exit physicals for asbestos exposure as prescribed by law. Willful violation of law and misuse of public funds was what Mr. Tangerlini was committed to and tasked to investigate and hold accountable, those that were found responsible. He had vowed to end the culture of corruption within GSA. Mr. David Hendricks wrote Mr. Tangerlini (Attachment #9) expressing his concerns over these issues. He did not even receive as much as an acknowledgement from Mr Tangerlini. It would appear that the GSA culture of corruption has not changed, and their efforts to cover up these activities continues. The region 6 PBS Deputy Commissioner was sent for a brief period to New York and is now back as Deputy Commissioner of the Federal Acquisition Service. The remaining M&O workers continue to grow ill and die. GSA PBS is slated to move out of the Bannister Complex in December and DOE Honeywell is in process of moving to a brand new facility at the present time. The Bannister Complex is slated for demolition in 2016.

The President's agenda is to utilize existing federally owned buildings, invest in these assets and to bring tenant agencies back into these buildings and out of high priced leased facilities they now occupy. (Attachment #10) If the Cloverleaf and GSA's assertion, that the Bannister facility is a safe and healthy workplace, why are we abandoning and demolishing a building that could potentially house half of the Federal agencies in the Kansas City area? The reasoning to date is that the complex is not sustainable and that the cost of utilities prohibits its usage. The facility is built with poured concrete walls and is built to withstand bomber attacks in WWII. Millions have been spent at the BFC to update HVAC equipment and install energy management systems. Could a few utility bills offset the cost of housing thousands of workers who now reside in expensive lease buildings? Or is the complex so contaminated that the cleanup costs would exceed the costs of these prime leases?

The United States leads the world in proactive worker Health and Safety policies. President Obama is a champion of worker Health and Safety issues for this country and worldwide. In this climate I cannot believe this Administration would condone GSA's willful violation of the law that has

resulted in the illness and death of these workers who have served to support our country throughout the cold war years. They did not deserve the deception they received from GSA, nor the horrible illnesses and death that followed for many. The hands of the clock cannot be turned back and these deeds cannot be undone. Cloverleaf states that DOE is not responsible for these workers, they are correct in that statement, although GSA is and was responsible for providing them a healthy workplace and failed to do so. The DOE provided training, monitoring and personnel protective equipment for their workers on their side of the facility. Also, the DOE workers have a program, established by President William Clinton, referred to as the EEOICPA, to compensate them for toxic exposure related illness. The 40 forgotten GSA workers who were exposed to these same toxins without knowledge, benefit of training, or personnel protective equipment, have been provided nothing but lies and cover-ups of these toxic exposures by corrupt officials. GSA's culture of corruption, however, did allow lavish parties in Las Vegas, Lodge of the Four Seasons, and many others, as well as large sums to contractors to justify and rationalize these activities. In the end, not only the M&O workers have suffered but so have the American taxpayers.

Attachment 1: Russ Ptacek KSHB Investigation

Attachment 2: Inspector Generals' Investigation

Attachment 3: Letter from Senators Bond, McCaskill, Representative Cleaver

Attachment 4: Clover Leaf Solicitation

Attachment 5: Mary Ruwwe Investigation

Attachment 6: Clover Leaf Questions

Attachment 7: 1983 Asbestos Control Letter

Attachment 8: Senator Bond Floor Statement

Attachment 9: Dave Hendricks' Letter to Administrator Tangerlini

Attachment 10: Backfilling Government Buildings Document

Attachment 11: 2013 Pictures of Friable Asbestos in Federal Bldg

Attachment 12: Beryllium emails 2007

Attachment 13: MOU between DOE and GSA for the Bannister Federal Complex, KCMO

Attachment 14: Hazard Report and Assessment Region 6 Asbestos Management/Asbestos Medical Surveillance Programs performed by Jeffry Cushing MS and Gary Adams MS, IH, CSP for 1500 E. Bannister Road, KCMO dated Nov 4, 2013

*Trade and craft are also defined as M&O employees

ATTACHMENT 1

have included Russ Ptacek's reports on the Bannister road plant for GSA and NNSA over the years

Posted: 02/16/2012

- By: Russ Ptacek

KANSAS CITY, Mo. - Despite the 2.5-year 41 Action News investigation into the Bannister Federal Complex, today Congressman Emanuel Cleaver told workers there are no Superfund sites located there.

"Well, I'm not sure they're labeled Superfund sites," Cleaver said when questioned by the 41 Action News Investigators afterwards. "I've not seen those documents."

Since 2010, 41 Action News has reported on 15 Superfund sites at the 300-acre complex. Papers signed by both General Services Administration (GSA) and Environmental Protection Agency (EPA) employees refer to "many separate Superfund sites" at Bannister.

**To see our entire investigation, visit: http:// www.kshb.com/bannister**

Cleaver appeared at a GSA staff meeting to tell employees about a newly planned 2014 move from office space at Bannister to downtown office space.

GSA employees said the move is not related to our ongoing investigation into health concerns at the complex.

Officials said a tenant is interested is leasing the entire complex, so the GSA is coordinating its departure with the exit of Honeywell which is vacating in 2014.

According to EPA.gov, the agency says Superfund is designed to clean up "the nation's uncontrolled hazardous waste sites."

The GSA's regional administrator defended Cleaver saying there were no Superfund sites at Bannister calling it a matter of semantics.

Regional Administrator Jason Klumb said, "About six months ago, the EPA made an affirmative decision to not put the complex on the National Priority List, and I'm sure that is what the Congressman is most aware of and that would make his statement consistent with what is in fact the EPA's decision."

Klumb added that "the individual locations are EPA's National Priority List Database and that's referred to as Superfund."

"My number one concern has been, and remains, the health of the employees," said Cleaver. "I'm not dismissing the employees concerns. I'm not aware that what you're referencing are called Superfund sites."

The 41 Action News investigation has identified about 450 deaths or illnesses and nearly 900 toxins including plutonium at Bannister.

The GSA employees currently share the Bannister building with Honeywell on the east side where workers make parts for nuclear bombs.

A spokesman for the EPA said a current proposal would move the multiple Superfund sites at the Bannister Federal Complex under the umbrella of one large cleanup project which would no longer be labeled Superfund.

The massive cleanup would be supervised by the EPA

Posted: 02/15/2012

- By: Russ Ptacek

KANSAS CITY, Mo. - The Bannister Federal Complex will be shutting down within two-and-a-half years and all employees will be sent to other locations, according to the General Services Administration.

Officials said the move is not related to deaths and illnesses identified by an ongoing 41 Action News investigation.

"This decision was made because NNSA will be vacating their facility, so we were going to make a decision to have the timing right to leave Bannister at the same time," said Angela Brees, GSA spokeswoman.

**RELATED | Congressman Emanuel Cleaver weighs in on GSA relocation**
**http://bit.ly/ADy8UL**

"All employees are moving out of the Bannister Federal Complex before the end of 2014 and will relocate more than 1,000 employees to a location in downtown Kansas City," Brees said. "We are in the process of determining our size and site requirements."

"They will begin a search for interested landlords in the fall," Brees said.

The GSA is now looking for a buyer and/or redeveloper for the property which has multiple Super Fund sites on the grounds.

The 41 Action News investigation has identified about 900 toxins at the complex and more than 450 sick or dead from a registry of current and former workers

The government's official list includes several radioactive materials, but does not name plutonium, although the 41 Action News investigation did identify small amounts of plutonium as among 898 toxins at the facility.

Read more: http://www.kshb.com/dpp/news/local_news/investigations/plutonium-and-more-than-100-other-new-toxins-identified-at-bannister-federal-complex-#ixzz1mUGZ1sPm

The move out of the facility is being led by the Regional Commissioner Mary Ruwwe, the same GSA official who had denied knowledge of workers complaining of cancers and deaths at high rates at the facility.

A 41 Action News Investigation has uncovered Freedom of Information Act documents indicating the official had e-mailed a Bannister death list e-mail warning top GSA officials about worker health fears specifying cancer and deaths.

Despite sending the e-mail months prior to our November 2010 investigation, she denied knowledge of the problem to workers and 41 Action News until the Investigators uncovered the e-mail through the Freedom of Information Act.

Over the two year period she received the Bannister death list, denied knowledge of worker concerns, and hired a public relations firm to hand our inquiry she was rewarded $22,000 for Ruwwe in GSA bonus money.

Read more: http://www.kshb.com/dpp/news/local_news/investigations/bannister-death-list-officials-share-in-%2426M-general-services-administration-bonus-payout#ixzz1mUldmlz1

GSA officials said the move is being timed to coincide with the National Nuclear Security Administration's departure from the facility.

The NNSA program, which builds parts for nuclear bombs and is managed by Honeywell, is moving to a new location at the northwest corner of Missouri Highway 150 and Botts Road in 2014.

The GSA said it houses nine different federal agencies at the 300 acre site.

The NNSA owns two thirds of the building.

"The agency will continue to perform environmental testing on the site and remains committed to environmental monitoring and remediation under the joint GSA and NNSA Resource Conservation and Recovery Act permit as advised by the Environmental Protection Agency and the Missouri Department of Natural Resources," a GSA statement said.

The GSA hopes someone new will purchase or lease the grounds.

"GSA will be moving its regional headquarters and roughly 1,000 federal employees to downtown, while also preparing the Bannister Federal Complex for redevelopment and a new future in south Kansas City," said GSA Heartland Regional Administrator Jason Klumb.

Posted: 01/12/2012

By: Russ Ptacek

KANSAS CITY, Mo. - A Kansas City public relations firm "overcharged" and performed work of "limited value" when hired by the General Services Administration for a $234,000 publicity contract in the aftermath of an NBC Action News investigation, a report says.

The GSA hired Jane Mobley Associates in February 2010, which is when NBC Action News obtained an internal memo under the Freedom of Information Act showing officials were aware of employee concerns that they were getting sick and their colleagues were dying at an alarming rate.

Officials at the GSA had denied any knowledge of employee illness worries or toxin presence prior to the NBC Action News investigation into Bannister health concerns in November 2009.

The memo indicated a high level Kansas City GSA official, Mary Ruwwe, had warned Washington leaders months earlier about the possible political ramifications of employee health concerns in an e-mail titled "heads up."

The GSA Inspector General report found that Ruwwe, who also hired the PR firm, allowed JMA to write its own work order, and signed the deal the same day without considering other contractors.

Former worker Guy Beebe, who runs the website answersbannistercomplex.com , believes the investigation only scratched the surface.

"It leaves me with a complete sense that our government has failed," Beebe was a Marine stationed at Bannister. " I got more and more ill until I thought I was dieing."

He suffers from with gastric and breathing disorders which he believes were caused by toxins at the government office building.

In 2010, as our investigation identified more and more workers like him, Senator Kit Bond, (R-Mo), now retired, called for an investigation.

"What has happened at Bannister," Bond asked on the floor of the United States Senate. "What has gone on in the past? Who knew about it? "

And General Services Administration officials at Bannister hired P-R firm Jane Mobely Associates - at a cost of $234,000.

Click here to see the entire report: http://www.gsaig.gov/?LinkServID=2623D075-CCE9-B03F-136049A8DD01983D&showMeta=0

Thursday's GSA Inspector General report says the Kansas City P-R firm overcharged "in excess of $32,000" and that the government "received limited value for the work performed"

"People have died. Not just a few," Beebe said showing a picture of his ex-wife's father, who also was a Marine at Bannister. " This is Wilbur Clark. He died two months ago. Yes this is very personal."

We met Wilbur Clark in 2010. He was one of 27 former workers we identified with Sarcoidosis.

He believed he was dying because of the work he did at Bannister.

"I've been taken for a ride. I think we all have," Clark said in the 2010 interview. "I think the government has to try to make it good."

Clark died in October.

The public relations firm Bannister hired, Jane Mobely Associates, says it's headquartered in a Rivermarket office, but inside the building JMA lists on its website, a woman said the firm moved out in October.

Jane Mobely hasn't returned our calls.

GSA Regional Commissioner Mary Ruwwe hasn't returned our calls either.

She received $22,000 in bonus money over the two year period where she denied knowledge of the health concerns and ok'd the $234,000 P-R contract to deal with the aftermath.

The GSA issued a written statement Thursday saying: "We are committed to remedying the issues identified by the IG "

Last year, our investigation identified plutonium and nearly 900 other toxins at the Complex - where Honeywell makes parts for nuclear bombs.

Ruwwe did not respond to repeated requests for interviews submitted by NBC Action News to a GSA media officer, but the agency did release a written statement.

"We are committed to remedying the issues identified by the IG office in this report," said GSA Heartland Regional Administrator Jason Klumb. "Contracting is a significant part of our business on behalf of the federal government, and we have an obligation to the taxpayer to continually improve our internal controls and processes."

"Accountability matters," said Senator Claire McCaskill (D) Mo. "The government was overcharged for a public relations contract that never should have been awarded and taxpayers deserve to know."

The IG report also found JMA overcharged for the work "in excess of $32,000."

A woman who answered the phone at JMA said Jane Mobley is the only person at the agency who could comment on the contract.

Mobley did not respond.

Posted: 10/28/2011

- By: Russ Ptacek

KANSAS CITY, Missouri - Saturday, two years after the NBC Action News investigation into dead workers at the Bannister Federal Complex, the government is recognizing the sacrifice nuclear arsenal workers there made to their country.

The memorial only recognizes those workers on the Honeywell side of the complex where workers make parts for nuclear bombs.

Several government officials will attend along with union representatives.

A U.S. Senate Resolution authorized the memorial recognizing nuclear defense workers nationwide who suffered fatal or disabling illnesses.

Our investigation identified more than 450 sick or dead workers at the Bannister Federal Complex.

Only about half will be honored today. The others work on a side of the building not covered by the resolution.

Currently, workers at the Honeywell Plant are on strike citing safety concerns.

The Nuclear Workers' Memorial is being held at Union Lodge 778 and begins Saturday, October 29th at one o'clock at 9404 Grandview Road

Posted: 09/14/2011

- By: Russ Ptacek

KANSAS CITY, Mo. - For the first time in our two year Bannister Federal Complex investigation, attorneys will be interviewing sick workers from both sides of the facility to determine whether to file a class action law suit.

The attorneys will be specifically looking for cases of mesothelioma and cancer, but could expand to other illnesses an investigator said.

"I guess I'm guardedly optimistic because there seems to be some hope and then, two steps forward and three steps back," said former worker Barbara Rice. "It's a Missouri thing, show me."

An NBC Action News investigation has identified more than 450 sick or dead workers at the complex and hundreds of toxins including beryllium, asbestos, and plutonium.

Organizers say if they gather enough information, it is likely they would target defendants other than the federal government.

"The thing that they would do, they're talking about a third party lawsuit," former worker Maurice Copeland said. "They're going to name the manufacturers of the toxins and they're going to name certain people at Honeywell."

"They really, really have to show me the third party lawsuits that they've won," Copeland said. "We're going back in the past, looking at the dead. We want survivors and family members."

**$33 million to some Kansas City workers, but others qualify for nothing**

A government run health screening and compensation program for workers on the Honeywell plant side of the building has paid out more than $33 million, but sick workers on the other side of the building, where Rice worked, that suffer from similar illnesses are not covered.

"There are a number of cases, like people who worked in GSA who were exposed, they could take it to the judicial," said Cold War Soldier nuclear physicist Wayne Knox about the entrance

of attorneys. "There are a number of other people who have tracked contamination home to family members and they have a legitimate case to sue."

"I represent law firms that specialize in this type of litigation," said Terry Coffelt of Emporia. "I have been a investigator on hundreds of cases involving exposure in the work place."

Coffelt will begin interviewing sick workers and their families Friday.

"They're trying to get a strong treasure chest of evidence," Copeland said. "I think they're going to try to leverage all of that."

**Meeting Friday**

Coffelt, Knox, and other agencies will consult sick worker and family members of the dead at a meeting September 16th from 2:00 to 6:00 pm at the Southeast Community Center, 4201 E. 63rd St.

Knox's Cold War Soldiers is a consulting firm that assists workers from the nuclear bomb part making side of the complex with filing compensation claims, but his agency doesn't take cases to court.

When Cold War Solders is successful, the firm receives 2% to 10% of the total award in fees, which isn't a large enough payment to interest most law firms Knox said.

"By and large, lawyers are not interested in the peanut we obtain," said Knox.

That is why he and others are enthusiastic to see interest from a law firm.

**Hundreds of toxins**

The Department of Labor acknowledges it is likely workers have become ill at the facility from exposure to one or more of 898 toxins it lists as "toxic substances verified as having been onsite and used at site "Kansas City Plant" at some time."

Workers on the Honeywell plant side of the facility make bomb parts under contract with the Department of Energy.

There is no similar compensation program for workers on the other side of the building which has housed USDA, FAA, IRS, Defense Finance and Accounting, and other agencies.

**Click here to see the 16 page list of sick or dead workers:**
http://media2.nbcactionnews.com/pdf/investigators/bannisteremployees_20110413.pdf

Posted: 04/15/2011

- By: Russ Ptacek

KANSAS CITY, Missouri - The United States Department of Labor has identified more than a hundred known new toxins to a list of health concerns present at the Bannister Federal Complex and an official acknowledges the plant also uses small amounts of plutonium.

The updated list acknowledges use of more than 898 toxins. That's 114 more toxins since the NBC Action News Investigation into Bannister began in November 2009.

The list includes several radioactive materials, but does not name plutonium, although officials at the Kansas City Plant acknowledge use of small amounts.

NBC Action News first uncovered the history of plutonium at the Bannister Federal Complex by obtaining a 1998 Brookings Institution report by Stephen Schwartz which analyzed plutonium stored in the nation's weapons manufacturing facilities.

Click here to see the Brookings Institution report.

According to the report, the amount of 1.2 grams of plutonium reported at the Bannister Federal Complex was miniscule compared to other facilities which stored tons of plutonium at a time.

Bannister officials confirmed the report's findings on plutonium at the Kansas City Plant.

In a prepared statement a spokeswoman at the Kansas City Plant said plutonium is not processed or stored at the Bannister, but is used in scientific devices.

"As is common in manufacturing industries, sealed radioactive sources are utilized in analytical devices for quality control and calibration of components," said Tanya Snyder, National Nuclear Security Administration's Kansas City Plant spokewoman. "At the KCP, a very small amount of sealed plutonium (less than 2 grams) is used in these types of commercially available tools which are routinely inspected."

The NBC Action News Investigation has identified hundreds of sick workers that believe their illnesses are linked to toxins there.

**Click here to see the 16 pages of sick workers from the bomb part plant and the GSA side of the building that includes more than a hundred dead.**

Sick workers on the Honeywell side of the complex have been paid out nearly $30 million from a special government program set up to assist sick workers at plants that make parts for nuclear weapons.

Workers on Honeywell's nuclear bomb part manufacturing side of the complex are also entitled to routine health checks.

Honeywell manufacturers non-nuclear components for nuclear weaponry under contract with the Department of Energy.

The CDC has identified potential pathways for toxins to sick employees working in the General Services Administration side of the building, do those workers do not qualify for the compensation program.

Although toxins have also been identified on the GSA side of the complex, the CDC's National Institute for Occupational Safety and Health has ruled out a cancer cluster there and found no significant exposure among employeees.

Below is a verbatim copy of the new listing (including 114 previously unidentified toxins) of what the Dept. of Labor acknowledges as known toxins present at some point during the plant's history.

**Please note this government list is several pages long, please click next page or view as single page at bottom of text.**

(1-Hydroxyethylidene)diphosphonic acid, tetrapotassium salt
(C10-C16) Alkyl benzene sulfonic acid sodium salt
(C14-C18) Alkyl alcohol ethoxylate sulfuric acid, sodium salt
(C14-C18) Alkyl alcohol sulfuric acid, sodium salt
1,1,1,2-Tetrafluoroethane
1,1,1,3,3-Pentafluoropropane
1,1,1-Trichloroethane
1,1,1-Trifluoro-2,2-dichloroethane
1,1,2,2-Tetrafluoro-1-chloroethane
1,1-Dichloro-1-fluoroethane
1,1-Difluoroethane
1,1-Dimethylhydrazine
1,12-Benzoperylene | Benzo(ghi)perylene
1,2,3-Trichloropropane
1,2,4-Trichlorobenzene
1,2-Benzisothiazoline-3-one | 1,2-Benzisothiazolin-3-one
1,2-Diaminobenzene | o-Phenylenediamine
1,2-Dibromo-2,4-dicyanobutane
1,2-Dibromoethane | Ethylene dibromide
1,2-Dichlorobenzene | o-Dichlorobenzene
1,2-Dichloroethylene | 1,2-Dichloroethylene, all isomers
1,2-Dihydroxybenzene | Catechol
1,3-Butylene glycol
1,3-Dichloro-1,1,2,2,3-pentafluoropropane
1,3-Dichloro-5,5-dimethylhydantoin
1,3-Dichloro-5-ethyl-5-methylhydantoin
1,3-Dihydroxybenzene | Resorcinol
1,3-Dioxolane

1,4-Benzoquinone | Quinone
1,4-Dichlorobenzene | p-Dichlorobenzene
1,4-Phenylenediamine | p-Phenylenediamine
1,6-Hexamethylene diisocyanate | Hexamethylene diisocyanate
1,6-Hexanediol diacrylate
1-Bromo-3-chloro-5,5-dimethylhydantoin
1-Bromopropane
1-Butene oxide | 1,2-Epoxybutane
1-Decene, polymer with 1-octene, hydrogenated
1-Ethylvinyl acetate
1-Hexanol
1-Nitropropane
1-Thioglycerol
2,2'-Dibenzothiazyl disulfide
2,2'-Methylenebis-(4-chlorophenol) | Dichlorophen
2,2-Dibromo-3-nitrilopropionamide
2,2-Dichlorovinyldimethyl phosphate | Dichlorvos
2,2-Dimethylbutane
2,4,6-Tri(dimethylaminomethyl)phenol
2,4-D-butoxyethyl ester | 2,4-D butoxyethyl ester
2,4-Dichlorophenoxyacetic acid | 2,4-D
2,4-Dinitrophenol
2,6-Dimethyl-4-heptanone | Diisobutyl ketone
2-((4-Amino-3-methylphenyl)ethylamino)ethanol sulfate | CD-4
2-(2-Propoxyethoxy)ethanol
2-(4-Morpholinodithio)benzothiazole
2-(5-Cyanotetrazolato)

pentaamine cobalt III perchlorate
2-(Thiocyanomethylthio)benzothiazole
2-Aminophenol
2-Aminothiophenol
2-Bromo-2-nitropropane-1,3-diol | Bronopol
2-Butanone
2-Butoxyethanol
2-Chloro-4,6-bis(ethylamino)-s-triazine
2-Chloro-4-ethylamino-6-isopropylamino-s-triazine | Atrazine
2-Diethylaminoethanol
2-Dimethylaminoethanol | N,N-Dimethylethanolamine
2-Ethoxyethanol
2-Ethoxyethyl acetate
2-Ethylhexanoic acid
2-Hydroxyethyl methacrylate
2-Mercaptobenzothiazole | Mercaptobenzothiazole
2-Mercaptopyridine N-oxide | 2-Pyridinethiol N-oxide
2-Methoxy-3,6-dichlorobenzoic acid

2-Methyl-4-isothiazolin-3-one | Methylisothiazolinone
2-Methylcyclohexanone | o-Methylcyclohexanone
2-Methylpentane
2-Nitrodiphenylamine
2-Nitropropane
2-Phosphonobutane-1,2,4-tricarboxylic acid | 2-Phosphono-1,2,4-butanetricarboxylic acid
2-Propoxyethanol | Ethylene glycol monopropyl ether
3,3-Dichloro-1,1,1,2,2-pentafluoropropane
3,5-Dinitro-N4,N4-dipropylsulfanilamide
3-(3,4-Dichlorophenyl)-1,1-dimethylurea | Diuron
3-(alpha-Acetonylbenzyl)-4-hydroxycoumarin | Warfarin
3-Chloro-p-toluidine hydrochloride
3-Heptanone | Ethyl butyl ketone
3-Methylpentane
4,4'-Dichlorodiphenyltrichloroethane | DDT
4,4'-Methylenebis-(2-chlorobenzenamine) | MBOCA
4,4'-Methylenedianiline | MDA
4-Amino-3-methyl-N,N-diethylaniline hydrochloride | CD-2
4-Aminophenol
4-Heptanone | Dipropyl ketone
4-Methyl-2,4-pentanediol | Hexylene glycol
4-Methylaminophenol sulfate | p-Methylaminophenol sulfate
4-Nitrodiphenylamine
5-Bromo-3-sec-butyl-6-methyluracil | Bromacil
5-Chloro-2-methyl-4-isothiazolin-3-one | Methylchloro-isothiazolinone
Acenaphthene
Acenaphthylene
Acetaldehyde
Acetic acid
Acetic anhydride
Acetone
Acetonitrile
Acetylacetone | Acetyl acetone
Acetylene
Acrylamide
Acrylic acid
Acrylic acid, polymers
Acrylonitrile
Alconox
Alkyl dimethylbenzyl ammonium chloride | Benzalkonium chloride
alpha-Diphenylenemethane | Fluorene
Alternaria | Fungi
Aluminum | Aluminum metal and insoluble compounds | Aluminum, pyro powders/welding fumes
Aluminum hydroxide
Aluminum oxide

Aluminum phosphide
Aluminum sulfate
Aluminum trichloride | Aluminum chloride
Aluminum trichloride hexahydrate | Aluminum chloride
Aminosilane
Ammonia
Ammonium acetate
Ammonium bifluoride
Ammonium bromide
Ammonium chloride | Ammonium chloride fume
Ammonium chromate
Ammonium cyanide
Ammonium diuranate
Ammonium hydroxide
Ammonium molybdate tetrahydrate
Ammonium nitrate
Ammonium oleate
Ammonium perchlorate
Ammonium persulfate
Ammonium phosphate, dibasic
Ammonium phosphate, monobasic
Ammonium sulfate
Ammonium sulfite
Ammonium tartrate
Ammonium thiocyanate
Ammonium thiosulfate
Amyl acetate | n-Amyl acetate
Anhydrone | Magnesium perchlorate
Anthracene
Antimony
Antimony hydride | Stibine
Antimony trioxide | Antimony trioxide production
Argon
Aromatic petroleum distillate
Arsenic | Arsenic and inorganic compounds
Arsenic trioxide
Asbestos
Ascorbic acid
Asphalt | Asphalt fumes
Asphalt, oxidized
Azure blue
Barbituric acid
Barium | Barium and soluble compounds
Barium carbonate
Barium cyanide
Barium perchlorate

Barium sulfate
Benzene
Benzo(a)anthracene | Benz(a)anthracene
Benzo(a)pyrene
Benzo(b)fluoranthene
Benzo(e)pyrene
Benzo(j)fluoranthene
Benzo(k)fluoranthene
Benzonitrile
Benzotriazole
Benzoyl chloride
Benzoyl peroxide
Benzyl acetate
Benzyl alcohol
Benzyl chloride
Beryllium | Beryllium and compounds
Beryllium oxide

Bioban P-1487
Biphenyl A diglycidyl ether | Bisphenol A diglycidyl ether
Bis(2-ethylhexyl)phthalate | Di-sec-octyl phthalate
Bismuth
Bismuth III oxide
Bisphenol A
Bisphenol A diglycidylether diacrylate
Bisphenol A-epichlorohydrin acrylate
Bithionol
Boric acid
Boron
Borosilicate | Fibrous glass
Brass
Brazing fumes
Bromadiolone
Bromoform
Butadiene | 1,3-Butadiene
Butane | n-Butane
Butane, 2,3-dimethyl- | 2,3-Dimethylbutane
Butane-propane mixture
Butanoic acid | Butyric acid
Butyl acrylate | n-Butyl acrylate
Butyl diglycol acetate
Butyl glycidyl ether | n-Butyl glycidyl ether
Butyl naphthalene sulfonic acid
Butyl rubber
Butylated hydroxytoluene
Butylbenzyl phthalate

Cadmium | Cadmium and compounds
Cadmium acetate
Cadmium chloride
Cadmium cyanide
Cadmium oxide
Cadmium selenide sulfide
Cadmium sulfate
Calcium
Calcium carbonate
Calcium chloride
Calcium chromate
Calcium cyanide
Calcium dichromate
Calcium fluoride
Calcium hydroxide
Calcium hypochlorite
Calcium oxide
Calcium phosphate
Calcium silicate
Caprolactam
Carbamol | Dimethylol urea
Carbohydrazide
Carbon | Soots
Carbon (graphite) | Graphite, all forms except graphite fibers
Carbon black
Carbon dioxide
Carbon monoxide
Carbon steel
Carbon tetrachloride
Carbon tetrafluoride
Carminic acid
Cellulose acetate
Cellulose gum
Cement | Portland cement
Cerium IV ammonium nitrate | Ceric ammonium nitrate
Cesium hydroxide
Chloramine | Chloramide
Chlorine
Chlorine dioxide
Chloroacetamide
Chlorobenzene
Chlorodifluoromethane
Chlorodiphenyl | Chlorodiphenyl (42% chlorine)
Chloroform
Chloropentafluoroethane
Chlorosulfonic acid

Chlorothalonil
Chloroxylenol | 4-Chloro-3,5-xylenol
Chlorsulfuron
Chromic

sulfuric acid
Chromium | Chromium and compounds
Chromium carbide
Chromium dioxide
Chromium trioxide
Chrysene
Citric acid
Cobalt | Cobalt-60
Cobalt sulfamate
Cobaltous chloride
Coconut diethanolamide | Cocamide DEA
Copper
Copper I chloride
Copper II hydroxide
Copper II nitrate
Copper II oxide aluminum mixture
Copper II pyrophosphate
Copper sulfate
Coumafuryl
Coumarin 504 | Coumarin 314
Coumarin 535 | Coumarin 7
Creosote | Coal tar creosote
Cresylic acid | Cresol, all isomers
Cumene
Cumene hydroperoxide
Cupric chloride
Cuprous cyanide
Curing Agent Z
Cyanogen chloride
Cyclohexane
Cyclohexanethiol
Cyclohexanol
Cyclohexanone
Cyclohexene oxide
Cyclohexene, 1-methyl-4-(1-methylethenyl)- | d-Limonene
Cyclohexylamine
Cyclopentane
Dazomet
Decahydronaphthalene
Decanol
Decyl acetate

Deuterium
Dextrin
Diacetone alcohol
Diallyl phthalate
Diastase
Diatomaceous earth
Dibenz(a,h)anthracene
Dibutyl phthalate
Dichlorodifluoromethane
Dichloromethane | Methylene chloride
Dichlorosilane
Dichlorotetrafluoroethane
Diesel exhaust
Diethanolamine
Diethyl ether | Ethyl ether
Diethyl oxalate
Diethylene glycol
Diethylene glycol dibutyl ether
Diethylene glycol monobutyl ether
Diethylene glycol monoethyl ether
Diethylene glycol monohexyl ether
Diethylene glycol monomethyl ether
Diethylenetriamine
Diethyltoluene; 4,4'-Methylbis(3-chloro-2,6-diethyleneaniline)
Diethyltoluenediamine
Diglycolamine
Dikegulac sodium
Dilinoleic acid, ditridecyl ester
Dimethyl sulfoxide
Dimethylacetamide | Dimethyl acetamide
Dimethylamine
Dioxane | 1,4-Dioxane
Diphenylamine
Diphenylmercury
Dipropylene glycol monomethyl ether | Dipropylene glycol methyl ether
Diquat dibromide
Disodium cyanodithioimidocarbonate
Distillates, petroleum, hydrotreated heavy naphthenic | Petroleum distillates
Distillates, petroleum, solvent-dewaxed heavy paraffinic | Petroleum distillates
Distillates, petroleum, solvent-refined light paraffinic | Petroleum distillates
Distillates, petroleum, straight-run middle | Petroleum distillates
Divinylbenzene | Divinyl benzene
Dodecane
Dodecanol
Endotoxin | Endotoxins
Engine exhaust, 2-cycle and 4-cycle

Epichlorohydrin
Ethoxylated bisphenol A diacrylate
Ethyl 2-cyanoacrylate | Ethyl cyanoacrylate
Ethyl acetate
Ethyl acrylate
Ethyl alcohol
Ethyl benzene
Ethyl chloride
Ethyl hexylene glycol
Ethyl lactate
Ethyl silicate
Ethylene chlorohydrin
Ethylene dichloride
Ethylene glycol
Ethylene glycol monomethyl ether | 2-Methoxyethanol
Ethylene glycol monophenyl ether
Ethylene oxide
Ethylenediamine
Ethylenediaminetetraacetic acid | Edetic acid
Ethylenediaminetetraacetic acid tetrasodium salt
Ethyleneimine
Etidronic acid
Fenticlor
Fenvalerate
Ferric acetylacetonate
Ferric ammonium citrate
Ferric chloride
Ferric ferrocyanide
Ferric nitrate
Ferric sulfate
Ferrous ammonium sulfate
Ferrous sulfate
Fluazifop-butyl
Fluoranthene
Fluorine
Formaldehyde | Formalin
Formic acid
Gadolinium III nitrate hexahydrate
Gallium
Gasoline
Glutamic acid
Glutaraldehyde
Glycerin | Glycerin mist
Glyphosate
Gold | Gold and compounds
Gold cyanide

Grotan BK
Hantavirus | Viruses or other filterable infectious agents
Helium
Heptane | n-Heptane
Hexadecane
Hexahydrophthalic anhydride
Hexamethylenetetramine | Hexamethylene tetramine
Hexamethylenetetramine chloroallyl chloride | Quaternium-15
Histoplasma capsulatum
Hydramethylnon
Hydrazine
Hydriodic acid | Hydrogen iodide
Hydrobromic acid | Hydrogen bromide
Hydrochloric acid | Hydrogen chloride
Hydrofluoric acid | Hydrogen fluoride
Hydrogen
Hydrogen cyanide
Hydrogen peroxide
Hydrogen sulfide
Hydroquinone
Hydrotreated light distillate | Petroleum distillates
Hydroxyacetic acid | Glycolic acid
Hydroxylamine
Hydroxylamine sulfate
Hydroxyphosphonoacetic acid
Hypophosphorous acid
Imidacloprid
Imiprothrin; Cypermethrin
Indeno(1,2,3-cd)pyrene
Indium | Indium and compounds
Iodine | Iodine, radioactive
Iprodione
Iridium | Iridium-192
Iron
Iron II oxide | Iron oxide (FeO)
Iron II sulfide
Iron III oxide | Iron oxide (Fe2O3)
Isoamyl acetate
Isoamyl alcohol
Isobutane
Isobutyl acetate
Isobutyl acrylate
Isobutyl alcohol
Isoparaffinic petroleum distillate | Alkanes, C12-14-iso-
Isophorone
Isophorone diisocyanate

Isopropyl acetate
Isopropyl alcohol
Isopropyl ether
Isopropylethanediol | 2-Isopropoxyethanol
IsoVerre stripper
Kaolin
Kerosene
Lactic acid
Lead
Lead chromate
Lead fluoroborate
Lead II nitrate
Lead II oxide
Lead II sulfate
Lead IV oxide
Lead molybdate
Lead styphnate
Ligroin | VM & P Naphtha
Limonene
Liquefied petroleum gas | Petroleum gas (liquefied)
Lithium
Lithium bromide
Lithium carbonate
Lithium chloride
Lithium hydroxide
LX-16
m-Cresol | Cresol, all isomers
m-Phenylenediamine
Magnesium
Magnesium chloride
Magnesium nitrate
Magnesium oxide
Magnesium silicate hydrate
Magnesium sodium ethylenediaminetetraacetate
Magnesium sulfate
Malathion
Maleic anhydride
Malonic acid
Manganese
Mecoprop
Mercuric chloride
Mercuric oxide
Mercury | Mercury, elemental
Mercury II acetate
Mercury II cyanide
Mercury II nitrate | Mercuric nitrate

Mesityl oxide
Metaldehyde
Methacryloyloxyethyl

isocyanate
Methane
Methyl acetate
Methyl acetylene
Methyl alcohol
Methyl isoamyl acetate | sec-Hexyl acetate
Methyl isobutyl ketone
Methyl methacrylate
Methyl tert-butyl ether
Methyl vinyl ether | Vinyl methyl ether
Methyl violet | Gentian violet
Methyl-2-cyanoacrylate | Methyl 2-cyanoacrylate
Methylal
Methylamine
Methylene bis(4-cyclohexylisocyanate) | Dicyclohexylmethane 4,4-diisocyanate
Methylene bis(thiocyanate) | Methylene thiocyanate
Methylene bisphenyl isocyanate
Methylethyl ketone peroxide | Methyl ethyl ketone peroxide
Methylpyrrolidinone
Methyltriacetoxysilane
Mica | Mica, respirable dust
Mineral oil | Oil mist, mineral
Mineral spirits | Naphtha (coal tar)
Miristalkonium chloride
Mold
Molybdenum | Molybdenum and compounds
Molybdenum disulfide
Monoethanolamine | Ethanolamine
Morestan | Oxythioquinox
Morpholine
N,N,N',N'-Tetramethyl-1,3-butanediamine
N,N-Diethyl-1,4-benzenediamine sulfate | p-Amino-N,N-diethylaniline sulfate
N,N-Diethyl-p-phenylenediamine hydrochloride | CD-1
N,N-Diethylaniline
N,N-Diethylhydroxylamine
N,N-Diethyltrimethylenediamine
N,N-Dimethylbenzylamine | N-Benzyl dimethylamine
N,N-Dimethyldodecylamine hydrochloride
N,N-Dimethylformamide | Dimethylformamide
N-(1-Naphthyl)ethylenediamine dihydrochloride
N-(2-(4-Amino-N-ethyl-m-toluidino)ethyl)methanesulfonamide sulfate | CD-3
N-(2-Hydroxyethyl)ethylenediamine

N-Aminoethylpiperazine | 1-Aminoethylpiperazine
n-Butanol | n-Butyl alcohol
n-Butyl acetate
n-Butyl lactate
N-Cyclohexyl-2-benzothiazylsulfenamide
N-Dibutylamine | Di-n-butylamine
N-Dodecylguanidine hydrochloride
n-Hexane
N-Methyl morpholine | 4-Methylmorpholine
N-Methyl-2-pyrrolidone
N-Methyl-4-nitroaniline
N-Methylolchloracetamide
N-Methylolethanolamine
N-Nitrosodiphenylamine
N-Octyl bicycloheptene dicarboximide
n-Propyl acetate
n-Propyl alcohol
N-Trichloromethylthiophthalimide | Folpet
n-Undecane | Undecane
Nabam
Nadic methyl anhydride
Naphtha | Naphtha (coal tar)
Naphtha, petroleum, hydrotreated heavy | Naphtha (coal tar)
Naphthalene
Naphthalene diisocyanate
Natural gas
Neon
Neoprene | Polychloroprene
Nickel | Nickel and compounds
Nickel II acetate
Nickel II carbonate
Nickel II chloride hexahydrate
Nickel II nitrate hexahydrate
Nickel II oxide
Nickel II sulfamate
Nickel II sulfate hexahydrate
Nickel III oxide
Nickel IV oxide
Niobium carbide
Nitric acid
Nitric oxide
Nitrilotriacetic acid
Nitro-cellulose | Collodion
Nitrobacter spp.
Nitrobenzene
Nitrogen

Nitrogen dioxide
Nitrogen tetroxide
Nitroglycerin
Nitromethane
Nitrosomonas spp.
Nitrospira spp.
Nitrous oxide
Nonane
Nylon
O,O-Diethyl-O-(2-isopropyl-4-methyl-6-pyrimidinyl) phosphorothioate | Diazinon
O,O-Diethyl-O-(3,5,6-trichloro-2-pyridinyl)-phosphorothioate | Chlorpyrifos
o-Cresol | Cresol, all isomers
o-Isopropoxyphenyl-N-methylcarbamate | Propoxur
Octachloro-hexahydro-methano-1H-indene | Chlordane
Octahydro-1,3,5,7 tetranitro-1,3,5,7-tetrazocine | Octogen
Octanol | 1-Octanol
Octylisothiazolinone
Oleic acid
Oxadiazon
Oxalic acid
Oxazolidine | Bioban CS-1246
Oxygen
Ozone
p-Cresol
p-Toluidine
Paint thinner
Palladium
Palladium II chloride | Palladium chloride
Paraffin | Paraffin wax fume
Paraformaldehyde
Pentachloroethane
Pentadecane
Pentaerythritol
Pentaerythritol rosinate
Pentane | n-Pentane
Pentasodium diethylenetriaminepentaacetate
Perchloric acid
Petrolatum
Petroleum distillates
Petroleum hydrocarbons
Petroleum mid-distillate
Petroleum oils
Phenanthrene
Phenidone
Phenol
Phenolphthalein

Phenoxol 8-10
Phosgene
Phosphoric acid
Phosphoric acid, dibutyl ester | Dibutyl phosphate
Phosphorous acid
Phosphorus | Phosphorus (yellow) | Phosphorus-32
Phthalic anhydride
Pine oil
Piperonyl butoxide
Platinum
Poly(oxy-1,2-ethanediyl), alpha-(1,3-dimethyl-1-(2-methylpropyl)hexyl)-omega-hydroxy-
Poly(oxy-1,2-ethanediyl), alpha-(4-nonylphenyl)-omega-hydroxy-, branched
Poly(oxy-1,2-ethanediyl), alpha-hydro-omega-hydroxy-, ester with boric acid (H3BO3), methyl ether
Polyacrylamides
Polycaprolactone triol
Polydimethylsiloxane
Polyetheretherketone
Polyethylene
Polyethylene glycol
Polyethylene glycol monomethyl ether
Polyethylene glycol nonylphenyl ether | Nonoxynol
Polyethylene-polyoxypropylene copolymer
Polymethylene polyphenylisocyanate | Polymethylene polyphenyl isocyanate
Polymethylmethacrylate | Plexiglass (dust)
Polypropylene
Polypropylene glycol
Polystyrene
Polytetrafluoroethylene | Polytetrafluoroethylene (pyrolyzed)
Polyurethane
Polyvinyl chloride
Potassium | Potassium-40
Potassium acetate
Potassium bicarbonate
Potassium bifluoride
Potassium bisulfite
Potassium bromate
Potassium bromide
Potassium carbonate
Potassium chloride
Potassium chromate
Potassium citrate
Potassium cyanide
Potassium dichromate
Potassium dihydrogen phosphate
Potassium dimethyldithiocarbamate

Potassium dodecylbenzenesulfonate
Potassium ferricyanide
Potassium ferrocyanide
Potassium hydrogen phosphate
Potassium hydrogen phthalate
Potassium hydroxide
Potassium hydroxide-Potassium stannate mixture
Potassium iodate
Potassium iodide
Potassium metabisulfite
Potassium

N-methyldithiocarbamate | Metam-potassium
Potassium nitrate
Potassium pentaborate
Potassium perchlorate
Potassium permanganate
Potassium phosphate
Potassium phosphite
Potassium pyrosulfate
Potassium stannate
Potassium sulfate
Potassium sulfite
Potassium tetraborate
Potassium tetrafluoroborate
Promethium
Propane
Propane, 2-ethoxy-2-methyl- | Ethyl tert-butyl ether
Propanoic acid | Propionic acid
Propylene carbonate
Propylene dichloride
Propylene glycol
Propylene glycol methyl ether | Propylene glycol monomethyl ether
Propylene glycol methyl ether acetate | 1-Methoxy-2-propyl acetate
Propylene glycol monoacrylate | 2-Hydroxypropyl acrylate
Propylene oxide
Proteinase
Pyrene
Pyrethrum
Pyridine
Pyrogallol
Rhodamine B
Rhodamine WT | Rodamine WT
Rizolipase
Rock wool | Synthetic vitreous fibers
Rosin | Colophony

Rosin core solder
Rubidium nitrate
Saccharin
Salicylic acid
sec-Amyl acetate
sec-Butyl acetate
sec-Butyl alcohol
Selenium | Selenium and compounds
Shellac
Silica gel | Silica, amorphous
Silicic acid | Silica, amorphous
Silicon
Silicon carbide
Silicon dioxide, amorphous | Silica, amorphous
Silicon dioxide, crystalline | Silica, crystalline
Silicone
Silver | Silver, metal and soluble compounds
Silver cyanide
Silver nitrate
Silver solder
Silver, soluble compounds | Silver, metal and soluble compounds
Sodium
Sodium acetate
Sodium alkylbenzene sulfonate
Sodium aluminate
Sodium aluminosilicate
Sodium arsenate
Sodium bicarbonate
Sodium bisulfate
Sodium bisulfite
Sodium borate decahydrate | Sodium borate, decahydrate
Sodium bromide
Sodium carbonate
Sodium chlorate
Sodium chloride
Sodium chlorite
Sodium chromate
Sodium citrate
Sodium cyanide
Sodium dichloroisocyanurate
Sodium dichloroisocyanurate dihydrate
Sodium dichromate
Sodium dihydrogen phosphate
Sodium dimethyldithiocarbamate
Sodium fluoride
Sodium fluorosilicate

Sodium hexametaphosphate
Sodium hydrosulfide | Sodium hydrogen sulfide
Sodium hydroxide
Sodium hypochlorite
Sodium hypophosphite
Sodium lauryl sulfate
Sodium metabisulfite
Sodium metasilicate
Sodium molybdate
Sodium nitrate
Sodium nitrite
Sodium perborate
Sodium percarbonate
Sodium permanganate
Sodium persulfate
Sodium phosphate | Trisodium phosphate | Sodium phosphate, tribasic
Sodium phosphate, dibasic
Sodium phosphite
Sodium polymethacrylate
Sodium polyphosphate
Sodium propionate
Sodium silicate
Sodium sulfate
Sodium sulfide
Sodium sulfite
Sodium tetraborate | Sodium borate, anhydrous
Sodium tetraborate pentahydrate | Sodium borate, pentahydrate
Sodium tetradecyl sulfate
Sodium thiocyanate
Sodium thiosulfate
Sodium tolytriazole
Sodium xylenesulfonate
Stainless steel
Stannic chloride
Stannic oxide | Tin oxide
Stannous chloride
Stannous octoate
Stannous oxide | Tin oxide
Stoddard solvent
Strontium | Strontium-90
Strychnine
Styrene
Sulfamic acid
Sulfanilamide
Sulfur
Sulfur dioxide

Sulfur hexafluoride
Sulfur trioxide
Sulfuric acid
Sulfuric acid, fuming | Oleum
Talc | Talc (containing no asbestos) | Soapstone
Tap Magic Aluminum Cutting Fluid
Tap Magic Original Formula
Tar fumes
Tellurium | Tellurium and compounds
Terbuthylazine
tert-Butyl acetate
tert-Butyl alcohol
Tetrachloroethylene
Tetradecane
Tetraethylenepentamine
Tetrafluoroboric acid
Tetrahydrofuran
Tetrahydronaphthalene | 1,2,3,4-Tetrahydronaphthalene
Tetramethrin
Tetramethylammonium hydroxide | Tetramethyl ammonium hydroxide
Tetrapotassium pyrophosphate
Tetrasodium pyrophosphate
Thallium | Thallium and soluble compounds
Thiabendazole
Thiourea
Thorin
Thorium
Tin | Tin and inorganic compounds
Tin II fluoroborate
Titanium
Titanium dioxide
Titanium subhydride potassium perchlorate
Titanium tetrachloride
Toluene
Toluene-2,4-diisocyanate
Toluene-2,6-diisocyanate | Toluene 2,6-diisocyanate
trans-1,2-Dichloroethylene | 1,2-Dichloroethylene, all isomers
Triadimefon
Triazole
Tributyltin benzoate
Tributyltin fluoride
Tributyltin methacrylate
Tributyltin neodecanoate
Tributyltin oxide | Bis(tri-n-butyltin)oxide
Trichloroacetic acid
Trichloroethane

Trichloroethylene
Trichlorofluoromethane | Fluorotrichloromethane
Trichloroisocyanuric acid
Trichlorotrifluoroethane | 1,1,2-Trichloro-1,2,2-trifluoroethane
Triclosan
Tricresyl phosphate
Tridecane
Triethanolamine
Triethyl phosphate
Triethylamine
Triethylene glycol
Triethylene glycol monobutyl ether
Triethylene glycol monomethyl ether
Triethylenetetramine | Triethylene tetramine
Trifluoromethane
Trifluoromethane sulfonic acid | Trifluoromethanesulfonic acid
Trifluralin
Triglycidyl isocyanurate
Trimellitic anhydride
Trimethylbenzene | Trimethyl benzene isomers
Triphenylamine
Tris((dimethylamino)methyl)phenol
Tritium
Tungsten | Tungsten and compounds
Tungsten carbide
Turpentine
Uranium | Uranium and compounds
Uranyl nitrate
Urea
Urea peroxide
Urethane
Vanadium
Vehicle maintenance engine exhaust
Versamid 140
Vinyl chloride (monomeric) | Vinyl chloride
Welding fumes
Wollastonite
Wood dust | Wood dust, all soft and hard woods
Xylene | Xylene isomers
Zapon Red 471
Zinc
Zinc chloride | Zinc chloride fume
Zinc chromate |

Zinc chromates
Zinc cyanide

Zinc nitrate
Zinc oxide
Zinc phosphide
Zinc stearate
Zinc sulfate
Zinc sulfide
Zirconium | Zirconium and compounds
Zirconium potassium fluoride

* The name of the substance(s) listed first is the one used in the SEM website. Any name(s) that follow in bold and separated by a vertical bar are the corresponding names referenced in the Haz-Map website

Posted: 09/01/2011

- By: Russ Ptacek

KANSAS CITY, Mo. - The Environmental Protection Agency has released plans that could allow reuse of the Bannister Federal Complex and avoid special Superfund status at the site where NBC Action News has identified hundreds of sick or dead workers.

"We are extremely disappointed in this decision," said Sierra Club spokesman Scott Dye. "In our opinion redevelopment of this site has taken precedent over justice."

Dye said the move would prevent crucial cleanup funding needed to make the Bannister Federal Complex safe.

The NBC Action News investigation has identified more than 900 known toxins used at the site including plutonium, uranium, and beryllium.

Our investigation also identified 155 deaths of workers family members suspect are linked to toxins at the complex.

"I feel numb," said former Bannister worker Barbara Rice. "There's three more people who died in the past three weeks."

"The faster they can just sweep all this away the better," Rice said. "The whole wind has been taken out of me the last series of months."

298 living current and former workers have registered their own illnesses at NBCActionNews.com ranging from breathing disorders to cancers that they attribute to contamination at the site.

The statement said the EPA would avoid further consideration of the site for Superfund National Priorities List status if a request is approved allowing for the entire complex to be monitored under one agency.

Currently the National Nuclear Security Administration controls one side of the complex and the General Services Administration controls other side of Bannister.

Honeywell manages a secret NNSA program at Bannister that makes non-nuclear parts for nuclear bombs.

The agency plans to move into a new facility south of Bannister in 2013.

"If the permit modifications are approved, EPA Region 7 will defer moving forward with actions to place the complex on the Superfund National Priorities List (NPL).," the EPA statement said.

The joint request from GSA and NNSA would have to be approved by the EPA and the Missouri Department of Natural Resources.

"The permit modification process will allow the assessment and cleanup of the facility to move forward, address potential public health and environmental concerns, and will ultimately allow for the safe redevelopment and reuse of the site," said Sara Parker Pauley, director of the Missouri Department of Natural Resources stated in the EPA news release.

NBC Action News learned of the EPA statement announcing the proposal to avoid National Priorities List Superfund status from the Sierra Club.

EPA Associate Regional Administrator Rich Hood had not returned calls to NBC Action News at the time of publication, but a spokesman released a statement on the agreement he said the agency planned to distribute on Friday.

"We believe that placing the entire property under a single environmental program will allow for a more cohesive, comprehensive and efficient plan to ensure protection of public health and the environment." said EPA Region 7 Administrator Karl Brooks in the statement.

The NNSA also issued a statement.

"We want to move forward and get all necessary environmental work done sooner rather than later as we prepare for eventual reuse of the area owned by the NNSA," said NNSA site manager Mark Holecek in an agency statement. "Including the entire Bannister Federal Complex under the same permits allows us to work together with GSA to manage our environmental responsibilities in a more integrated manner."

Posted: 05/09/2011

- By: Russ Ptacek

KANSAS CITY, Missouri - New test results identified trace amounts of the toxic metal beryllium, but officials say the levels were so low that they are comparable to what would be found in nature.

Workers remain concerned.

"I hold onto the rail when I come up and just kind of breathe hard," said former Bannister worker John Rice as he wheezed climbing the stairs to his bedroom. "Sometimes I have to stop."

He used to work for the IRS on the General Services Administration side of the Bannister Federal Complex and suffers from desquamative interstitial pneumonitis, a lung disease associated with contaminated air.

The Environmental Protection Agency said **test results released Monday** show "no health concerns."

Concerns have focused on the beryllium and uranium since an NBC Action News Investigation identified more than 400 sick or dead employees who worked at the complex.

About half the sick identified by our investigation came from the GSA side of the complex.

The other half worked at Honeywell, where they make non-nuclear parts for nuclear bombs.

GSA officials say they've conducted more than a hundred tests and only two showed positive results for small amounts of beryllium.

The trace amounts of beryllium and yitrium were similar to what officials say would be found in a normal outdoor field.

"Bulk dust samples were consistent with what beryllium and yitrium concentrations typically found in Missouri soil," said GSA Regional Administrator Jason Klumb.

Although an earlier test identified uranium on the GSA side of the complex, current tests did not.

Officials on the GSA side of the complex say out of 102 new test samples only two identified traces of beryllium contamination.

They were found right next to the wall the GSA shares with Honeywell - where they make nuclear bomb parts, but officials say the levels were so small; it's about what you expect to find in a normal field.

An EPA news release says "no health concerns."

That's tough to prove to former workers.

"I sleep with it 'cause I stop breathing at night," he said demonstrating a mask he wears that forces oxygen into his lungs.

His bed is covered with a ten year collection of documents he's using to find links to the Bannister Federal Complex.

So far, his claims have been denied.

Several times a day, he also uses a machine that creates a mix of aerosolized medication, water, and oxygen.

"It's about a ten minute breathing treatment," Rice said.

"What I'm saying is, they've got everybody looking for beryllium, and all the chemicals inside there are causing all the different problems. They've got from cancer and nobody is turning in a complaint because they have no idea where they got the cancer from."

Officials say more tests are planned.

Posted: 04/15/2011

KANSAS CITY, Missouri - Sen. Claire McCaskill (D-Mo.) directed the General Services Administration to create contingency plans, including potentially relocating, should the EPA place the Bannister Federal Complex on the National Priorities List of Superfund Sites.

In McCaskill's letter to GSA Commissioner Robert Peck, she gave a 90 day deadline for the agency to prepare a plan.

"Furthermore, while placement on the NPL will not necessarily mean the facility is unsafe for employees, it is possible that the best course of action could include an expedited relocation of employees," McCaskill wrote.

The EPA launched its inquiry after an NBC Action News Investigation identified a list of toxins that has now reached 899, and a list of sick and dead workers that exceeds 400.

**Click here to see McCaskill's letter.**

"I request that you undertake a comprehensive review of options available to GSA in light of the potential that the Complex will be placed on the NPL," McCaskill said in the letter.

Thursday the CDC released a preliminary report ruling out cancer clusters at the facility and said employees were not at risk to significant exposure.

McCaskill's letter was released the same day NBC Action News reported on the government's acknowledgement of a 115 previously undocumented toxins at the facility, including small amounts of plutonium

Posted: 04/15/2011

- By: Russ Ptacek

KANSAS CITY, Missouri - The United States Department of Labor has identified more than a hundred known new toxins to a list of health concerns present at the Bannister Federal Complex and an official acknowledges the plant also uses small amounts of plutonium.

The updated list acknowledges use of more than 898 toxins. That's 114 more toxins since the NBC Action News Investigation into Bannister began in November 2009.

The list includes several radioactive materials, but does not name plutonium, although officials at the Kansas City Plant acknowledge use of small amounts.

NBC Action News first uncovered the history of plutonium at the Bannister Federal Complex by obtaining a 1998 Brookings Institution report by Stephen Schwartz which analyzed plutonium stored in the nation's weapons manufacturing facilities.

Click here to see the Brookings Institution report.

According to the report, the amount of 1.2 grams of plutonium reported at the Bannister Federal Complex was miniscule compared to other facilities which stored tons of plutonium at a time.

Bannister officials confirmed the report's findings on plutonium at the Kansas City Plant.

In a prepared statement a spokeswoman at the Kansas City Plant said plutonium is not processed or stored at the Bannister, but is used in scientific devices.

"As is common in manufacturing industries, sealed radioactive sources are utilized in analytical devices for quality control and calibration of components," said Tanya Snyder, National Nuclear Security Administration's Kansas City Plant spokewoman. "At the KCP, a very small amount of sealed plutonium (less than 2 grams) is used in these types of commercially available tools which are routinely inspected."

The NBC Action News Investigation has identified hundreds of sick workers that believe their illnesses are linked to toxins there.

**Click here to see the 16 pages of sick workers from the bomb part plant and the GSA side of the building that includes more than a hundred dead.**

Sick workers on the Honeywell side of the complex have been paid out nearly $30 million from a special government program set up to assist sick workers at plants that make parts for nuclear weapons.

Workers on Honeywell's nuclear bomb part manufacturing side of the complex are also entitled to routine health checks.

Honeywell manufacturers non-nuclear components for nuclear weaponry under contract with the Department of Energy.

The CDC has identified potential pathways for toxins to sick employees working in the General Services Administration side of the building, do those workers do not qualify for the compensation program.

Although toxins have also been identified on the GSA side of the complex, the CDC's National Institute for Occupational Safety and Health has ruled out a cancer cluster there and found no significant exposure among employeees.

Below is a verbatim copy of the new listing (including 114 previously unidentified toxins) of what the Dept. of Labor acknowledges as known toxins present at some point during the plant's history.

Posted: 04/13/2011

- By: Russ Ptacek

KANSAS CITY, Missouri - A CDC investigation at the Bannister Federal Complex identified 'no cancer cluster' in General Services Administration controlled space according to a **report obtained by NBC Action News** .

The report was prepared by the CDC's National Institute for Occupational Safety and Health (NIOSH).

"NIOSH's findings are based on a nine month study that involved a review of documents, monitoring and exposure records, assessment of work areas, and interviews with multiple employees, managers, and supervisors," a General Services Administrations statement said.

The GSA's Regional Administrator, Jason Klumb, said in a news conference Thursday that the report doesn't mean the agency is stopping the search for answers.

"It does address lots of questions, lots of serious questions, that have been raised and personally it provides me comfort as I come to work everyday and as I take my son to the daycare center everyday," Klumb said.

Klumb's son attends the Bannister daycare facility where earlier tests identified toxin concerns, but later tests identified no problems.

Workers at the complex applauded Klumb's announcement that the results are promising, but that more works need to be done.

GSA officials said the report did not take into account recent preliminary testing results that could show a presence of uranium and/or beryllium contamination in office space at the complex.

Officials said they are awaiting a quality analysis to determine whether the results were accurate or false positives.

Many former workers and family members were disturbed by the report's release without more detailed testing and medical evaluations.

"Makes me very angry. Very angry that they can cover all this up and get away with this, because it was nothing he brought on himself," said Rae Deane Lancaster referring to the death of her husband Robert.

Robert Lancaster worked on the GSA side of the Bannister Federal Complex for the Internal Revenue Service.

She held back tears describing how he died from a combination of a fungal infection in his lungs and leukemia.

"They don't know, they kept asking us where he'd been to pick up this fungal infection and that's the only place we could think of is where he picked it up at work," Lancaster said.

The NIOSH report identified beryllium, uranium, volatile organic compounds, formaldehyde, chlorinated hydrocarbons, PCBS's and radiation as concerns they reviewed.

Although many experts believe there is no known safe level of beryllium, the NIOSH report cited the beryllium identified on the GSA side of the complex as being below acceptable Department of Energy guidelines.

In ruling out a cancer cluster, the report specifically addressed the pancreatic cancer cases identified in an earlier NBC Action News Investigation.

At the time, we had identified 13 pancreatic cancer cases at the facility.

As of this publicationm, we've documented at least 25 cases of pancreatic cancer among workers at the Bannister Federal Complex (which includes GSA side workers and bomb plant workers).

The report said no occupational causes of pancreatic cancer are proven.

The report also ruled out clusters in the reported cases of breast cancer, prostate cancer, bladder cancer, and lung cancer.

**VIEW THE LIST** | Click here for a 16 page summary of illnesses and deaths of current and former Bannister workers identified by our investigation.

The report notes there are no exposure guidelines for beryllium in an office environment like the GSA facility.

Many sick workers expressed concern that the government did not take medical information from all current and former workers to determine whether the percentages of cancers at Bannister are unusual compared to rates in the general population.

"Unless they do a complete health history and screening of everyone whoever worked there, then they have nothing to stand on," said Guy Beebe, a retired Marine who was stationed at Bannister.

"My feeling is actually rage and outrage primarily because NIOSH is doing another whitewash," said Beebe, who suffers chronic bronchitis.

CDC officials say they only had jurisdiction on the GSA side of the complex and weren't allowed full access to the Department of Energy controlled plant where the non-nuclear parts are made for nuclear weapons.

That's where outspoken former employee Maurice Copeland worked.

"I'm numb. I'm a Vietnam Veteran. They did the same thing with Agent Orange. Took 30 years to admit it. Let history tell what's going on today," said Copeland.

Copeland has watched many friends and co-workers die and has pre-cancerous polyps himself.

The CDC report identified five potential pathways for toxins to escape the bomb making part of the plant and enter the GSA controlled side of the complex.

Copeland noted that on the Honeywell side of the complex, the government has paid out nearly $30 million to workers for similar illnesses believed linked to toxins there

"If no clusters or anything are there, why are they paying this compensation

out to people every day. I got people who are going to get paid tomorrow. Let's get this investigation on. Let's get a real investigation," Copeland said.

There is no similar compensation program for workers inches away from the line that separates the GSA side of the building from the bomb making side.

The report, from the CDC's National Institute for Occupational Safety and Health (NIOSH), says officials are waiting to make a final evaluation on health risks at the facility until the EPA completes an investigation into known contamination at the complex.

The NIOSH and EPA inquiry followed an NBC Action News investigation that has identified hundreds of sick workers who suspect their illnesses are linked to toxins at the plant.

The NIOSH report says although depleted uranium and beryllium have been identified in GSA controlled space, no employees showed signs of illnesses related to the toxins.

"Based upon the information we have obtained at this point, we believe that Bannister Federal Complex employees have no significant exposure from substances in use now or in the past at KCP," the report says.

KCP stands for Kansas City Plant where Honeywell produces parts for nuclear weapons under contract with the Department of Energy.

Although plant officials acknowledge small amounts of plutonium, uranium and other radioactive materials are used at the plant, the NIOSH report concluded 'the potential for cross contamination of ionizing radiation generating materials would be low."

The report encouraged workers to take an active role in changing personal risk factors to cancer.

The NIOSH report identified smoking, alcohol, and diets low in fruits and vegetables as risk factors for cancer and suggested concerned employees get cancer screening.

"I think it's pretty awful. Eat fruit is going to make you better? I don't think so," Rae Deane Lancaster said.

Posted: 03/01/2011

KANSAS CITY, Missouri - Calling it "sloppy, messy, and ugly," Sen. Claire McCaskill (D-M0.) Tuesday morning grilled General Services Administration officials over the hiring of a PR firm at the height of an NBC Action News investigation into sick and dead workers from the Bannister Federal Complex.

GSA officials defended the contract saying the agency did not have the expertese required to respond to mounting inquiries.

The agency's regional office "was not comfortable with its ability to respond to inquiries from the media," GSA Administrator Martha Johnson said.

Johnson testified health concerns among workers at the facility "impaired their ability to work."

The Senator chastised the agency during a Senate subcommittee hearing for not acknowleding mistakes and for improperly spending government money to handle publicity surrounding mounting inquiries into contaminants and health concerns at the facility.

GSA Public Building Service Commissioner Robert Peck denied violating any laws but acknowledged making mistakes.

**To see our entire investigation, click here.**

Regional Commissioner Mary Ruwwe acknowledged during the hearing that Regional Administrator Jason Klumb had expressed concerns about the contract, but he was serving National Guard duty in Korea when it was approved.

Sen. Claire McCaskill (D-MO.) read an e-mail during the hearing indicating officials had hurried in signing an extension of the contract "before it is wake up time in Korea."

McCaskill grilled Ruwwe as to whether officials had disclosed to the PR firm that Klumb was out of the country and unable to block the contract.

"How would they know there was an issue with Jason Klumb in Korea," McCaskill asked.

"I don't know," Ruwwe responded."

McCaskill suggested that Ruwwe ignored Klumb's guidance and used a changing GSA chain of command to go over his head and approve a nearly $100,000 contract renewal.

McCaskill said the GSA had limited the power of the Regional Administrator under the Obama Administration.

"Clearly it was changed when no one was watching," McCaskill said. "If the Regional Administrators have no power why do we have them?"

"Clearly you knew he didn't want to do the contract and it didn't slow you down," McCaskill said to Ruwwe.

Klumb did not appear at the hearing.

"It was renewed even though the Regional Administrator said it was too expensive," McCaskill said.

"We did not do anything wrong," GSA Administrator Martha Johnson testified about the PR firm contract approved by a regional commissioner in the Kansas City office.

"Bad start," McCaskill said chastising Johnson and GSA officials during the hearing for not taking blame.

Moments later, Johnson acknowledged, when pressed by McCaskill, that the contract had not been properly written by the agency itself.

Instead, Johnson said she had recently learned that the PR firm itself had written the "scope of work" for the contract.

"It creates a situation where there are no controls," testified GSA Inspector General Brian Miller. "It allows the contractor to say what the contractor wants to do and it allows the contractor to name its own price."

She said until now, the agency assumed it had been executed by a government official which is normal protocal.

GSA officials blamed the lack of review on an EPA official who had passed on the scope of work without disclosing the PR firm itself had established what work needed to be done and what it should be paid.

"This was ugly," McCaskill said. "It was sloppy messy and ugly and bad. I haven't heard any acknowledgement from GSA that mistakes were made and it shouldn't have been done this way"

"We acknowledge that there is a lot of room for improvement," Ruwwe responded. "We value and have a very good relationship with the Inspector General and we value their feedback. and recommendations. We're taking our lessons learned."

"This is not the way you're supposed to contract," McCaskill told General Services Administration officials at the hearing.

The GSA initiated the contract with Kansas City based Jane Mobley Associates one day after NBC Action News reported FOIA documents indicated GSA officials knew about an employee death list for months while the agency was denying knowledge of contamination or health concerns.

McCaskill also blasted the agency for failing to release a critical document under a Freedom of Information Act request issued by both NBC Action News and the agency's Inspector General.

The missing document, which the GSA ultimately released after a reprimand from the Inspector General, showed 2005 health concerns over contamination at the complex.

The GSA's Inspector General Brian Miller testified that GSA was not holding itself accountable for wrong doing.

""The most notable misleading an inaccurate inforamtion was about documents being produced," Miller said.

"As near as I can tell, the failure to deliver that letter was not deliberate," GSA Commissioner Robert Peck said. "We've been near as I can tell, we have tried to

be as open and forthright about what's going on at the Bannister Federal Complex as we can."

"If it's inadvertant, its incompetence," McCaskill charged. "If its not inadvertent it's even more of a problem.

Miller faulted the agency for providing misleading information and not ensuring worker safety.

The Inspector General said the $234,000 public relations firm contract was another example of improper action.

"In order to correct a problem, you must admit a problem exists," Miller said. "GSA seems reluctant to take full responsibility for the errors in the JMA contract."

Throughout the hearing, GSA officials repeatedly emphasized testing that indicated the facility is safe and that the agency's number one priority is worker and tenant safety.

Sen. Claire McCaskill ordered the hearing after NBC Action News exposed the contract which was ordered to handle what the GSA considered a "media crisis" according to McCaskill sources.

In a statement, McCaskill said she wants to hear directly from the officials who approved the contract.

"From the beginning, this PR contract raised serious questions about how the federal government was spending money to minimize bad publicity in situations like this," McCaskill said.

This was the first public appearance of Johnson and Ruwwe in connection to the illnesses, contamination, and public relations contract exposed by the NBC Action News investigation.

The NBC Action News investigation has identified more than 400 sick or dead workers from the Bannister Complex.

"I have not seen anyone held responsible," McCaskill said. "I know Ms. Ruwwe received a bonus. I'm not saying it was all her fault, but, I'm not seeing anyone who saw any sort of accountability."

Last month, an NBC Action News investigation resulting from months of Freedom of Information Act requests indicated during the the two year period where Ruwwe denied knowledge of the death list and hired the PR firm she was awarded about $22,000 in bonus money.

"Did we make mistakes," Peck said. "Certainly, in hindsight we made mistakes."

GSA shares the facility with Honeywell which makes non-nuclear parts for nuclear bombs.

Both Ruwwe and Johnson have denied repeated requests for interviews.

Posted: 02/10/2011

- By: Russ Ptacek

KANSAS CITY, Missouri - An NBC Action News Investigation has uncovered Freedom of Information Act documents indicating three senior GSA officials linked to the Bannister death list were among thousands of General Service Administration employees who split $26 million in bonuses.

**GALLERY | Faces of the Bannister Death List**

Bannister official Mary Ruwwe, GSA's regional commissioner of the Public Building Service, is one of the officials who just received her own payouts from the multi-million dollar bonus pool.

Ruwwe is the GSA official our investigation tied to the GSA death list while the agency was denying knowledge of such a list or worker health concerns.

Months before our investigation began, the GSA death list was attached to an e-mail Ruwwe sent to Washington officials. *SEE ATTACHED ON THUMB DRIVE*

NBC Action News obtained the internal e-mail through the Freedom of Information Act.

The recipients of the death list e-mail also received large bonuses .

The subject line on Ruwwe's e-mail read "heads up."

The e-mail disclosed to top GSA officials in Washington the existence of a worker generated list citing fears about cancer and toxins at the Bannister Federal Complex.

The list identified dead co-workers by name along with the sick and their illnesses.

But a GSA Inspector General Report identified no evidence that Ruwwe, nor anyone else, ever did anything to respond to worker fears.

The Inspector General report ruled GSA officials misled the public about health concerns at the complex.

The NBC Action News investigation has identified more than 400 sick or dead who worked at the complex which is shared with Honeywell.

IN MEMORIAM: FACES OF BANNISTER | FOLLOW THE FULL INVESTIGATION

Honeywell's manufacturing side of the facility makes parts for nuclear bombs in a classified program under contract with the National Nuclear Security Administration.

The date stamp on Ruwwe's e-mail indicated she had possessed the death list at the same time that she, her staff, and other GSA officials continued to deny it.

According to records obtained under the Freedom of Information Act, GSA rewarded Mary Ruwwe with $12,000 in bonuses the year she received the death list.

"No way," said Barbara Rice, the sick worker who put together the death list GSA officials denied. "I don't understand how someone can get bonuses for denying information.'

As the GSA continued to deny knowledge of the death list, we ran our story exposing the e-mail where Ruwwe detailed the death list with Washington officials.

Shortly after that revelation, Senator Kit Bond demanded action on the Senate Floor .

The led to the entire complex being considered for placement on the National Priorities List of Superfund Sites and a Health Hazard Evaluation by Centers for Disease Control doctors.

As our investigation escalated, Ruwwe approved a $234,000 public relations campaign to manage media.

That contract is now under investigation by Senator Claire McCaskill (D-Mo.).

"I am very disappointed at how GSA has dealt with this issue," McCaskill said.

For her 2010 performance, the year Ruwwe approved that controversial P-R contract, GSA documents show she received another bonus, this time, $9,800.

"We've got to complete this investigation," McCaskill said.

"I am both saddened and angry," Rice said.

Ruwwe has denied our repeated requests for an interview.

GSA Administrator Martha Johnson also has declined to respond to our repeated requests for an interview.

"I don't dispute that mistakes were made," said GSA Regional Administrator Jason Klumb. "I've acknowledged that again and again for months."

Klumb established environmental testing agreements with the Environmental Protection Agency and called for the Centers for Disease Control to investigate employee health concerns soon after being appointed to the Regional Administrator job by President Obama.

He and Administrator Martha Johnson were appointed to their posts months after Ruwwe and other executives obtained the death list.

"I think it's important that we remain focused on the real issues at hand which are the concerns of individuals," Klumb said.

Klumb refused to answer when asked whether his evaluation of Ruwwe's work qualified her for a bonus.

He said the GSA evaluation system requires both his input as regional administrator and reviews by Washington officials of employee performance.

"I won't discuss individual personnel matters," Klumb said. "The decision to pay bonuses is made at the DC level."

At GSA headquarters in Washington, officials offered no explanation of how Ruwwe qualified for bonuses.

According to additional documents obtained under the Freedom of Information Act she wasn't alone. Every GSA official who either sent or received a copy of that 2009 death list received bonuses in both 2009 and 2010.

For the two year period, they totaled about $22,000 for Ruwwe , $32,000 for her boss, Anthony Costa , and about $49,000 for the former acting administrator Paul Prouty .

Shortly after we showed the bonus

information to McCaskill she called a hearing with Mary Ruwwe and GSA Administrator Martha Johnson on the witness list.

"This is a problem," McCaskill said. "If someone has done that they don't deserve a bonus."

The December 2010 $26,389,706 GSA bonuses were larger than in years past.

According to a GSA spokeswoman out of 12,886 total GSA employees, 10,622 received bonuses.

In 2009, the agency issued $25.7 million, $2 million more than 2008 bonuses which were $23.6 million , according to a GSA spokeswoman.

An analysis by the Asbury Park Press, based upon Freedom of Information Act records obtained by DataUniverse.com , indicated government bonuses are not uncommon.

The paper reported 2008 bonus payouts to be at least $400 million, but that doesn't include the government's entire payroll.

"We don't get data on the Department of Defense, FBI, CIA and other security/nuclear agencies, or the White House, Congress and independent agencies," said Asbury Park Press Editor Paul D'Ambrosio "My estimate is all these numbers represent about 70 percent of the government workforce."

According to the DataUniverse.com analysis, out of more than 300 agencies, only the Federal Aviation Administration and the Veterans Health Administration reported larger bonus pools than the GSA's $23.6 million in 2008.

The Social Security Administration workforce is six times the size of GSA's, but the agency came in 63rd on the list with only about $1 million in bonuses, according to DataUniverse.com.

Emily Barocas, spokesperson said comparing agencies by bonus pools doesn't fairly consider employee qualifications and job responsibilities.

"Every agency has a different function and the staff of each agency is comprised of employees with different skill levels, education and work experience," Barocas said in a statement. "A more accurate comparison would be to look at the average bonus awarded to senior executive employees amongst the agencies, where GSA is actually below the average for the federal government."

Barocas said the bonuses did not conflict with Obama's call to freeze federal employee which the President issued two weeks prior to the GSA approving the $26 million bonus pool.

"The President's freeze on salaries for federal employees went into effect for calendar year 2011," Barocas said. "Agencies in the federal government moved forward with their nearly completed plans for 2010 awards. The freeze also only applies to base salaries. It didn't eliminate awards."

"Bonus awards for senior executives at the Public Buildings Service are based on a number of objective performance measures including meeting revenue and expense target, project delivery success, customer satisfaction, Recovery Act execution, and reduction in energy consumption," said Ruwwe's boss, GSA Public Building Service Commissioner Bob Peck.

Missouri Congresswoman Jo Ann Emerson (R-Mo.) who chairs that committee that sets the GSA's budget has also had her own concerns about the Heartland Region GSA Public Building Service that Mary Ruwwe leads.

A 2010 GSA Inspector General report indicates a GSA project to build a Federal courthouse in Emerson's district was mired in a "conflict of interest issue related to project management" along with improper contract documentation.

Newspaper reports indicate the courthouse project price tag increased by $12 million.

The review faulted Heartland Region GSA leadership for rushing the project.

"We believe that this situation occurred because the Region 6 PBS project management personnel were primarily concerned with project completion as this project was already very far behind schedule," the Inspector General Report said.

"The situation at the Bannister Federal Complex in Kansas City and the difficulties in completing the U.S. Courthouse in Cape Girardeau are not directly related, but they do give me cause for concern," Emerson said. "The federal inquiry into these matters is extremely important, and I also very much appreciate the diligence of the GSA Inspector General in isolating these problems and reporting on them."

Emerson suggested the issues could impact agency spending decisions.

"It is more important now than ever that we eliminate abuse in the federal government wherever it exists while finding substantial cost savings," Emerson said. "No one should be rewarded for facilitating a management climate in which contracting rules are not adhered to, let alone matters of health and safety for the occupants of federal buildings."

A spokeswoman says Sen. Roy Blunt (R-Mo.) is requesting a meeting with GSA Administrator Johnson.

The Senator will "express his concerns and request more detailed information surrounding the health risks here," said Blunt Spokeswoman Amber Marchand.

McCaskill is focusing on the decision to hire a publicity firm.

"From the beginning, this PR contract raised serious questions about how the federal government was spending money to minimize bad publicity in situations like this," McCaskill said in

a statement announcing hearings on the matter. "I'm eager to hear from those who were part of this decision," McCaskill said.

McCaskill has asked both Johnson and Ruwwe to appear to testify in hearings scheduled for March 1.

At the writing of this report, our investigation has identified 139 dead former workers from the facility that family members or co-workers suspect were made ill by toxins.

Posted: 02/04/2010

Editor's note - Remarks quoted from documents are quoted as written by the documents' authors.

Missouri Senator Christopher Bond sent a letter today to U.S. Inspector General Brian Miller, asking for information about the "full extent of the problem and what steps GSA is taking to protect employees if deemed at risk".

Bond's letter says, "the Missouri Department of Health and the Environmental Protection Administration will, in the coming days, release new tests results on the levels of Trichloroethylene or TCE, a dangerous carcinogen, at the Bannister Complex. While the pending results of these tests will be evaluated, news reports point to a possibly more wide-spread health risks at the Bannister complex, including possible exposure to beryllium."

KANSAS CITY, Mo. – Documents obtained by NBC Action News show General Services Administration officials knew about a cancer scare inside the Bannister Federal Complex at the

time the agency was denying knowledge of worker concerns.

The documents, obtained under the Freedom of Information Act, substantiate claims from sick workers that they notified government officials of their fears by providing a list of about 100 sick and dead former colleagues.

"Nothing specific on any particular health issues," said Michael Brincks, acting regional administrator of the General Service Administration's Heartland Region when we asked him about complaints of a cancer scare. "Not really anything specific. I've been working here close to 19 years."

The letter that Brincks denied knowing about was written by former employees of the Defense Finance and Accounting Service offices at the Bannister Federal Complex.

We filed Freedom of Information Act requests demanding records of employee health concerns on the GSA side of the Bannister Federal Complex.

The majority of the complaints we received came from former employees of DFAS, which leased space at the complex from GSA.

The GSA also leases space to National Oceanic and Atmospheric Administration, Federal Emergency Management Agency, U.S. Dept. of Agriculture, Veteran's Administration, Internal Revenue Service and other government agencies.

The other side of the Bannister Federal Complex is controlled by a Department of Energy plant which manufactures non-nuclear parts for nuclear weapons.

A U.S. Dept. of Labor official says a program that monitors worker illnesses has recorded more than 1,400 claims at the weapons plant from workers who suspect their illnesses are linked to toxins at the facility. The reports date back to the 1960s, and possibly earlier.

No program monitors illnesses or deaths on the GSA side of the building, which is separated from the weapons plant by a concrete wall and sealed doors.

A Department of Labor Web site lists 785 known toxins identified at the weapons facility at various times since it first opened as a war aircraft engine plant in 1942. Among the toxins on the list are uranium, boron, beryllium, PCBs and trichloroethylene.

Our Freedom of Information Act request uncovered thousands of pages of reports on toxin tests and employee health concerns on the GSA side of the complex, including evidence GSA officials knew about the DFAS cancer scare.
One e-mail we uncovered regarding GSA's knowledge of the DFAS cancer scare was sent in August. It was sent by Mary Ruwwe, regional commissioner of the GSA Heartland Region, to high-ranking GSA officials in Washington.

"Heads up," Ruwwe wrote in the e-mail about the DFAS letter, explaining it "lists 90 individuals

who they believe have or had cancer related illnesses cause by toxins on the complex."

Ruuwe, who reports to Brincks, sent the e-mail to Brincks' Washington superiors three months before our investigation uncovered the DFAS concerns.

GSA officials have declined repeated interview requests, citing concerns that the information would be taken out of context.

GSA spokesman Charles Cook issued a written statement saying Brincks was unaware of the e-mail that Ruuwe sent to Brincks' superiors.

"It was never accepted as an official notification, and thus was not routed through (Brincks') office for review," Cook wrote.

The sick DFAS workers had addressed the letter to Missouri Senators Kit Bond and Claire McCaskill.

"As of today, no notification of the concern has been addressed to GSA or any GSA representative in an official capacity," Cook wrote when explaining why officials said they were unaware of the claims of sick and dead workers.

Cook wrote that since the letter was in draft form and not addressed to GSA officials, GSA did not consider it had official knowledge of the cancer scare.

"It was not directed toward any GSA official but to elected officials and another federal agency," Cook wrote. "Draft notices to other agencies are not formal complaints to GSA."

Ruwwe's e-mail was addressed to Paul Prouty, acting administrator at GSA headquarters and Anthony Costa, acting commissioner of GSA Public Buildings.

The e-mail acknowledges contamination inside GSA-owned space from operations when the Department of Energy controlled the area, but says "this space is not currently occupied and will be thoroughly decontaminated before considering it for re-occupancy."

The e-mail documents GSA's receipt in August of the DFAS draft letter where employees made "cancer related illness" claims.

Ruwwe sent copies to Washington officials, but no one at GSA acknowledged that during our investigation.

We asked Brincks during a November interview about whether GSA knew of the complaints, "More than a hundred people may have become sick or died. You had no idea?"

"No, GSA had no information related to that," Brincks responded. That was three months after Ruwwe's e-mail.

Another internal document that confirms GSA's receipt of the DFAS letter doesn't make the distinction of "formal" knowledge about the cancer fears.

The document was written shortly before my interview with Brincks where he denied knowledge of the letter.

The e-mail, written by Cook, provides an executive summary of the "Bannister Press Situation."

"In August, a group of current and former employees of the Defense Finance and Accounting Service (DOD) provided GSA with a draft congressional letter indicating concern," Cook wrote in the summary for GSA executives.

"Their letter included a list of more than 90 individuals who 'we believe to have or had cancer/related illness'," Cook explained.

In the document, Cook reassures executives that the facility provides "healthy work environments."

Environmental quality tests in the workspaces confirm that no health risks exist to building workers," Cook wrote. "GSA operates under the obligations of full disclosure and takes all inquires concerning workplace health issues seriously."

The Freedom of Information Act request also obtained a 2001 inquiry from Senator Kit Bond, about PCB contamination at the complex, after IRS workers claimed 17 employees from one office area contracted cancer.

We also uncovered 2003 internal e-mails and hand written notes that indicate cancer concerns in still a different part of the complex at the GSA's National Payroll Center.

"If folks had come forward to GSA, of course we would have looked at that," Brincks said in November.

When specifically asked during that November interview about the letter claiming dozens of illnesses in deaths in the DFAS office space, Brincks responded GSA wasn't aware of the concern until they received our copy of the sick workers' complaint.

"I've seen that list, just two days ago was the first time I've ever seen that list," Brincks claimed during the November interview.

Since our investigation, the Environmental Protection Agency, the Missouri Dept. of Natural Resources and the Missouri Dept. of Health and Senior Services have joined a probe into potential health risks in the GSA-controlled space at the complex.

Posted: 02/04/2011

- By: Russ Ptacek

KANSAS CITY, Missouri - An NBC Action News investigation into a mysterious illness linked to a classified Kansas City nuclear weapons parts program has led to a government payout to sick workers and overturned a 10-year-old denial.

Ed Bell, a former worker at the Bannister Federal Complex, takes so many medications to battle the disease sarcoidosis, it's a struggle not only to keep healthy but just to make ends meet.

"Close to $3,000 for medication," Bell said describing his pharmacy costs as he sorted through a counter top full of pill bottles in his kitchen.

With a diagnosis of sarcoidosis, in 2001, Bell filed a claim with the Department of Labor that his failing health was caused by the metal beryllium which is used at the Bannister Federal Complex to make nuclear bomb parts.

The Department of Labor, which denied the claim, administers a program established by Congress to compensate workers in the nuclear arsenal program who were made sick by exposure to radiation or toxins.

Bell worked at the Kansas City Plant which makes non-nuclear parts for nuclear bombs.

An NBC Action News Investigation has identified hundreds of illnesses at the facility and at least 785 known toxins at the Bannister Federal Complex including beryllium, the radioactive material promethium and depleted uranium.

As a result of our investigation the Centers for Disease Control is currently investigating hundreds of illnesses identified in our investigation and the EPA is considering placing the entire complex on the list of National Priorities List of Superfund sites.

The buliding is shared one one side by the Kansas City Plant, where contractors including Honeywell, Bendix, and Allied-Signal have manufactured non-nuclear parts for nuclear bombs for decades, and other the other side where the General Services Administration rents out office space to multiple government agencies.

The NBC Action News Investigation has identified 25 former workers from the complex with sarcoidosis diagnoses.

Recent blood tests by the Centers for Disease control on workers from the GSA controlled side did not identify beryllium sensitivity in workers there, but doctors say not all patients with Chronic Beryllium Disease will test positive.

Like the GSA employees, Bell also tested negative in government blood tests which are supposed to detect beryllium.

Click here to see our entire investigation.

The disease Bell was diagnosed with, sarcoidosis, has the same symptoms as Chronic Beryllium Disease which is caused by exposure to the metal beryllium.

According to the Department of Energy , Chronic Beryllium Disease symptoms include shortness of breath, chest pains, cough, fatigue, weight loss, and loss of appetite.

"I kept having pains in my lower back," said former Bannister worker Kelly Turners at a group meeting for sarcoidosis victims.

Doctors know so little about the disease many patients seek sarcoidosis group meetings like the one Turner attended at North Kansas City Hospital.

Patients say the common treatment, heavy doses of steroids, can create side effects, including physical and mental issues, nearly as bad as the disease.

"Does your neck sweat?" asked Jo Kledis in the group meeting. "Oh yes," Turner responded. "I feel like a sow or something, you know."

"Yeah," Kledis said. "I do."

Like Chronic Beryllium Disease, doctors say sarcoidosis can be deadly. Untreated, it can turn a healthy lung into a leathered mass capable of processing increasingly smaller amounts of oxygen.

A Department of Labor spokesman reports the agency has awarded compensation to over 170 beryllium sensitive or beryllium diseased workers from the Kansas City Plant.

Although new safety measures are in place, government reports indicate monitoring levels can not explain the number of Kansas City workers diagnosed with Chronic Beryllium Disease.

A 2009 Department of Energy report raises beryllium contamination concerns that an "unidentified source of exposure is continuing" to sicken Kansas City Plant workers and workers at other plants.

"Cases occurring at the Kansas City Plant, Pantex Plant, Savannah River Site, and Hanford Site are inconsistent with the low exposure levels being reported and the perceived history of limited beryllium use," the 2009 Worker Associate Beryllium Registry Summary stated.

According to Department of Labor data, in Kansas City alone, the government has paid workers more than $28 million in compensation for illnesses related to beryllium or other toxins used in the making of non-nuclear parts for nuclear bombs at the Bannister Federal Complex.

Click here if you're a former worker and wish to report health concerns to NBC Action News.

Sick workers say the condition creates overwhelming pain while sucking their energy for life.

"Every day, it was harder and harder, just to get out of bed," Turner said about his worsening condition.

Turner hasn't gotten a response to his claim.

Bell assumed the denial to his 2001 claim was final until he asked us for help.

"It's

very rough," Bell said about his condition when we first met. "I can hardly move half the time."

His sarcoidosis spread to his eyes, created pain throughout his body, loss of energy and forced him into disability for four years.

The immobilizing condition was a stark contrast to his robust youth.

"I was a paratrooper," Bell said. "I was a Green Beret."

After leaving the military Bell got a job as a food service worker at the Kansas City Plant.

He says he never worked directly with beryllium but was responsible for setting up catering events in all areas of the plant.

"Even sitting down and getting up is difficult," Bell said of the pain since his life was overtaken by what doctors believed was sarcoidosis.

He suspected his condition was caused by his exposure to toxins at the nuclear bomb part facility, but the government denied Bell's claim stating "sarcoidosis is not a covered medical condition."

But, our investigation uncovered a 2008 change to Department of Labor policy requiring claims agents to presume "the diagnosis of sarcoidosis to be a diagnosis of Chronic Beryllium Disease."

The ruling applies only to workers on the bomb part making side of the Bannister Federal Complex, and has many exclusions, but when we asked a doctor to evaluate Bell's claim, it became clear he had a strong case.

Experts agreed not only did he meet Chronic Beryllium Disease standards, he was entitled to $150,000 or more in government compensation and lifetime medical benefits.

"Oh, very good....and bad," Bell said laughing about the irony that, ten years later, a diagnosis of the potentially fatal disease could drastically his improve his standard of living and access to medical care.

Although the policy clearly says Chronic Beryllium Disease should be presumed in all cases, regulations make it easier for claimants like Bell who were diagnosed with sarcoidosis before 1993.

Department of Labor regulations require workers with diagnoses on or after January 1, 1993 to show beryllium in their blood or to have a diagnosis of Chronic Beryllium Disease by a "qualified physician."

Experts say even with the official presumption, not every sarcoidosis case would qualify.

First workers must have been exposed to beryllium while working in a covered facility like the Kansas City Plant.

Even employees who worked inches away on the other side of a wall in the same building at Bannister at other agencies like the GSA, IRS, FAA, Defense Finance and Accounting Services, and Marine Corps are not not eligible.

But for claimants like Bell, who do qualify, there is concern no one ever told him or any of the other workers with sarcoidosis identified in our investigation about the 2008 ruling presuming Chronic Beryllium Disease.

They were also not informed they could re-apply for compensation under the new ruling that presumes the bomb making metal beryllium is the actual cause of their diagnosed sarcoidosis.

"I would have never known about this even starting up again if I hadn't heard about it from you," Bell said.

We took Bell's case to experts and to the Department of Labor Ombudsman , who acts as an intermediary between sick workers and the government compensation program for sick nuclear workers.

When we showed Nelson the eight year old denial on Bell's compensation case that specifically disqualified sarcoidosis, he acknowledged it wasn't an accurate denial based upon current DOL guidelines.

"Yes, it is no longer necessarily true," Nelson said. "The Department of Labor, on claims like this, would review those cases."

"My understanding is that many of these cases were reviewed," Nelson said. "Whatever happened in Mr. Bell's case, it was not reviewed to the extent that it changed the policy."

We also took Bell's case to Chronic Beryllium Disease Expert Dr Lawrence Fuortes at the University of Iowa.

Fuortes said a quick review made it clear Bell qualified.

"Well, as soon as we had all the medical evidence," Dr. Fuortes said. "Just reviewing the medical chart, I think it was a one day turn around."

Fuortes sent his opinion on to the Department of Labor which reversed Bell's denial and ten years later approved his claim, awarding him $150,000 in compensation for suffering Chronic Beryllium Disease.

"I got my letter yes,' Bell said. "And medical care for the rest of my life."

'It's a blessing," said Bell's wife Donna. "I'm truly thankful."

"And we thank God for you and for your to help everyone else," Bell said.

Bell's troubles aren't over. He says he is on a kidney transplant list because of disease caused by so many medications as doctors stumbled over a diagnosis his condition.

The only luxury Bell has afforded himself is a medical bed to make it easier to sleep.

Shortly after Bell's case was approved a second former Bannister Federal Complex with sarcoidosis, who had also tested negative in blood tests for beryllium, was also approved.

He too said he had no idea sarcoidosis could be related to nuclear bomb part manufacturing until our report.

The

former worker used the award money to move to Arizona where a doctor told him it would be easier to breath.

Bell is staying in Kansas City.

Dr. Fuortes said he believes Bell's case is symbolic of many other nuclear workers across the country who qualify for compensation but have been wrongly denied.

Nelson said he believes the oversight in Bell's case was an isolated incident, but he said he is reporting the case to Congress in his annual report identifying problems in the program designed to care for the workers who supported America's nuclear arsenal and are now sick.

**Below are several resources for sick workers or survivors.**

To help us, please make sure you have documented your case on our web site at the following link: http://contests.nbcactionnews.com/engine/YourSubmission.aspx?contestid=19527

We have other stories archived here: http://www.nbcactionnews.com/bannister

Kansas City Sarcoidosis Support Group Contact: Angel Turner, Founder at (816) 810-0880 or angelia.turner@nkch.org

**Resources for Bendix, Allied-Signal, Honeywell side of Bannister Federal Complex:**

For medical questions, current and former employees from Honeywell, Bendix, and Allied-Signal at the Kansas City Plant can call the Health Hazard Information at 1-800-708-893 to speak with a nurse who specizlizes in health issues among workers at the plant.

For information on the Energy Employees Occupational Illness Compensation Program go to: http://www.hss.energy.gov/healthsafety/fwsp/advocacy /.

Former Kansas City Plant workers who may have been exposed to hazardous substances can call the National Supplemental Screening program for free health screenings at 1-866-812-6703. Workers who performed construction at the Kansas City Plant can call the Building Trades National Medical Screenings Program at 1-800-866-9663.

For information about the NIOSH compensation fund or for resources to report issues from the Kansas City Plant side, you can contact the ombudsman for NIOSH, Denise Brock at this email: cko7@cdc.gov or call 1-888-272-7430 or the ombudsman for the Dept. of Labor, Malcolm Nelson at this email: ombudsman@dol.gov or call 1-877-662-8363. Contact information for Kansas City

**Resources for GSA side of the complex:**

GSA employees can file claims through the Federal Employees Compensation Act.

Click here for information on the claims process for non-nuclear workers: http://www.dol.gov/compliance/laws/comp-feca.htm

GSA officials say workers will also have to get information from the individual agencies where they worked. Officials provided the following contact information for workers on the GSA side of the complex:

GSA Workers (816) 926-7401 or (816) 926-7209

Defense Finance and Accounting Service 317-510-2390

Dept. of Commerce 301-713-2870 x102

IRS Worker's Compensation Center (804) 916-3713

USDA 816-926-6643 FEMA 816-283-7058 or 4344

Federal Protective Service 202-732-1340

Dept of Defense IG 703-602-4527

Dept. of Veteran's Affairs 816-861-4700 x57205 or x57206

You can also call or e-mail the CDC doctor in charge of an investigation into illnesses at the complex to report your health concern.

Dr. Elena Page can be contacted at: 513-458-7144 or epage@cdc.gov Here's an e-mail where you can reach the administrative people at General Services Administration to ask questions about their environmental investigation: r6environment@gsa.gov GSA officials say they will address each question.

Also, here's a web site where the GSA is posting environmental reports, updates and answers to questions: http://r6.gsa.gov/bannister/banenv.asp

The General Service Administration provided the following number for concerned employees from the GSA side of the plant to report health concerns: (816) 926-7201.

Congressional Delegation:

Sen. Claire McCaskill 816-421-1639 http://mccaskill.senate.gov/?p=contact

Sen. Roy Blunt 816-471-7141 http://blunt.senate.gov/public/index.cfm/contact

Congressman Emanuel Cleaver: 816-842-4545.
http://www.house.gov/cleaver/Cleaver%20Green/contact.html

Posted: 01/24/2011

- By: Russ Ptacek

KANSAS CITY, Missouri - Despite growing concerns, in a letter obtained by NBC Action News, GSA Administrator Martha N. Johnson said "there is no evidence that suggests wrongdoing" at the Bannister Federal Complex and calls the site of increasing health concerns "safe."

Johnsons made the comments in a letter to Sen. Claire McCaskill (D-Mo.), amid mounting evidence of health concerns, toxins and harsh criticism from the agency's own inspector general.

The GSA Inspector General audit found Bannister officials misled the public about contamination at the facility.

As escalating federal inquiries identify concerns, Johnson's letter to McCaskill downplayed safety concerns.

"The Bannister Federal Complex in Kansas City has been and continues to be a safe place to work and for all the people occupying GSA-controlled space," Johnson said in the letter to McCaskill.

Although GSA officials maintain Johnson has been briefed on the contamination issues and health concerns at the Bannister complex a FOIA request by NBC Action News showed no e-mail history on the subject.

"After searching through our data bases we did not find any e-mails and attachments discussing the death list, health risks, or employee illness at the Bannister Federal Complex where Administrator Martha Johnson was a recipient or a sender," said GSA Spokeswoman Emily Barocas in response to the FOIA request.

The GSA Inspector General concluded that Bannister operated such a weak safety program that it was incapable of documenting whether the building had been safe in previous years.

Click here to see our entire investigation.

As for current health risks, a separate inspector general investigation conducted by the Environmental Protection Agency concluded "the public health risks" at the Bannister Federal Complex "have not been determined." The critical audit was issued the same day Johnson penned the letter to McCaskill calling the facility safe.

"I believe that there were things in the IG's report that should be very troubling to the administrator of GSA in terms of how the investigation was dealt with," McCaskill told NBC Action News.

"The Administrator's letter to Senator McCaskill is a discussion of the findings of the IG (inspector general) report," said GSA spokeswoman Emily Barocas. "GSA's priority is to provide our employees with safe working conditions."

The inspector general report concluded the GSA has misled the public about contamination at the facility, but Johnson ruled out intentional deception.

"In no case does a fair reading of the IG report lead to a conclusion that employees or their actions deliberately misled the public of workers at the complex about safety or health issues," Johnson wrote McCaskill.

McCaskill has launched her own investigation into agency's hiring of the a public relations firm at the height of the NBC Action News Investigation.

"I am very disappointed in how GSA has dealt with this issue," McCaskill said. "I don't think they've been as forthcoming as they should have."

McCaskill responded to Johnson in a letter stating GSA had not been forthcoming in providing information in a Senate subcommittee investigation into the the agency's hiring of the publicity agency to manage the "impending media crisis."

"I am writing to renew my request for information," McCaskill wrote Johnson in a letter stating the agency had not been responsive.

The inspector general reviews were launched at the demand of since retired Senator Kit Bond (R-Mo.) when, through a Freedom of Information Act, NBC Action News obtained a document showing Senior GSA Regional Commissioner Mary Ruwwe had obtained a death list of workers that colleagues feared had died because of toxins.

Johnson's letter did not address the death list or the EPA Inspector General report.

Click here if you're a former worker with health concerns.

Although the GSA denied knowledge of the death list for months prior to the FOIA discovery, the e-mail indicated Ruwwe had reviewed the death list and forwarded it to the acting GSA Administrator and another senior GSA official in Washington.

According to a GSA spokeswoman, Ruwwe is the same official who authorized a $234,000 public relations contract to manage the growing inquiry.

Appointed by President Obama, Johnson is the top official overseeing the nation's federal government buildings, including the Bannister Federal Complex.

Senator Roy Blunt (R-Mo.) also expressed concern.

"I will fight to ensure that these employees work in a safe environment and get the answers that they deserve," Blunt said.

"I am sending a letter to GSA to follow up on their assessment and I'm committed to working to ensure complete transparency in this process."

Congressman Emanuel Cleaver issued a statement supporting the EPA's continued independent testing at Bannister.

"The Complex will require sustained attention in the coming years as together we work to resolve any environmental issues so it can be returned to the community as an positive asset,"

Cleaver said in a statement.

GSA officials say current initiatives address many of the concerns expressed in increasingly critical reports.

"This administration is taking many steps to enhance our environmental program and take a proactive approach to addressing concerns at Bannister, including developing an in-depth working plan, doing extensive environmental testing, and working with our partners at the EPA and NIOSH," Barocas said.

NBC Action News has documented more than a hundred dead former workers and hundreds others with illnesses they fear are linked to the complex.

The GSA shares the facility with the National Nuclear Security Administration which contracts with Honeywell to make parts for nuclear bombs.

The Dept. of Labor has catalogued 785 known toxins at the facility including radioactive materials and cancer causing chemicals.

Johnson has declined repeated requests from NBC Action News for comment on a list of dead workers put together by colleagues who fear the deaths are linked to toxins at the facility.

Posted: 01/11/2011

- By: Russ Ptacek

KANSAS CITY, Missouri - An audit released by the Office of Inspector General at the Environmental Protection agency says "the public health risks" at the Bannister Federal Complex "have not been determined."

Click here to see entire report.

The EPA took over testing at the facility after a 2009 NBC Action News investigation identified a death list put together by workers in General Services Administration controlled space who believed rare cancers and breathing disorders were occurring at an abnormal rate.

The NBC Action News investigation identified similar illnesses on the other side of the complex where Honeywell makes non-nuclear parts for nuclear bombs under contract with the National Nuclear Security Administration.

"Essentially, the concern is that volatile chemicals underground emit vapors that can intrude into overlying buildings," GSA Regional Administrator Jason Klumb told GSA workers and tenants at Bannister Monday in an e-mail.

The EPA and Missouri officials have identified massive soil and groundwater contamination underneath buildings at the complex stemming from 60 years of weapons production and waste dumping.

The number of dead Bannister employees now stands at 138 that family members have reported to NBC Action News with concerns of environmental contamination.

Click here to report an illness you believe is related to work at Bannister.

The national EPA investigation criticized EPA Region 7, headquartered in Kansas City, for isolating testing to one part of the complex and not expanding contamination examination at Bannister to include the majority of office and manufacturing space at the facility.

"Vapor intrusion has not been assessed for the entire Bannister Federal Complex, therefore the public health risk for the entire facility has not been determined," the audit ruled.

Klumb told workers the agencies are already responding to the audit by expanding testing to the entire GSA controlled building.

"As part of the GSA/EPA environmental work plan, we are also beginning previously scheduled vapor intrusion studies in buildings 1, 2 and 4 this month," Klumb wrote in the internal e-mail. "The report concluded that vapor intrusion health risks at Bannister are not a concern for buildings 50 and 52, but that it is unknown for other buildings."

The complex houses about 4,000 workers and has provided offices for day care facilities, IRS, Defense Finance Accounting Service, USDA, FAA, Marine Corps, Marine Corps Finance Center, and GSA services on the GSA side, and on the plant side Bendix, Allied-Signal, and Honeywell.

NBC Action News has tallied more than 400 current and former workers on its list of sick and dead.

The critical audit focused on a part of the complex that houses a day care where the Office of Inspector General faulted EPA officials for not testing for a wider range of vapor contaminates.

"Additional actions would provide a more comprehensive picture of the chemical hazards in the indoor air," the report said.

"As I've said on several occasions, I assure you that we will remain vigilant in our assessment of Bannister," Klumb said in the statement. "We will adhere to the recommendations of our own IG report and that of the EPA's."

The GSA's Inspector General report faulted the agency for misleading the public and for not maintaining standard environmental tests to ensure worker safety.

Despite two months of requests, GSA Administrator Martha Johnson has not responded to interview requests about the death list or findings that senior agency officials misled the public about the response to health risks.

Posted: 11/30/2010

- By: Russ Ptacek

KANSAS CITY, Missouri - Kansas City's congressional delegation issued a strongly worded letter Tuesday calling on GSA Administrator Martha Johnson to "identify those responsible for the lax safety culture at the Bannister complex."

**Click here** to read the congressional letter obtained by NBC Action News.

Despite three weeks of phone calls and e-mails to GSA media contacts requesting an interview with Administrator Martha Johnson about the GSA Death List and health concerns, Johnson, an appointee of President Barack Obama, has not responded to NBC Action News.

To see our entire investigation into the GSA Death List and toxins at the complex, click here.

If you're a sick former worker, report your health concerns to NBC Action News by clicking here .

**GSA employees "failed"**

The letter, which was signed by Senator Kit Bond (R-Mo,) Congressman Emanuel Cleaver (D-Mo.), and Senator Claire McCaskill (D-Mo.), states a recent Inspector General investigation "revealed a culture of lax oversight and inadequate environmental management on the part of the GSA and Public Building Service employees.

The congressional letter tells GSA Administrator Martha Johnson, "the report makes clear that GSA employees failed to ensure and maintain a safe working environment for employees and tenants."

The letter demands action and calls on Administrator Johnson to "identify those responsible" and "take the appropriate steps to to hold those accountable.

**GSA Administrator keeps same officials in charge**

Under Johnson, all high level officials in charge at the time when the agency denied knowledge of the GSA Death List remain in their posts.

According to e-mails obtained by NBC Action News, GSA Regional Commissioner Mary Ruwwe obtained the GSA Death List in August 2009, three months before our investigation began.

Ruwwe continued to deny knowledge of the GSA death list until NBC Action News revealed a Freedom of Information Act request had uncovered an e-mail where Ruwwe forwarded the Death List to high ranking officials in Washington.

The Inspector General investigation indicated no one at the agency investigated the Death List until after the probe initiated by NBC Action News.

**Martha Johnson does not respond to interview request about GSA Death List**

After NBC Action News forwarded Martha Johnson interview requests to the offices of Bond, McCaskill, Cleaver, and the White House, GSA spokesman Sahar Wali sent an e-mail asking for a written list of questions.

"As you know from our previous conversations GSA's DC office is working closely with the region on this issue and we continue to monitor the situation closely," Wali wrote. "Can you please be more specific with your questions?

NBC Action News provided a long list of topics, but GSA officials have not responded.

Martha Johnson has made no public statement on the GSA Death List or on the Inspector General's investigation which stated the GSA misled employee about health concerns at the complex. The GSA shares the Bannister Federal Complex with Honeywell which makes non-nuclear parts for nuclear bombs.

**More than 400 sick or dead workers listed on NBC Action News registry**

NBC Action News has identified more than a hundred deaths involving cancers, breathing disorders, and other ailments that family members or colleagues suspect are linked to toxins at the facility.

A total of over 400 sick or dead workers are documented on the NBC Action News registry by workers or, in the case of the dead, relatives, who suspect the ailments stemmed from environmental toxins at the Bannister Federal Complex.

The Centers for Disease Control and the Environmental Protection Agency are conducting independent investigation.

Posted: 11/23/2010

- By: Jake Peterson

KANSAS CITY, Missouri - An earlier audit of the GSA found the group operated a weak environmental program that was incapable of determining whether conditions prior to 2010 were safe.

NBC Action News found more than 400 Bannister Federal Complex employees that became sick, some of them died.
There are two parts to the facility. One houses government offices and the other makes parts for nuclear bombs. A wall separates the two sides. Behind a set of double doors you'll find a hallway that's leads to a plant where Honeywell contractors are making parts for nuclear bombs.

The GSA and the EPA have placed air quality monitors in the areas where the two sections connect and where employees from both sides meet, like the cafeteria.

"We are doing some air sampling today for beryllium and uranium," said EPA spokesperson David Bryan.

The agency are testing to determine if workers on the GSA side are being exposed to toxins.

"This is only part of larger environmental work that we are going to see out here. We're going to be doing work out here over the next year to get a good characterization over an entire year," Bryan.

Some employees believe this should have been done sooner. The GSA admits testing should have been looked at in the past.

"Historically GSA could have done more and now we are taking those extra steps that we need to," said GSA spokesperson Angela Brees.

Brees has worked at the site for 3 years. The communication specialist is also pregnant with her first child.

"I do think it's safe to work here I come to work here daily as do 2,000 other people," said Brees.

The GSA also brought in the National Institute for Occupational Safety and Health. They are looking at how toxins might be passed between the two buildings.

Posted: 11/19/2010

- By: Russ Ptacek

KANSAS CITY, Missouri - A private group is holding a town hall meeting at noon Saturday to help sick Bannister workers navigate government compensation funds.

An Inspector General audit found General Services Administration officials at Bannister misled workers about health concerns at the facility after an NBC Action News investigation identified more than 400 sick or dead Bannister workers.

Organizers say the meeting will address health and compensation for workers from GSA, IRS, USDA, Defense Finance and Accounting Service and other agencies on the GSA side of the building along with issues faced by employees from the Honeywell side where they manufacture nuclear bomb parts.

Organizers say "a lot of misinformation" has gone out about workers from the GSA side of the complex not being eligible for compensation.

"People don't realize that all cancers are covered for compensation, not just certain cancers, and that they don't have to prove contaminants existed while they worked there—the Environmental Protection Agency has already proven that," said Donna Hand, a paralegal with Cold War Soldiers.

Cold War Soldiers specializes in helping sick workers from the nation's manufactures of nuclear weapons payments and health care from government programs.

The group receives a percentage of the successful claims it handles for workers.

The meeting beings Saturday, November 20, at 12:00 noon at St. Paul School of Theology's library, Room L202, 1535 E. Van Brunt Dr., in Kansas City, Mo.

Posted: 11/11/2010

- By: Russ Ptacek

KANSAS CITY, Missouri - Officials at the General Services Administration have confirmed that the agency spent tax dollars on a $234,000 contract with a public relations firm at the height of the NBC Action News investigation that has identified more than 400 sick or dead workers at the Bannister Federal Complex.

"We needed a team of experts that could come in quickly, analyze the situation, and help GSA move successfully forward," said GSA Spokesman Angela Brees. "We initially did not have the communication resources to effectively analyze and tackle the developing situation."

Many former workers were angered when notified of the GSA public relations expenditure.

"It's stupid to spend a quarter million dollars on a public relations firm when you should be looking at taking care of what has happened," said Former Bannsiter Worker Katie Sutcliffe.

Sutcliffe has skin cancer and breathing disorders.

"Am I frustrated, yes," Sutcliffe said. "Are we going to go away. No. We don't ever go away."

The GSA shares a building at Bannister with Honeywell which makes parts for nuclear bombs under contract with the Department of Energy.

GSA awarded the PR contract to Jane Mobley Associates in Kansas City. No one at the firm returned calls for comment.

The publicity contract was awarded to Jane Mobely Associates one day after Senator Kit Bond (R-Missouri) called for an investigation in February after seeing NBC Action News reports about the growing list of sick workers and contradictions in GSA claims.

"Senator Bond calls for an investigation and the very next day the GSA hires a public relations firm," Sutcliffe said. "Why not hire someone to investigate what was going on."

"GSA's priority should be working to identify the problems at Bannister, fix them, and provide current and former workers answers, not a taxpayer funded PR campaign," Bond said Thursday after learning of the GSA public relations contract.

"This contract, like many things at the facility is worth looking into," said Danny Rotert, spokesman for Congressman Emanuel Cleaver (D-Missouri). "The (Inspector General) report released this week points to decades of poor communication at GSA."

Rotert suggested the hiring of outside communications experts may have brought the recent improvements cited in the IG report that blasted the agency for misleading workers in the past.

"The report also says they have turned a corner toward transparency and concrete steps to deal with the facilities issues," Rotert said. "If this firm helped to advise them toward that better direction, then I wish they would have been hired 20 years ago," Rotert said."

About half of the sick workers identified by the NBC Action News investigation are current or former employees from the bomb part facility.

A month after the GSA hired the PR firm, Pitch Newspaper Reporter Nadia Pflaum ran a story headlined, "Russ Ptacek's Bannister investigation reveals the GSA's poor PR skills."

The article lampooned, and other Kansas City blogs lampooned the GSA's response to the NBC Action News investigation which has identified 785 toxins at the Bannister Federal Complex along with more than 400 sick or dead workers.

Brees said the firm handled responsibilities beyond public relations including inter-agency communication, research, and developed the concept of a community council to to address health questions at Bannister.

Brees said GSA has spent twice as much money on environmental testing as it did in for the public relations contract.

"Since that time frame, working closely with the EPA, we've also began building and implementing an extensive environmental testing program," Brees said. "GSA was then and is now concerned about the welfare of current and former workers at the Bannister Federal Complex, which is why we asked the doctors and scientists of NIOSH to evaluate the complex in February, and even expanded the scope of that investigation this last spring."

No one from the firm has returned NBC Action News requests for comment.

GSA Administrator Martha Johnson has failed to respond to multiple requests from NBC Action News about the illnesses and deaths of the agency's employees and tenants at the Bannister Federal Complex.

NBC Action News is working on this story and will have additional details as they become available

Posted: 11/08/2010

- By: Russ Ptacek

KANSAS CITY, Missouri - An Inspector General audit found officials at the Bannister Federal Complex operated a failed environmental program and misled workers and federal investigators about health concerns and toxins.

**If you have an illness you believe is linked to health concerns at Bannister, please click here to report your case to NBC Action News.**

The General Services Administration's Inspector General substantiated much of the evidence uncovered by an NBC Action News investigation launched in November 2009.

Officials initially denied knowledge of a list of sick and dead workers and accused NBC Action News of taking information out of context.

"I do apologize on behalf of GSA," said GSA Regional Administrator Jason Klumb at a news conference Monday. "We have learned some lessons and we are getting things right."

The audit found the GSA operated a weak environmental program that was incapable of determining whether conditions prior to 2010 were safe.

"The problematic actions by the region indicate a lax environmental management program," the audit found. "As a result, GSA cannot provide assurance that the Complex has historically been a safe and healthy workplace."

The report indicates shortly after NBC Action News uncovered the health concerns and toxins at the facility, the GSA methods improved enough to determine current conditions pose no threat.

The Inspector General also determined officials had received, but largely ignored, a list of 90 sick or dead workers that employees compiled.

"The draft letter was not provided to the Acting Regional Administrator and no work on this issue was performed by the safety and environmental personnel until January 2010, after the environmental conditions at the Complex became the focus of media reports," the IG report said.

The GSA denied knowledge of the list when NBC Action News confronted officials a year ago.

The NBC Action News investigation has since tallied more than 400 sick or dead workers.

About half work on the Honeywell side of the building where employees make parts for nuclear bombs.

Reaction from Capitol Hill was swift and harsh.

"This report should serve as an immediate wakeup call for the GSA," said Senator Kit Bond (R-Missouri) in a statement. "The bureaucrats who mishandled information and failed to perform adequate safety tests as documented in the IG's report should be held accountable."

Bond demanded in Inspector General's investigation when NBC Action News uncovered internal GSA documents contradicting the agency's claims that it didn't know of a list of sick and dead workers.

"I am greatly concerned by the report's conclusions that employees' concerns were not taken seriously," Congressman Emanuel Cleaver (D-Missouri) said in a statement. "All of those faults are completely and utterly unacceptable,"

"Our review indicates that, not only did PBS environmental personnel fail to quickly take action and respond to concerns, they did not inform regional GSA management that these concerns were raised," the audit stated.

The GSA's regional administrator, who arrived after the NBC Action News investigation began, says sanctions of staff are possible.

"Individuals have offered their resignations to me," said Klumb. I will not accept those. This is my responsibility."

The audit accuses the GSA of not only misleading employees, but of providing misleading information to federal investigators.

"(GSA) often provided erroneous and/or incomplete information to both the public and our office concerning environmental issues at the Complex," the audit stated."

"The people who have worked at Bannister have a right to be angry," said Senator Claire McCaskill (D-Missouri) in a statement. "This IG report shows serious misjudgment on the part of the federal government, and I've spoken with the Public Buildings Commissioner at GSA about it."

National GSA Administrator Martha Johnson has not responded to NBC Action News requests for comment. She has not spoken publically about the growing list of sick workers or health concerns at the facility.

Posted: 11/04/2010

Officials at the Bannister Federal Complex have announced new testing plans for toxins identified by an NBC Action News investigation.

The action comes one year after NBC Action News launched its investigation into toxins at the complex that has identified more than 400 current and former workers with breathing disorders, cancers, or other health concerns.

About half the of the sick workers come from the GSA side of the 1.5 million square foot facility.

"These tests are one of the many steps we are taking to move forward and to address the concerns of current and former employees," said Jason Klumb, GSA regional administrator in a prepared statement. "But there is always more to be done.

The action is a stark contrast from the response GSA officials had in November 2009 when NBC Action News confronted officials with a list of sick workers and asked about potential beryllium

contamination.

Officials initially denied knowledge of the list of sick and dead workers and denied there being evidence of beryllium contamination on the GSA side of the massive complex.

Documents obtained by NBC Action News showed high ranking GSA officials had, in fact, reviewed the list of sick and dead workers and forwarded copies of the list to Washington officials.

Other documents showed evidence the GSA was also aware of traces of beryllium contamination found inside the office complex.

The contradictions sparked outrage from Senator Kit Bond (R-Missouri) who ordered an investigation.

The results of the GSA Inspector General's investigation are expected Monday.

Since Klumb was appointed to the office of regional administrator earlier this year, the GSA has launched an aggressive program to research evidence of health concerns uncovered by the NBC Action News investigation.

"We will continue to build our partnerships with EPA and the National Institute for Occupational Safety and Health - to ensure we have the proper programs in place going forward," Klumb said in the statement.

The testing, to be conducted on the GSA side of the complex, will focus on beryllium, uranium, and vapors from groundwater contamination.

The NBC Action News investigation showed that the defense manufacturing side of the complex had ordered quantities of depleted uranium in 10,000 pound lots.

GSA shares the facility with Honeywell which contracts with the Department of Energy to make non-nuclear components for nuclear bombs.

Beryllium has also been used on the Honeywell side of the plant for defense manufacturing.

The government has paid out more than $24 million dollars to employees on the Honeywell side of the plant for illnesses official ruled were likely caused by toxins.

No similar program exists for sick employees on the GSA side of the complex

Posted: 10/26/2010

- By: Russ Ptacek

KANSAS CITY, Missouri - A former Bannister employee is joining with advocates that work as contract agents for sick workers to hold a town hall meeting Thursday about illnesses and compensation.

Do you have an illness you believe is linked to the Bannister Federal Complex? Report it to NBC Action News by clicking here.

Maurice Copeland, the organizer, has pre-cancerous lesions and believes his condition and the illnesses and deaths of former colleagues are connected to toxins at the Bannister plant.

"We were exposed on a daily basis to many types of carcinogens and other toxins," Copeland said.

He faults previous government sponsored town hall meetings for failing to allow workers to document their concerns in a public forum. "We want to give the workers and former workers the chance to give testimony about their experiences at the Bannister Federal Complex and their difficulties getting compensation through the claims process for work-related illness," Copeland said in a statement.

Bendix, Allied-Signal, and Honeywell have manufactured parts for nuclear parts at the Kansas City Plant. An NBC Action News investigation has identified more than 400 former workers with illnesses or deaths including breathing disorders and cancers.

"This time, they'll have a chance to speak in an open forum and then talk one-on-one with advocates. At some other town halls, workers and former workers have had the one-on-one opportunity but have not had time at the microphone to tell their own stories," Copeland said.

Copeland said representative from the group Cold War Soldiers, which contracts with sick workers to represent them in negotiating claims with the government, will be attending the meeting.

Although the government has paid out more than $24 million to sick workers at the plant, Copeland said workers face problems documenting exposures, locating medical records, and navigating the claims process.

Currently the Environmental Protection Agency and the Centers for Disease Control are investigating illnesses and deaths uncovered by NBC Action News at agencies located in other parts of the building controlled by the General Services Administration.

The investigation identified sick workers at the Marine Corps Finance Center, United States Marine Corps, IRS, Defense Finance and Accounting Service, and other agencies on the GSA

side of the complex. The employees on the GSA side of the complex are not covered by the government's compensation program for sick nuclear workers.

The town hall meeting is scheduled for Thursday, Oct. 28th, from 2:00 to 4:00 pm at the Bruce R. Watkins Cultural Heritage Center, 3700 Blue Parkway.

Posted: 09/30/2010

A **report issued by the Centers for Disease Control** identified a new toxin threat and five potential exposure "pathways" for toxins in the search for what is making workers sick at the Bannister Federal Complex.

The CDC investigation is in response to health concerns identified by an NBC Action News investigation.

Click here to report your Bannister Federal Complex health concern.

In addition to identifying shared ventilation systems between the office building side of the complex and the nuclear bomb-part manufacturing side, the report identified new concerns about formaldehyde.

Sick former worker Barbara Rice tipped the NBC Action News Investigators to the health concerns after spending months tracking illnesses among her colleagues.

"So many have died," Rice said about her colleague. "I'd say over 110 of them."

They worked in the General Services Administration side of the complex where the new CDC report has now identified formaldehyde above the recommended exposure limit.

The CDC identifies formaldehyde as a potential occupational carcinogen.

GSA officials note, although it failed CDC standards, the level of the toxin was below acceptable OSHA standards.

The report also identified the toxic metals beryllium, uranium, and volatile organic compounds on the GSA-side of the complex.

"The immediate question is are the employees who go there on a day to day basis, like myself working in a healthy environment and I believe that we are and we continue to do monitoring and testing," said GSA Regional Administrator Jason Klumb.

"For years we believed that we were safe," Rice said. "We now believe we were deceived."

Rice believed they were safe because she says officials repeatedly said office workers were protected from the toxins on the manufacturing side of the complex where Honeywell makes parts for nuclear bombs.

"They have emphatically said that the ventilation systems are separate," Rice said.

The CDC report identifies five potential pathways for toxins including shared ventilation systems, exhausted air from the Honeywell Plant, and an opening in a firewall.

"I think the way they've written it still leaves questions unanswered and this is one, because, as I've said, I believe we don't have shared ventilation systems," Klumb said.

GSA officials say they have conducted surveys indicating currently no shared ventilation systems exist.

Klumb's office says the mystery the CDC is referring to is whether the complex shared ventilation with the bomb manufacturing plant prior to current renovations.

The report indicates initial blood testing failed to find links to illnesses on the GSA-side of the complex to beryllium, a toxic metal on the manufacturing side used to make parts for nuclear bombs.

"A few more individuals still need to take the BeLPT (beryllium test), however these initial results do alleviate some concerns," Klumb said in an official statement. "I assure you that we will remain vigilant in our environmental and occupational assessment of Bannister - regardless of these test results."

The GSA statement summarized the CDC results with the following bullet points:

--NIOSH interviewed 196 former GSA and tenant agency employees, 70 current GSA and tenant agency employees, and 76 current and former Kansas City Plan employees.

--NIOSH identified five potential pathways of exposure between National Nuclear Security Administration and GSA space.

--Because the federal complex receives drinking water from the City of Kansas City, NIOSH does not believe groundwater and soil contamination are likely contributors to occupational exposure.

--Formaldehyde was found in a 2002 air quality test of one office space that was above the NIOSH exposure limit. However, the amount found is below current Occupational Safety and Health Administration standards.

Posted: 09/22/2010

KANSAS CITY, Missouri - A new government safety review finds "reasonable assurance" that workers at the Kansas City Plant and nearby Bannister offices were "adequately protected" by safety systems.

The U.S. Department of Energy report, conducted by the agency's Inspector General, was in response to hundreds of illnesses or deaths among former employees at the Bannister Federal Complex identified by an NBC Action News investigation.

"While we can not provide absolute assurance, the results of our work indicated that the systems were working as intended," the report says.

**Read the whole report - click here.** ***DOE PULLED REPORT***

**Click here to report your Bannister related health concerns.**

An NBC Action News investigation has identified cancers, sarcoidosis, hysterectomies, beryllium disease, and other breathing disorders among hundreds of Bannister employees who have reported illnesses.

The government has paid out more than $20 million to employees at the plant where reviews ruled it was more likely than not that their illnesses came from exposure to toxins, according to a U.S. Department of Labor spokesman.

The new DOE safety audit found that the Kansas City Plant, operated by Honeywell, has established controls that provide safe conditions for workers and the environment.

The plant manufacturers non-nuclear parts for nuclear bombs and is in the same building where employees from the IRS, FAA, Marine Corps, Defense Finance and Accounting Service, and other government agencies have reported illnesses.

Officials at the plant declined interview request to NBC Action News, but did issue a two sentence statement.

"This report demonstrates that the Kansas City Plant's environmental and worker health and safety programs have been effective," said Plant Manager Mark Holecek, in a statement from the National Nuclear Security Administration. "We will continue to take the necessary steps to protect the environment, workers and the public."

Many former workers are skeptical.

"I'm not confident at all in the report," said former worker Maurice Copeland, who is a long time critic of safety concerns at the Bannister Federal Complex. "The intent was to come out with a report that was palatable to the people."

Inspectors reviewed safety monitoring at the plant from the years 2000, 2005, and 2009 and interviewed top level officials at the weapons plant.

Copeland faulted the agency for not looking at safety monitoring prior to 2000 when many of the workers began falling ill.

"The problem is 60-years of contamination and 60-years of not monitoring the people's health properly," Copeland said.

The DOE report did identify 42 incidents between 2000 and 2007 where Polychlorinated biphenyl compound (PCB) released into a nearby stream and "exceeded permit discharge limits," but said the agency took "immediate action" to limit the impact of future releases.

The inspection also identified an incident where a worker's radiation badge indicated an exposure at five-times the plants safe radiation limit.

A plant official told inspectors the incident "was considered an unexplained anomaly."

The report indicates the plant's radiation standards are ten-times more stringent than DOE standards, so the exposure was considered within accepted national safety levels.

The review found the plant had controls in place to "protect workers from "the potentially harmful effects of exposure to radiation, metals and chemicals."

Since the launch of the NBC Action News investigation, the Centers for Disease Control, the General Services Administration, and the Environmental Protection Agency have also launched separate reviews.

The EPA is considering placing the entire complex on the National Priority List of Superfund Sites.

"We found that the Kansas City Plant had what appeared to be appropriate environmental and worker health and safety systems," the report concludes. "The evidence developed during our review, while not providing absolute assurance, indicated the systems were working as intended."

"They're in denial until I don't know, until so many of us are sick and die," Copeland said. "Why are all these people sick now and coming up with all these ailments that come from the plant."

Posted: 08/23/2010

- By: Russ Ptacek

KANSAS CITY, Missouri - A town hall meeting presented resources to sick workers from the Bannister Federal Complex.

**Watch video from the meeting by clicking on the player to the left**

An NBC Action News investigation has identified approximately 370 workers, many of them deceased, with cancer, breathing conditions and other illnesses experts say could be caused by toxins.

The majority of Monday's meeting focused on benefits for sick workers from the Honeywell side of the complex where workers make parts for nuclear bombs.

"He had cancer," said Treva Nance, who's husband worked at the plant until his death. "A very rare form of cancer."

She attended to learn about a government program that pays nuclear workers or their survivors $150,000 if a link is identified between working conditions and illnesses.

"We want to make sure that you have your chance to get all the information that is available," Congressman Emanuel Cleaver (D-Mo.) told the crowd.

Many were unaware of compensation programs or the government's effort to track health conditions of former workers at the plant.

The plant has also been operated by Honeywell, Bendix and Allied-Signal.

"I didn't know you could get free health screening." said former Bendix worker Willie Jackson. "I didn't know that."

Many at the meeting showed physical signs of health problems.

"It's a knot and it's on both of them," said former IRS worker Gloria Whitfield Watson about a large lumps on her elbows. "I have breathing problems. I have asthma, COPD. I have emphesema."

Many of her former colleagues at the meeting didn't feel like the government offered enough resources to workers on their side of the building which is controlled by the General Services Administration.

Workers also complained they weren't allowed to speak in the open forum.

"Now we're being turned over to panels of experts who are basically just telling us how to fill claims that will undoubtedly be denied," said former Defense Finance and Accounting Service worker Barbara Rice.

A government report identifies 785 known toxins at the facility and the Environmental Protection Agency and the Centers for Disease Control are conducting additional investigations.

Congressman Emanuel Cleaver (D-Mo.) organized the meeting, but didn't announce it until Friday.

In the news release issued three days before today's event, Cleaver's office indicated sick workers would be walked through government programs to help the sick.

"The Department of Labor representatives and NIOSH ombudsman will be on-hand to assist current and former employees with the compensation claims process," Cleaver's news release said.

About half of the sick employees identified by the NBC Action News investigation are current or former workers from the GSA side of the complex.

The GSA shares the building with Honeywell where workers make parts for nuclear bombs under contract with the U.S. Dept. of Energy.

The International Brotherhood of Electrical Workers Local 124, located at 303 East 103rd Terrace hosted the meeting.

**Below are several resources for sick workers or survivors.**

To help us, please make sure you have documented your case on our web site at the following link: http://contests.nbcactionnews.com/engine/YourSubmission.aspx?contestid=19527

**Resources for GSA side of the complex:**

GSA employees can file claims through the Federal Employees Compensation Act.

Click here for information on the claims process: http://www.dol.gov/compliance/laws/comp-feca.htm

GSA officials say workers will also have to get information from the individual agencies where they worked.

Officials provided the following contact information for workers on the GSA side of the complex:

GSA Workers (816) 926-7401 or (816) 926-7209
Defense Finance and Accounting Service 317-510-2390

Dept. of Commerce 301-713-2870 x102
IRS HR Grievance System
USDA 816-926-6643
FEMA 816-283-7058 or 4344
Federal Protective Service 202-732-1340
Dept of Defense IG 703-602-4527
Dept. of Veteran's Affairs 816-861-4700 x57205 or x57206

You can also call or e-mail the CDC doctor in charge of an investigation into illnesses at the complex to report your health concern. Dr. Elena Page can be contacted at: 513-458-7144 or epage@cdc.gov

Here's an e-mail where you can reach the administrative people at General Services Administration to ask questions about their environmental investigation: r6environment@gsa.gov

GSA officials say they will address each question. Also, here's a web site where the GSA is posting environmental reports, updates and answers to questions: http://r6.gsa.gov/bannister/banenv.asp

The General Service Administration provided the following number for concerned employees from the GSA side of the plant to report health concerns: (816) 926-7201.

**Resources for Bendix, Allied-Signal, Honeywell side of Bannister Federal Complex:**

For medical questions, current and former employees from Honeywell, Bendix, and Allied-Signal at the Kansas City Plant can call the Health Hazard Information

Line at 1-800-708-8931 to speak with a nurse who specializes in health issues among workers at the plant.

Former Kansas City Plant workers who may have been exposed to hazardous substances can call the National Supplemental Screening program for free health screenings at 1-866-812-6703.

Workers who performed construction at the Kansas City Plant can call the Building Trades National Medical Screenings Program at 1-800-866-9663.

The Energy Employees Occupational Illness Compensation program, which benefits workers with serious illnesses due to toxic exposures while working in the east wing of the Bannister Federal Complex at the Kansas City Plant can be reached at 1-866-888-3322.

For information about the NIOSH compensation fund or for resources to report issues from the Kansas City Plant side, you can contact the ombudsman for NIOSH, Denise Brock at this email: cko7@cdc.gov or call 888-272-7430.

Congressman Emanuel Cleaver and Senator Kit Bond have asked concerned former workers or survivors to contact their staffs directly.

Bond's office can be reached at 573-634-2488. Cleaver's office number is 816-842-4545

Posted: 08/20/2010

- By: Russ Ptacek

KANSAS CITY, Missouri - Congressman Emanuel Cleaver has called a last minute meeting for sick workers identified by an NBC Action News investigation.

"It was not easy," Cleaver said about organizing experts to respond to worker concerns. "We had to pull together all sorts of federal agencies."

An NBC Action News investigation has identified about 370 former workers, many who have died, with health concerns.

The sick were employed at the Bannister Federal Complex where the U.S. Department of Energy contracts with Honeywell to make parts for nuclear bombs.

About half the sick worked on the General Services Administration controlled side of the complex that is separate from the bomb part manufacturing side of the facility.

In response the NBC Action News investigation, the Centers for Disease Control and the Environmental Protection Agency are investigating.

The town hall meeting will start at 5:00 pm, Monday Aug. 23 at the International Brotherhood of Electrical Workers Local 124, located at 303 East 103rd Terrace.

A Cleaver staffer said representatives from both Missouri United States Senators' offices will be there along with CDC, EPA,Department of Labor, and other agency representatives.

Posted: 08/09/2010

- By: Russ Ptacek

KANSAS CITY, Missouri - An NBC Action News investigation has uncovered a 1989 report documenting radioactive contamination at the Bannister Federal Complex.

**Have you had health problems you believe are linked to the Bannister Federal Complex?**
***If so, please register your condition with NBC Action News by clicking here.***

Government scientists disagree with an independent health physicist who believes the document, obtained by NBC Action News, could explain worker illnesses.

**Click here to see the our 14 page list of sick or deceased workers separated by their conditions and the agencies where they worked at the Bannister Federal Complex.**

The contamination report, obtained under the Freedom of Information Act, reveals "extensive and widespread" radioactive contamination during a February 1989 accident at the Bannister Federal Complex.

82-year-old Ivory Mae Thomas was one of the first sick workers from the Bannister Federal Complex to come forward.

"They took an X-ray of my body and they discovered a tumor," Thomas said when she disclosed her condition at the start of our investigation in November.

She believed that cancerous tumor, heart failure, and lung conditions all had something to do with that February night in 1989 when government men came to her home with Geiger counters.

"They had some rubber uniform, and boots, and mask and rubber gloves on," Thomas said.

The U.S. Dept. of Energy report, titled "Report of Investigation of Pm 147 Contamination February 10, 1989," details the incident at the Bannister Federal Complex.

Government officials initially denied our requests to see a copy but months later, released a copy with most names of individuals affected blacked out in response to our Freedom of Information Act request.

The 1989 investigation report reveals "extensive and widespread" "loose radioactive contamination" found at seven locations inside the Allied-Signal operated Kansas City Plant including radiation on a worker's hand and outside the plant inside an employee's residence.

Atlanta based physicist Wayne Knox helps workers prove health claims to qualify for government compensation.

The program is intended to help workers at plants that manufactured parts for nuclear bombs.

The Kansas City Plant, that has been operated by Allied-Signal, Bendix, and currently Honeywell, makes non-nuclear components for atomic weapons.

Knox believes the report we obtained could, for the first time, explain not only Thomas's health problems, but many others on our list of about 370 sick workers identified so far in our investigation.

"It's more likely that she would have health consequences, cancers as a result of these exposures," Knox said.

The 1989 contamination report's poorly copied pages show the electron shooting measuring device.

The beta backscatter measurement system leaked a radioactive substance called promethium and documents 15-years of contamination starting in "1974 multiple incidents" with "leaking or damaged radioactive sources."

"After that my health wasn't alright," said Thomas, who was a cleaning woman at the plant.

The report states contamination was also found on a janitor's shoe during the 1989 investigaiton..

"It was my shoe," Thomas said at her attorney's office. "They got rid of it. They gave me some more shoes to get back home. They said I really was exposed in the radiation."

The report blames the "spread of contamination" on the "lack of engineering and administrative controls" at the Kansas City Plant.

"I think that there is no question in my mind that this is the smoking gun in this case," said Attorney Randy James. "We intend to use this report to try to get justice for Ms. Thomas."

According to the report four employees initially tested "positive for radioactivity," but follow-up tests contradicted that saying workers were "within normal limits."

Officials at the now Honeywell managed Kansas City Plant declined our requests for an interview about the 385 page report, instead, releasing a one page statement.

The statement refers to a 2005 review prepared for the Centers for Disease Control finding "low risk of any radiological contamination" at the plant and to the 1989 report's finding that: "no employees received a detectable dose of radiation"

Click here to see a report prepared for the Centers for Disease Control that discusses health concerns at the facility.

In the Kansas City Plant statement, a plant spokeswoman said "there was not enough radiation released to cause any one person to exceed an annual limit even if they ingested all of it."

Knox says that doesn't take into account years of unmonitored, ongoing exposure documented in the report.

"All were exposed to chronic and acute radiation," Knox said. "Not just internally, but externally also."

Scientists at the Centers for Disease Control's National Institute on Occupational Safety and Health, who assess worker claims reviewed the 1989 document at our request and say there wasn't enough radiation contamination

documented to explain illnesses.

"I think no, they shouldn't worry about this event affecting their health," said Stuart Hinnefeld, interim director, CDC's NIOSH Division of Compensation Analysis and Support

"I have a hard time envisioning how this situation really translates into a significant exposure potential," Hinnefeld said. "The thing that really strikes me from this event is that none of those people had positive bio-essays."

Hinnefeld said the agency considers each claim independently.

"I want to make sure I'm not on record for prejudging claims that come from Kansas City," Hinnefeld said.

"After I walked in that radiation, my health went down," Thomas said.

The Department of Labor's final decision in Ivory Mae's case rejected her claim.

Thomas is appealing.

Officials at the Honeywell managed Kansas City Plant say they responded to problems identified in the 1989 report with "corrective actions."

Officials at the plant maintain conditions meet or exceed all state and federal safe working conditions.

The National Nuclear Security Administration, in partnership with the U.S. Dept. of Labor and the Centers for disease control have established multiple resources for current and former workers of the plant to identify health concerns.

Employees from Honeywell, Bendix, and Allied-Signal at the Kansas City Plant can call the Health Hazard Information Line at 1-800-708-8931 to speak with a nurse who specializes in health issues among workers at the plant.

Former Kansas City Plant workers who may have been exposed to hazardous substances can call the National Supplemental Screening program for free health screenings at 1-866-812-6703.

Workers who performed construction at the Kansas City Plant can call the Building Trades National Medical Screenings Program at 1-800-866-9663.

The Energy Employees Occupational Illness Compensation program, which benefits workers with serious illnesses due to toxic exposures while working in the east wing of the Bannister Federal Complex at the Kansas City Plant can be reached at 1-866-888-3322.

More than half of the approximately 370 people who have reported health concerns to NBC Action News worked on the General Services Administration side of the complex.

There are no similar compensation or screening programs for the thousands of current and former GSA employees who worked in the same building as the Kansas City Plant.

Click here to see a former Bannister worker's website that calls the contamination a "Comedy of Errors."

*COMEDY OF ERRORS*

## KCP Promethium Contamination: A Comedy of Errors

In 1970, engineers at the Allied Signal KCP decided to design and build their own test apparatus for measuring aluminum deposited on Mylar substrates. They decided they wanted a Beta Radiation source so that they might measure the electron backscatter. Due to their position as a classified National Nuclear Security Agency contractor, working under the auspices of the Department of Energy, all they needed to do to get a new and unique radiation source, was make a call to Oak Ridge National Laboratory. And so, our comedy of errors begins.

*Uranium-238, with a 4.5-billion-year half-life, has only 0.00015 curies of activity per pound, while cobalt-60, with a 5.3-year half-life, has nearly 513,000 curies of activity per pound. This "specific activity," or curies per unit mass, of a radioisotope depends on the unique radioactive* ***half-life*** *and dictates the time it takes for half the radioactive atoms to decay.*[1]

The Beta Radiation source that Allied Signal was provided by Oak Ridge National Laboratory, was Promethium 147 with a half-life of 2.7 years, so its specific activity for the radioactive source was 2,724,000 Curies per pound! The source was specified to be created as a high level beta radiation in a energy range not available from commercial radioactive sources, and was specified as being 200 mCi (milliCuries), whereas, commercial radiation sources used in nuclear medicine are in the range of 5 to 50 mCi.

There are both very precise and exacting material handling and safety controls required for all commercially available radiation sources. Every doctor office, dentist office, or hospital in the United States has to follow and document these procedures every day. Yet, each commercial radiation source has to be sealed, by definition: surrounded by an impermeable layer, and capable of withstanding having a hammer dropped on it from a height of three feet without breaking. The Promethium sources provided by Oak Ridge National Laboratory were glass, and sealed with a thin layer of adhesive, they did not come close to meeting the definition of sealed radiation source. A much more stringent set of safety and handling protocols are required of experimental, unsealed radiation sources. Oak Ridge National Laboratory noted that the radiation source was NOT sealed in the shipping documents that came standard with every shipment, yet in the nearly twenty years from creation of the electron backscatter test stand until the discovery of the contamination, KCP personnel never properly followed the far looser safety precautions specified for the sealed commercial radiation sources.

The safety and material handling procedures for sealed, commercially available radiation sources require "swipe testing" each source after receipt. KCP actually did do this, however, not understanding the nature of the radiation emitted by Promethium, every test was completely invalidated by not calibrating their instrumentation to properly detect the beta radiation in the energy range emitted by Promethium! In fact, for most of the time, they presumed, in complete error, that their dose badges would detect the radiation. So, by the time 1986 rolled around, they were opening the Promethium sources at their desk, rather than under a vented hood, as specified for sealed, commercial radiation sources. However, the safety and material handling requirements for UNSEALED EXPERIMENTAL radiation sources actually required that they be

opened in a sealed "glove box", that the air be constantly monitored for escaped radiation, and that even the packing materials be disposed of as hazardous radioactive waste!

Let's go back to discuss the procurement process for a bit. Basically, someone at KCP wanted a beta radiation source more powerful than was commercially available. He specified a Promethium source that emitted roughly 5 or 10 times what was available as a commercial source (see the Activity in the Nuclear Medicine Chart). Oak Ridge National Laboratory managed to come up with a process to create a 200-mCi radiation source like what the KCP engineer had requested, however, it could not be sealed, which was specifically noted to the KCP personnel. KCP had no formalized procurement process for radiation sources; so, internal audits of nuclear sources never included the Promethium sources used by the Non-Destructive Test Lab, further there were no special disposal instructions for spent sources or packaging materials. It wouldn't have mattered, although the KCP personnel did have test equipment available that could have measured the beta radiation emitted by the ORNL Promethium sources, they didn't have the training to realize how to do so, or even that the nature of beta radiation sources implied a fundamentally different set of requirements for detection.

Now, in 1974, both the original engineer at KCP that had requested the Promethium sources, and his contact at the Oak Ridge National Laboratory, retired. Yet, Oak Ridge faithfully fulfilled every request from KCP for new Promethium sources, even though the original expertise that had created the process had gone. So, the both the quality and workmanship of the radioactive sources declined and yet, with safety and handling procedures incompletely followed and improperly applied at KCP, it is clear where blame for the numerous cases of contamination lies. Several incidents of shattered glass Promethium sources were noted in the period from 1974 to 1986, but failing to follow minimal safety and regulatory reporting requirements; none of these incidents were properly decontaminated or reported to DOE. Worse yet, the Oak Ridge process for creating the radioactive sources used a soluble Promethium nitrate salt, which meant that rather than a chemically inert oxide, any released Promethium would readily dissolve in water.

During this same period, Allied Signal decided that having Health Physics personnel on staff was not cost effective, so they switched to contracting for Health Physics services. Why is this significant? Because, despite having an operating budget in the neighborhood of two billion dollars, Allied Signal management felt comfortable cutting less than 50K$ from their budget by reducing their protection of the public and their own employees from the danger of radiation. All because they hadn't bothered to look at simple facts, that many different kinds of radioactive sources that were in use inside KCP! All this time they had an out-of-control, undocumented process using an unsealed, highly radioactive source material, and their normal methods of detecting contamination (designed to detect gamma radiation) didn't work. Finally, in 1986, someone realized that to detect the beta radiation emitted by Promethium required both a different instrument and different settings on that instrument than were normally used. Still, it was over a year before they put that knowledge together and walked into the Non-Destructive Test lab.

Surprise! They found high levels of contamination on the electron backscatter test machine, but the bigger surprise was that they found radioactive contamination in several other areas of that room and the offices nearby. They didn't know what to do, so they called their "contracted Health Physics specialist". He was not available, so they closed the offices and told the physical plant to shut down the air supply to the contaminated areas (not knowing that there was no way to do so from there). Okay, what SHOULD have happened was that they should have immediately called the National Emergency Response Hotline, which would have kicked off a national level response and completely sealed off the affected area. However, on the following Monday, workers were allowed into the contaminated areas, and they finally got in contact with their Health Physics contractor.

The Health Physics contractor contacted management and the KCP hazardous materials handling team, only to find that they had no emergency procedures or training for handling a radiological hazard. He then contacted the National Emergency Response Hotline, and a team of investigators from Sandia National Laboratory Albuquerque and Los Alamos National Laboratory arrived in less than 24 hours. For the most part, the team of investigators from the two National Laboratories did a fine job under near impossible conditions. They found contamination within the KCP in three test labs and two office areas. They even checked the personnel and found several of them were contaminated, so they did a follow up at their residences. At least one of the residences was heavily contaminated, and pieces of the rug, all of the bedding, pair of slippers, and several pairs of trousers were taken back to KCP to be disposed of as contaminated radioactive waste. They even did a follow up visit and found contamination in the apartment building's laundry room. Further, another one of the employee's residences was initially found to be contaminated, but they later dismissed it as being from Radon, despite readings more than triple what can be attributed to Radon.

Then they tested several of the employees that worked in the area to see if they had absorbed any of the Promethium into their bodies, and initial results were positive. So, they started a second round of testing of even more employees, and in yet another surprise, the initial results were found to be a "false positive" and no further testing was ever done. No explanation of how such a critical test could have been improperly reported, no explanation of the testing method, and extremely

suspicious. Why is the result of no biological (bodily) contamination so suspicious? Two reasons; first, we already have a documented case of known contamination exposing at least one worker to contamination in high enough concentrations to have it carried to his or her home and contaminate articles there. Second, and this is crucial and probably forgotten at the time, the Promethium was in a water-soluble form, a salt readily absorbed by the body!

The investigation team from Sandia National Laboratory Albuquerque and Los Alamos National Laboratories did a find many areas of contamination. However, they never did follow the minimum requirement for handling unsealed radiation sources, and never sampled the airborne component, despite acknowledging that the contamination was in fine dust form. The National Laboratory's team was not equipped to do the decontamination cleanup, and further, they found that Allied Signal personnel at KCP were not equipped to do a proper decontamination. KCP management contracted Rocketdyne Division of Rockwell International Corp. to do the cleanup. During the cleanup, Rocketdyne personnel broke off a 1" water line, and it flooded the contaminated area. After testing the water and finding no measurable radiation, they released it into the drains. Big mistake, again the fact that the Promethium was in a water-soluble salt form was conveniently forgotten. The beta radiation from Promethium cannot penetrate water, and even a pound of promethium dissolved into the hundreds of gallons from the spill would not have been detectable! Yet, by pouring that radioactive waste from the most contaminated area down the drain, they could have released more radiation then was released by the Three Mile Island disaster!

No one knows how much radiation was released during the contamination and cleanup, and since Promethium has a half-life of only 2.7 years, for every kilogram of Promethium released in 1988, less than 12 grams would be left today, as the rest transmuted through radioactive decay. The water-soluble salts released into the drains would eventually decanted out to a solid, fine dust, easily carried by air currents. That is important because the main danger from Beta Radiation is if the source is inhaled. There is no easy conversion from Curies of activity, or counts on a radiation detector to dosages, but the EPA has established standards for airborne radiation exposure, and it is extremely low. (Figure 2)

**Figure 1**

**Radiation Exposure from Various Sources** [1]

| **Source** | **Exposure** |
|---|---|
| External Background Radiation | 60 mrem/yr, US Average |
| Natural K-40 and Other Radioactivity in Body | 40 mrem/yr |
| Air Travel Round Trip (NY-LA) | 5 mrem |
| Chest X-Ray Effective Dose | 10 mrem per film |
| Radon in the Home | 200 mrem/yr (variable) |
| Man-Made (medical x rays, etc.) | 60 mrem/yr (average) |

Both public and occupational regulatory dose limits are set by federal agencies (i.e., Environmental Protection Agency, Nuclear Regulatory Commission, and Department of Energy) and state agencies (e.g., agreement states) to limit cancer risk. Other radiation dose limits are applied to limit other potential biological effects with workers' skin and lens of the eye. In the following table, anyone who achieves a lifetime dosage of 5,000 rems is considered occupationally exposed and retired medically with a much higher chance of getting cancer, and is just short of the dosage to cause "radiation sickness". Secondarily, the EPA dose limits for airborne contaminants is at issue, as the contaminated area was not provided with a separate air filtration or supply system, nor was the air monitored for airborne contaminants throughout the usage of the Pr $^{147}$ "experimental source, which are still in use to this day.

**Figure 2**

| **Annual Radiation Dose Limits** | **Agency** |
|---|---|
| Radiation Worker - 5,000 mrem | (NRC, "occupationally" exposed) |
| General Public - 100 mrem | (NRC, member of the public) |
| General Public - 25 mrem | (NRC, D&D all pathways) |
| General Public - 10 mrem | (EPA, air pathway) |
| General Public – 4 mrem | (EPA, drinking-water pathway) |

By comparison, the following table shows the dosages from various radiation treatments: [2]

Typical Doses from Nuclear Medicine Exams

| Nuclear Medical Scan | Activity, mCi (MBq) | Radiopharmaceutical | Effective Dose, mrem (mSv) |
|---|---|---|---|
| Brain[2] | 20 (740) | $^{99m}$Tc DTPA | 650 (6.5) |
| Brain[3] | 50 (1,850) | $^{15}$O water | 170 (1.7) |
| Brain[4] | 20 (740) | $^{99m}$Tc HMPAO | 690 (6.9) |
| Hepatobiliary[2] | 5 (185) | $^{99m}$Tc SCO | 370 (3.7) |
| Bone[2] | 20 (740) | $^{99m}$Tc MDP | 440 (4.4) |
| Lung Perfusion/Ventilation[2] | 5 & 10 (185 & 370) | $^{99m}$Tc MAA & $^{133}$Xe | 150 (1.5) |
| Kidney[2] | 20 (740) | $^{99m}$Tc DTPA | 310 (3.1) |
| Kidney[3] | 20 (740) | $^{99m}$Tc MAG3 | 520 (5.2) |
| Tumor[2] | 3 (110) | $^{67}$Ga | 1,220 (12.2) |
| Heart[3] | 30 (1,100) | $^{99m}$Tc sestimibi | 890 (8.9) |
| | 30 (1,100) | $^{99m}$Tc pertechnetate | 1,440 (14.4) |
| Heart[4] | 2 (74) | $^{201}$Tl chloride | 1,700 (17) |
| | 30 (1,100) | $^{99m}$Tc tetrofosmi | 845 (8.45) |
| Various[3] | 10 (370) | $^{18}$F FDG | 700 (7.0) |

From the University Of Maryland Medical Center, the following excerpt is provided. [3]

*Radiation sickness results when humans (or other animals) are exposed to very large doses of ionizing radiation. Radiation exposure can occur as a single large exposure (acute), or a series of small exposures spread over time (chronic).*

*Radiation sickness is generally associated with acute exposure and has a characteristic set of symptoms that appear in an orderly fashion. Chronic exposure is usually associated with delayed medical problems such as cancer and premature aging, which may happen over a long period of time.*

*The risk of cancer depends on the dose and begins to build up even with very low doses. There is no "minimum threshhold."*

*Exposure from x-rays or gamma rays is measured in units of roentgens. For example:*

- *Total body exposure of 100 roentgens (or 1 Gy) causes radiation sickness.*
- *Total body exposure of 400 roentgens (or 4 Gy) causes radiation sickness and death in half the individuals. Without medical treatment, nearly everyone who receives more than this amount of radiation will die within 30 days.*
- *100,000 rads causes almost immediate unconsciousness and death within an hour*

*References:*


1. *Health Physics Society article Radiation Basics http://www.hps.org/publicinformation/ate/faqs/radiation.html*
2. *Health Physics Society article Medical Radiation Doses http://www.hps.org/hpspublications/articles/dosesfrommedicalradiation.html*
3. *University of Maryland Medical Center > Medical Reference > Encyclopedia http://www.umm.edu/ency/article/000026.htm*
4. Report of Investigation of Pm 147 Contamination


***SEE ATTACHED FOR REPORT FROM CDC***

Posted: 08/04/2010

- By: Russ Ptacek

KANSAS CITY, Missouri - Safety tests sparked by an NBC Action News investigation have identified arsenic in water from a faucet at the Bannister Federal Complex.

General Services Administration Regional Administrator Jason Klumb says Centers for Disease Control officials don't believe the arsenic is high enough to be a health hazard, but acknowledges it doesn't meet EPA standards.

***If you've had health concerns related to work at the Bannister Federal Complex, please register your case with NBC Action News by clicking here.***

Klumb said the discovery is evidence that the agency has stepped up testing to identify health concerns after an NBC Action News investigation uncovered hundreds of illnesses at the facility GSA shares with Honeywell and Department of Energy workers.

"We're searching for things and if it exists we want to find it," Klumb said. "We listened to what employees and tenants here at the GSA had to say. We heard their concerns. We've tested every water outlet in the building."

Klumb said three faucets failed water standards out of more than a hundred faucets tested.

"We found one with lead, one with copper and one with arsenic at a level that's higher than what the city would set," Klumb said.

The arsenic was identified in water coming from a faucet in a warehouse area used by National Weather Service's National Reconditioning Center.

The faucet was intended to provide water to a cooling fan, but had been altered to allow workers to tap into a water line for filling drinking containers.

Officials say test results on the sample showed 18 ug/l arsenic compared to the 10 ug/l arsenic maximum set by the EPA.

An EPA publication describes 10 ug/l of arsenic as 10 molecules of arsenic for every 999,999,990 water or the equivalent of a few drops of ink in an Olympic sized swimming pool.

Arsenic is one of 785 known toxins used in manufacturing at the Bannnister Federal Complex identified by a Dept. of Labor publication.

According to the CDC, arsenic can cause skin disease, cancers, and/or death.

Officials at Bannister told workers the level of arsenic in the water line was well below the point that could cause physical symptoms.

National Weather Service officials warned workers by e-mail to destroy any containers that had been used at the faucet and to see a doctor for health concerns.

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Posted: 07/12/2010

- By: Russ Ptacek

KANSAS CITY, Missouri - Government doctors will soon begin blood tests on sick workers identified by an NBC Action News investigation for a rare disease.

Doctors from the Centers for Disease Control will conduct tests on former workers from the Bannister Federal Complex for sensitivity to a toxic metal called beryllium.

"This is a critical step in addressing the concerns of our employees, our customer agencies and the KC community," said General Services Administration Regional Administrator Jason Klumb.

**Former Bannister Federal Complex employees can register their illnesses with NBC Action News online by clicking this link.**

Klumb said the blood tests for beryllium sensitivity will be conducted on former workers from the GSA side of the complex who have already been diagnosed with sarcoidosis.

The former workers diagnosed with sarcoidosis were identified by an NBC Action News investigation that has tracked hundreds of illnesses among current and former workers. Nine of the employees identified in the NBC Action News investigation reported diagnoses of sarcoidosis.

According to the Canadian Centre for Occupational Health and Safety the normal occurrence of sarcoidosis is estimated at between one and 40 cases per 100,000 people. Doctors say sarcoidosis is a common misdiagnosis for an even rarer condition called beryllium disease.

Beryllium disease is caused by the toxic metal beryllium which is used at the Bannister Federal Complex to make parts for nuclear bombs at the Honeywell operated Kansas City Plant. Experts say the only way to tell the two conditions apart is by conducting a beryllium lymphocyte proliferation test which looks for an allergic reaction to beryllium in blood samples.

Klumb said the CDC will begin offering current and former employees from the GSA side of the complex the beryllium test in coming weeks. In addition to GSA employees, the free testing would be offered to current and former employees of the IRS, USDA, Marine Corps, Defense Finance and Accounting Service, Marine Corps Finance Center, FAA, FEMA, Federal Protective Service, U.S. Dept. of Commerce who worked at the complex.

Workers from the other side of the complex who have worked for Bendix, Allied-Signal, or Honeywell are eligible for free testing from National Supplemental Screening. According to the National Institute, sarcoidosis is an immune disorder that generally affects the lungs, but can affect any organ. The NIH's National Heart Lung and Blood institute website identifies a long list of symptoms including wheezing, shortness of breath, dry cough, chest pain, bone and joint pain, depression, night sweats, fatigue, swollen lymph nodes, weight loss, and eye swelling.

Doctors say sarcoidosis can also cause sores, ulcers, discoloration, and lumps on arms, legs, back, scalp and face.

Klumb said the testing will be used to gather additional information in the CDC's Health Hazard Evaluation being conducted by the National Institute for Occupational Safety and Health.

If you are a former Bannister worker that has been diagnosed with sarcoidosis, please contact Investigative Reporter Russ Ptacek via e-mail,russ@nbcactionnews.com, or by phone at (816) 932-0721.

The General Service Administration provided the following number for concerned employees from the GSA side of the plant to report health concerns: (816) 926-7201.

Klumb said employees with symptoms of sarcoidosis should also contact the CDC's medical officer Dr. Elena Page at epage@cdc.gov or 513-458-7144.

Former Kansas City Plant workers at Honeywell, Bendix, or Allied Signal who may have been exposed to hazardous substances can call the National Supplemental Screening program for free health screenings at 1-866-812-6703.

Workers have performed construction work on the Kansas City Plant side of the complex should contact the Building Trades National Medical Screening Program for testing at 1-800-866-9663.

Posted: 06/29/2010

- By: Russ Ptacek

KANSAS CITY, Missouri - Federal agencies in charge of toxin investigations at the Bannister Federal Complex have announced the search for community members to create of an independent oversight panel.

The Community Advisory Panel (CAP) will address the government's response to toxins and hundreds of sick former workers at Bannister identified in an NBC Action News investigation.

A government statement said the CAP will also address the redevelopment plans for reuse of the complex when current government tenants depart for new facilities.

"As we look to the future of Bannister and how it can continue to be a valuable asset to South Kansas City, the CAP will play a very important role in helping shape that future," said Jason Klumb, General Services Administration Regional Administrator, in a statement.

According to a government statement, the GSA and the Environmental Protection Agency will provide resources to the independent council which will be appointed by elected officials, community groups, and federal and Honeywell union representatives.

Honeywell produces parts for nuclear bombs under contract with the U.S. Department of Energy at the Bannister Federal Complex.

A GSA spokesman said requests for nominations were sent to U.S. Senators Kit Bond and Claire McCaskill, U.S. Rep. Emanuel Cleaver II, State Senators Jolie Justus and Yvonne Wilson, State Rep. Jason Holsman, and Kansas City Council members Cathy Jolly and John A. Sharp.

In addition to elected and union officials, the statement said letters were also sent to the GSA Tenant Board and economic development authorities.

Posted: 06/25/2010

- By: Russ Ptacek

KANSAS CITY, Missouri - A highly critical report that Bannister Federal Complex officials originally withheld identifies new contamination concerns near the facility's daycare.

"I'm very concerned," said Robin Abraham the mother of a former daycare child who now has asthma. "Very concerned."

The Missouri Department of Natural Resources letter to General Services Administration officials at Bannister suggested GSA officials did not follow standard procedures that would have identified or ruled out health concerns.

"When I'm getting low on breath, I really can't breath that much," said Abraham's son, Sean, holding his inhaler.

Breathing disorders are among a long list of illnesses Environmental Protection Agency documents link to Trichloroethylene (TCE) a potentially cancer causing solvent used in manufacturing to clean metal parts.

Sean's mother worked in a nearby building for the Internal Revenue Service and has a blood cancer, non-Hodgkin's lymphoma, which is another condition EPA documents associate with TCE.

The EPA Toxicity and Exposure Assessment for Children's Health Report also lists headaches, dizziness, and confusion, liver, kidney, immunological, endocrine, and respiratory problems, increased risk of liver and biliary tract cancer as being potentially being associated with TCE.

The missing 2005 document identified by the Inspector General's investigation identifies multiple failures at Bannister to identify levels of TCE near the Bannister Federal Complex's day care and nearby offices.

"We fear that the GSA is not taking the correct approach to investigate and remediate this site," wrote Missouri Dept. of Natural Resources Environmental Engineer Scott Honig.

Although the GSA estimates it provided NBC Action News with over 30,000 documents as part of our original Freedom of Information Act request, it didn't include the critical report from MoDNR.

The 2005 report wasn't released to NBC Action News until the GSA's Office of Inspector General identified the missing document and notified officials they were in violation of Freedom of Information Act laws.

"I am very disappointed this letter was overlooked in the FOIA request," said GSA Regional Administrator Jason Klumb. "I'm deeply concerned about the statements expressed in the letter by MoDNR"

"I have asked the environmental team to conduct an in-depth review of the letter and outline what action has been taken," Klumb said.

The Honeywell managed weapons plant that makes parts for nuclear bombs is about a hundred yards from the daycare.

Daycare parents are especially concerned because the childcare facility sits above a heavily contaminated plume of ground water. That's where tests have identified TCE.

The 2005 MoDNR report rejects GSA findings that the underground contamination was decreasing.

"There is no basis for this conclusion and it is not backed up with data," Honig wrote in the 2005 report.

"I think like if this wouldn't have happened I probably wouldn't have asthma," said 13-year-old Sean reflecting on the toxins near where he played as a toddler.

Robin Abraham has become increasingly concerned as our investigation has identified hundreds of illnesses among former Bannister workers and additional cases among former day care children.

"If things have been going on all these years and no one ever said anything, yeah that's betrayal," Abraham said.

An EPA official said the agency's reevaluation of the Bannister facility since the launch of our investigation is already addressing the concerns contained in the 2005 report.

"EPA is already working with GSA through an interagency agreement and an Environmental Work Agreement to evaluate several environmental issues, including ones indicated in the 2005 MDNR letter regarding the Bannister Complex," EPA Spokesman David Bryan said in a statement.

Brian said tests are underway to identify "scientific results to determine if there is a threat to human health or environment."

"Our sampling to date has not shown any threat from volatile organic compounds or PCBs in those buildings," Bryan said.

Posted: 06/24/2010

- By: Russ Ptacek

KANSAS CITY, Missouri - The Environmental Protection Agency released more negative test results in its search for toxins at the Bannister Federal Complex.

The agency has been testing a small portion of the complex that houses a day care and nearby offices, but hasn't expanded the tests to the rest of the massive campus.

"The scientific data from these latest samplings continue to indicate no health concerns at these two buildings related to PCBs," said Karl Brooks, EPA regional administrator in a statement. ``However, we will continue to work with other agencies at the Bannister Federal Complex to gather more data so that we will be protective of human health.''

The testing, which has found no health concerns, came after an NBC Action News investigation identified hundreds of illnesses or deaths among former workers.

The EPA tests identified no health concerns related to polychlorinated biphenyls (PCBs).

Our investigation has identified documents reporting beryllium and uranium on the General Services Administration side of the complex.

Documents obtained by NBC Action News indicate both beryllium and uranium were used on the other side of the building controlled by the Kansas City Plant which is managed by Honeywell.

The EPA has not tested for those toxins.

Honeywell produces parts for nuclear bombs under contract with the U.S. Department of Energy.

Posted: 06/18/2010

- By: Victoria Swoboda

KANSAS CITY, Missouri - Police arrest four protesters outside the Honeywell Plant at the Bannister Federal Complex. The plant makes parts used in nuclear weapons.

Demonstrators say they are concerned citizens trying to shut down what they call the Kansas City "nuclear weapons plant."

Several protesters used their bodies to barricade the gates while chanting.

Many of the demonstrators hoped their nonviolent demonstration would help abolish nuclear weapons all together. Others simply want the government to protect the citizens who build them.

"So face up to the fact that in order to produce nuclear weapons, you are going to have to contaminate your people and your cities," protestor Maurice Copeland said.

The group is planning another action on Aug. 16.

Posted: 06/15/2010

- By: Russ Ptacek

KANSAS CITY, Missouri - Bannister officials are urging former workers to contact scientists with their health concerns before a Friday deadline.

Jason Klumb, regional administrator of the General Services Administration said investigators from the Centers for Disease Control have a Friday deadline to complete interviews with current and former workers from the Bannister Federal Complex.

"I really think the more people who share their information, the better report we'll get back from the CDC," Klumb said.

Although GSA officials had previously denied knowledge of sick workers or the existence of toxins within their side of the complex, Klumb said they are now open and actively seeking all information related to health risks.

"We've got to look at the whole picture and what I tell folks is that if it's good news you can walk into the office, if it's bad news you've got to run into the office," Klumb said. "And that's what I told the CDC as well."

Many former workers walked out of town hall meeting held two weeks ago by CDC scientists when the medical officer dismissed concerns environmental illnesses could explain many cancers at the complex.

Since then, the CDC gained credibility among former workers by documenting a toxic metal on the GSA-side of the complex and investigating symptoms among former workers that are linked to the toxin.

"I was very pleased to see it was the same doctor that did that," said Barbara Rice, a former worker. "It does show that although the people at the town hall meeting were immediately put off by their presentation that night, they really are reviewing these old historical documents for facts."

The CDC is continuing to accept information by telephone and e-mail until Friday.

In addition to investigating worker health problems, CDC scientists are trying to understand whether toxins from the nearby Kansas City Plant could have gotten inside offices controlled by the GSA.

Klumb is encouraging current and former workers to contact the CDC investigators directly with their information.

**Klumb released the following CDC contact information:**

Dr. Elena Page, CDC Medical Officer (513) 458-7144 epage@cdc.gov
James Couch, CDC Industrial Hygienist (513) 841-4318 jcouch@cdc.gov

The GSA acts as landlord on its side of the complex to government tenants that the IRS, the United States Marine Corps, USDA, Dept. of Commerce, FEMA, and the Federal Protective Service.

Our seven-month long investigation has uncovered trace amounts of both beryllium and uranium on the GSA controlled side of the complex along with a government list of 785 known toxins used at one time throughout the sprawling federal campus.

Our investigation has also uncovered hundreds of former workers with illnesses including many that have sarcoidosis, a disease sometimes linked to beryllium.

Beryllium is a toxic metal used on the plant side of the complex to make parts for nuclear bombs.

"We've asked about beryllium," Klumb said about his inquiries with the CDC scientists. "We've asked about a link with sarcoidosis. We've asked about an in-depth exploration into pathways and they're taking a hard look at that."

Klumb has also created a public website listing current and past environmental testing on the GSA side of the complex.

Although it is not clear whether claims would be approved, Klumb has also released the following contact information for sick former employees who wish to file for compensation with their individual agencies.

**Agency contact information**:

GSA employees Heartland Region Human Resource: Nick Cave Director (816) 926-7401, Barbara Wegener HR Specialist (816) 926-7209

Defense Finance and Accounting Service (DFAS) 317-510-2390

Dept. of Commerce 301-713-2870 x102

IRS HR Grievance System

USDA 816-926-6643

FEMA 816-283-7058 or 4344

Federal Protective Service 202-732-1340

Dept of Defense IG 703-602-4527

Dept. of Veteran's Affairs 816-861-4700 x57205 or x57206

**Additional resources:**

To help the NBC Action News investigation, please make sure you have documented your case on our website at the following link:
http://www.nbcactionnews.com/generic/news/local_news/investigations/Topic-Investigators-Bannister-Form

Here's an e-mail where you can reach the administrative people at GSA to ask questions about their environmental investigation: r6environment@gsa.gov

GSA officials say they will address each question. Also, here's a website where the GSA is posting environmental reports, updates and answers to questions:
http://r6.gsa.gov/bannister/banenv.asp

The General Service Administration provided the following number for concerned employees from the GSA side of the plant to report health concerns: (816) 926-7201.

Employees on the GSA-side of the complex do not qualify, but former workers at the Kansas City Plant (Bendix, Allied-Signal, and Honeywell) call the National Supplemental Screening program for free health screenings at 1-866-812-6703.

Workers who performed construction at the Kansas City Plant can

call the Building Trades National Medical Screenings Program at 1-800-866-9663.

The Energy Employees Occupational Illness Compensation program, which benefits former Kansas City Plant workers with serious illnesses due to toxic exposures – or their survivors - can be reached at 1-866-888-3322.

For information about the compensation fund or for resources to report issues from the Kansas City Plant side, you can contact the ombudsman for National Institute for Occupations Safety and Health, Denise Brock at this email: db_dcch@hotmail.com or call 888-272-7430.

Congressman Emanuel Cleaver and Senator Kit Bond have asked concerned former workers or survivors to contact their staffs directly.

Bond's office can be reached at 573-634-2488. Cleaver's office number is 816-842-4545.

We have other stories archived here: http://www.nbcactionnews.com/bannister

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Posted: 06/15/2010

- By: Russ Ptacek

KANSAS CITY, Missouri - Officials at the Bannister Federal Complex have signed a $1.2 billion lease agreement to create a new South Kansas City campus for the complex's weapons plant.

In the agreement, the General Services Administration agreed to CenterPoint Zimmer receiving $61.5 million dollars annually in the construction and leasing deal to house the National Nuclear Security Agency's Kansas City Plant over twenty years.

"It was a tough road getting to this day, but teamwork prevailed in the end," said Jason Klumb, GSA Regional Administrator in a statement. "All of our partners with the city, the development teams, NNSA and contractors deserve credit for this success."

The Kansas City Plant, managed by Honeywell, manufactures non-nuclear parts for nuclear weapons.

Officials say the new campus will house about 2,500 workers in 1.5-million-rentable-square-feet of space.

The new facility will be built about eight miles south of the Bannister Federal Complex at the northeast corner of Missouri Highway 150 and Botts Road.

Currently the plant fills most of the space at the massive Bannister Federal Complex.

"This milestone is a significant step in transforming an outdated, Cold War-era nuclear weapons complex into a 21st Century Nuclear Security Enterprise that is positioned to achieve the vision articulated in the recently released Nuclear Posture Review," said Tom D'Agostino, NNSA Administrator in a statement

Officials project the move will save $100 million annually.

"The move should begin in late '12 and be completed over about two years," Klumb said.

The deal was underway prior to a seven-month long NBC Action News investigation that has identified hundreds of illnesses among plant workers and workers on the GSA-controlled side of the building at agencies including the IRS, Defense Finance and Accounting Service, and the United States Marine Corps.

Posted: 06/10/2010

- By: Russ Ptacek

KANSAS CITY, Missouri - In an abrupt change in position, a Bannister official is now acknowledging the General Service Administration was wrong when it denied a dangerous toxin called beryllium had ever being found on its side of the Bannister Federal Complex.

"We were wrong on that and again, NIOSH has the scientists and the experts and that's why we brought them in," said GSA Regional Administrator Jason Klumb.

The admission comes after scientists from the Centers for Disease Control's National Institute for Occupational Safety and Health reviewed the same beryllium test results we questioned GSA officials about in November.

Former Bannister worker Wilbur Clark describes himself as a patriot, but wonders whether a laundry list of health conditions he battles could be related to his service to country as a Marine stationed at the Bannister Federal Complex.

"I've been taken for a ride," Clark said. "I think we all have."

Clark has had two heart attacks, a stroke and suffers from a potentially fatal lung disorder called sarcoidosis.

He feels betrayed by the government because sarcoidosis is a potential misdiagnosis of a syndrome linked to a toxic metal called beryllium.

Until this week's admission, officials had consistently denied beryllium ever being present on the GSA side of the Bannister Federal Complex.

In November, acting GSA Regional Administrator Michael Brincks denied beryllium had ever being found during a videotaped interview with us about illnesses uncovered by our investigation.

"None of those tests have shown any traces of Beryllium on the GSA side of the complex," Brincks said.

During that interview Brincks also said the GSA had no knowledge of the list of cancers and other illnesses former employees had sent to government officials asking for help.

A Freedom of Information Act request obtained documents indicating three months before that interview, top level GSA officials in Kansas City had sent the cancer list to Washington executives warning them about the employee concerns.

Shortly after the broadcast interview where the GSA executive denied any beryllium had ever been found, we obtained a 2002 test report showing what appear to be trace levels of beryllium.

The January 2, 2002 "Beryllium Wipe Sample Results" marked eight out of ten locations with "Non Detected."

Two other locations were documented as having beryllium traces equal to or less than .13 micrograms at locations on the basement wall, and outside, beneath an air take of building 41 at the complex.

A GSA spokesman in November maintained the test was inconclusive and posed no threat.

"According to the limit of quantification, the chemical may have been detected, but at concentration levels so low that a reliable number could not be given," GSA spokesman Charles Cook said in a November e-mail to NBC Action News. "The tests confirm any beryllium that may exist would be at concentration levels so low that it would not pose health risks."

CDC officials say it is unclear whether there is any safe level of beryllium.

Building 41 housed Internal Revenue Service workers and according to documents obtained by us had been the subject of health concerns in 2001.

This week the Centers for Disease Control re-evaluated the same report and experts there say the report does indicate beryllium was found in 2002.

"We got it wrong, and we're going to get it right," said GSA Regional Administrator Jason Klumb. "We're going to find it and we're going to bring in an outside expert and pay them on a contract basis to go through everything to tell us exactly what we've got."

Klumb said GSA experts believed until Wednesday that their analysis was correct and that experts from the CDC's National Institute of Occupational Safety and Health agreed.

"As of last week there was agreement right here in Kansas City at the Bannister Federal Complex between our experts and the NIOSH experts, but clearly some more information was reviewed and NIOSH came up with a different opinion which we agree."

"What I know is, through a round of calls and conferences Wednesday, is that there was confusion about what was transcribed from certain test results in certain summaries," Klumb said.

Beryllium is used in the same building as GSA offices at the Kansas City Plant operated by Honeywell where workers make parts for nuclear bombs.

According to the government, beryllium concerns have been identified in 79 workers on the Kansas City Plant side.

Experts link beryllium to lung cancer, breathing disorders, and a potentially fatal disease called beryllium disease.

"If they're finding this eight years ago, my question is what's happening now and if you're finding it now, then start looking at the individuals who are showing clinical signs of beryllium disease," said Prof. Marcus Iszard, a toxicologist at UMKC.

Beryllium disease has the same symptoms as the disease Clark has, sarcoidosis, but can only be diagnosed with a special blood test.

"I think the government has to try to make it good," Clark said.

No one has offered to test Clark or the other former workers our investigation has identified with sarcoidosis.

"The only ones I've ever heard from was you," Clark said.

The GSA's regional administrator says until Tuesday, his staff there truly believed those tests were negative.

Klumb says more tests will be done by a new outside expert.

He emphasizes these were trace amounts in unoccupied areas.

Meantime, we've contacted multiple government agencies asking about testing for Clark and other cases of sarcoidosis that we've identified, but so far, no one is offering to help test these sick former workers.

According to the University of Pittsburgh, symptoms of beryllium disease can include cough, shortness of breath, fatigue, weight loss and/or loss of appetite, fevers and night sweats.

Beryllium disease can cause unusual lung sounds, scars inside the lungs, and lumps within the lung cavity.

Posted: 06/09/2010

- By: Russ Ptacek

KANSAS CITY, Missouri - Despite two troubling toxins identified in other tests inside the General Services Administration side of the Bannister Federal Complex, the U.S. Environmental Protection Agency released a report saying a second round of tests has identified no health concerns.

An EPA official said technicians did not test for beryllium or uranium which have both been found in trace amounts on GSA property according to tests uncovered by our investigation.

"Our managers have not seen anything that talks about depleted uranium," said EPA Spokesman David Bryan. "We've heard your report of it, but nothing that shows it's been found."

Bryan said the EPA did not test for the toxic metals, but that could change as the agency plans future sampling.

Bryan said the EPA is aware of the GSA reports uncovered by our investigation indicating trace levels of beryllium had been found on the GSA side of the complex during a 2002 test.

"Anytime we have reports of something like beryllium, we are going to work with GSA to probably investigate that," Bryan said. "It is just a matter of putting that into the environmental work plan."

Although this round of tests didn't identify health risks, government officials acknowledge toxins below the building.

The complex is currently being reviewed for National Priorities List Superfund status.

"Indoor air samples showed no indication of health concerns related to volatile organic compounds," an EPA news release said. "Results of the related sampling do not indicate migration of any vapors from beneath the building that would pose health risks."

EPA technicians collected the latest samples at the daycare in the Bannister complex and in nearby offices, but the agency still hasn't tested other areas.

"EPA expects to conduct groundwater sampling, soil gas sampling, and soil sampling around the two buildings in July as part of an agreement between EPA and GSA," the statement said. "Additionally, two more rounds of air testing will be conducted before the end of the year as part of the comprehensive testing plan at these buildings."

The tests and Superfund reevaluation come in response to our seven month long investigation that has identified 785-known toxins at the facility and hundreds of sick workers, many of them dead.

Posted: 06/01/2010

- By: Russ Ptacek

KANSAS CITY, Missouri - An angry crowd greeted scientists at a town hall Tuesday night as Centers and Disease Control officials launched their probe into health concerns at the Bannister Federal Complex.

"If there was anything I learned here tonight, we need to demand a full look at the entire place," said AFL-CIO President Pat Dujakovich.

The union leader demanded that the Centers for Disease Control scientists expand their investigation to include the Kansas City Plant side of the complex where workers make parts for nuclear bombs.

But officials with the CDC told former workers they can't get inside the secure facility and don't have jurisdiction there.

Although officials did take many worker questions and comments they often cut-off or ignored others as they tried to pack the concerns of about 250 people into one hour-and-a-half meeting.

"Why won't the let the people speak," asked former worker Maurice Copeland. "Why won't they let the people say what they did back in the days that we polluted that place?"

By the time the meeting ended about a third of the crowd had walked out. Many were upset their concerns were never heard.

"I knew they would and that's ok," said former worker Katie Sutcliffe about being cut-off. "I'm going to meet with them tomorrow."

CDC doctors and GSA officials have promised to meet with former workers individually over the next few days.

The CDC scientists are here in response to our investigation which has uncovered hundreds of illnesses and death.

The lead CDC doctor told workers that might not be unusual since the complex has employed tens of thousands of workers over the years.

"It was more about how they could explain away information that we've already collected and frankly they started arguing statistics and they haven't collected any data," said former worker Guy Beebe.

GSA Regional Administrator Jason Klumb emphasized that the town hall meeting was just the first step in collecting worker information.

He assured the former workers they would have the opportunity to share their stories with CDC scientists.

Earlier on Tuesday, a doctor from the Centers for Disease Control told Bannister workers that cancer rates at the complex don't appear to be unusually high when compared to the numbers of employees who had worked there over the decades.

"In reality we're talking a workplace of 30,000 to 50,000 people over the years," said CDC Dr. Elena Page.

Page and a staff of scientists are meeting with current and former workers to investigate the hundreds of sick and dead workers uncovered by an NBC Action News investigation.

During a town hall meeting for current workers on the General Services Administration GSA officials listened to worker concerns

One woman complained about cloudy water in the drinking fountain.

Officials also heard concerns about suspicious odors.

A retired hazardous materials officer reported decades old spills chemicals. He questioned whether they could still be in leaching into the office space.

But mostly employees listened as the doctor reported initial evaluations of our reports of about 300 deaths and illnesses doesn't appear statistically unusual.

Even the cases where victims didn't show other risk factors or family history of disease, the CDC scientist said she didn't see unusual signs.

"The majority of people who get breast cancer do not have any family member that have it so you have to put that in perspective a risk factor is not a guarantee and the absence of a risk factor is not a guarantee of protection," Page said.

CDC officials say they remain open minded.

Page also told workers that Bannister's Superfund site status doesn't prove any exposure pathways to contamination.

The regional administrator framed it as a positive start of the four day fact finding mission.

"I was pleased that they have questions," Klumb said. "We have doctors and scientists here who can use those questions to help identify where they need to explore further. That's what we need to accomplish."

The CDC team has released contact information so current and former workers can report their illnesses.

Contact Samantha Roper at 816-823-3780 to make an appointment with a CDC doctor or e-mail samantha.roper@gsa.gov.

Posted: 05/31/2010

- By: Russ Ptacek

KANSAS CITY, Missouri - There are new concerns at the Bannister Federal Complex that workers with a rare lung condition were misdiagnosed with a disease linked to a toxin used to make parts for nuclear bombs.

"I am saying we need answers," said Susan Hickman who's been diagnosed with sarcoidosis. "It is very, very important to so many of us."

Sarcoidosis creates breathing disorders and causes lumps and other growths in the lungs.

Hickman never worked at Bannister but her mother, a former Bannister worker, died after being diagnosed with a brain tumor.

"It was a cancerous brain tumor called glioblastoma," Hickman said.

Her mother Lavelle Monroe worked for the Internal Revenue Service and the Defense Finance and Accounting Service at the Bannister Federal Complex.

Hickman fears her mother may have unknowingly exposed her to a toxin when she came home from work.

"I'm looking for answers, not only for myself, but as well as for my mom and all of those hundreds of other workers out there," Hickman said.

Doctors diagnosed Hickman with sarcoidosis, but could never explain how she got it.

Among the about 300 sick workers identified by our investigation, we've tracked dozens of employees with lung conditions and five other employees with the same diagnosis as Hickman, sarcoidosis.

Sarcoidosis is important because medical websites and experts list sarcoidosis as a possible misdiagnosis of berylliosis and only way to get berylliosis is exposure to beryllium, a toxic metal used at the Bannister Federal Complex on the side where workers make parts for nuclear bombs.

Our investigation has uncovered 79 claims at the Honeywell managed Kansas City Plant linked to beryllium.

"Oh my God, look at how many people they have impacted," Hickman said. "So it is very important that I get answers."

She never knew to tell doctors there was beryllium in the building where her mother worked and suspects she was misdiagnosed.

Recent tests on the General Services Administration side of the building where her mother worked detected no beryllium.

According to a Honeywell statement, for 40-years, the Kansas City Plant has provided protection and training for workers at the plant handling beryllium.

Plant officials say areas contaminated with beryllium are contained and don't pose a threat outside those areas.

At town hall meetings scheduled for Tuesday, we'll be providing scientists from the Centers for Disease Control information we've identified about the sarcoidosis cases, along with information about the hundreds of other sick workers identified during our investigation.
The General Services Administration plans separate town halls for current and former workers.

According to a GSA statement scientists from the GSA's National Institute of Occupational Safety and Health will collect "health data from current and former employees as part on their on-going study, holding group and one-on-one sessions."

The meeting for current workers is scheduled for June 1 at 1:30 in the Bannister Federal Complex at 1500 E. Bannister Rd., Kansas City, Missouri.

The town hall for former workers is also June 1 at 6:30 pm, but will be held at the International Brotherhood of Electrical Workers Local 124 at 303 East 103rd Terrace, Kansas City, Missouri

Posted: 05/31/2010

- By: Sloane Heller

KANSAS CITY, Missouri - For the first time, sick workers from the Bannister Federal complex will meet with scientists and doctors.

The Center for Disease Control's National Institute of Health and Occupational Safety and the General Services Administration are hosting the town hall meetings Tuesday.

An exclusive investigation done by NBC Action News has identified about 300 sick or dead former workers from the facility.

The meetings will address the ongoing health hazard evaluation and give current and former employees a chance to ask the experts questions. The NIOSH team will be on site until Friday to

collect health data from employees. They will also hold group and one-on-one sessions and do an environmental assessment of the facility.

The GSA asked NIOSH to do the assessment back in March.

The first town hall is for current employees at 1:30 p.m. Tuesday. The second is for former and retired employees at 6:30 p.m. at the IBEW Union Hall on 103rd Terrace.

Posted: 05/27/2010

- By: Russ Ptacek

KANSAS CITY, Missouri - Former workers and current workers at the Bannister Federal Complex will get their chance to speak to scientists and doctors from the Centers for Disease Control at a town hall meeting Tuesday.

"We don't know the answers we have no idea," said AFL-CIO President Pat Dujakovich. "If there's contamination, if it's caused illnesses, if it's caused death, we just don't know."

Dujakovich led a delegation of union leaders who met with Bannister officials in preparation for the town hall.

The unions at the meeting represent tradesmen who've worked at the complex and are now sick.

Our six-month-long NBC Action News investigation has identified about 300 workers from the complex with illnesses, many of them fatal.

"There have been enough raised that I don't believe it is a coincidence," Dujakovich said. "I definitely don't believe it is a coincidence. But also I believe there's been some hype that's not true either."

Half of the complex is controlled by the Kansas City Plant where Honeywell makes parts for nuclear bombs.

The union leaders met with the new regional administrator of the General Services Administration which controls the other half of the Bannister Federal Complex.

Jason Klumb is coordinating a meeting for current and former workers with doctors from the centers for disease control.

"Those concerned individuals can and should come to a town hall meeting that doctors and scientists from the National Institute of Occupational Safety and Health will attend," Klumb said.

Klumb plans separate town halls for current and former workers.
The town hall meetings coincide with a Centers for Disease Control team's visit to the plant, where the statement says scientists will be collecting "health data from current and former employees as part on their on-going study, holding group and one-on-one sessions."

The meeting for current workers remains scheduled for June 1 at 1:30 in the Bannister Federal Complex at 1500 E. Bannister Rd., Kansas City, Missouri.

The town hall for former workers is also June 1 at 6:30 pm, but will be held at the International Brotherhood of Electrical Workers Local 124 at 303 East 103rd Terrace, Kansas City, Missouri.

Posted: 05/27/2010

- By: Russ Ptacek

KANSAS CITY, Missouri - The General Service Administration says it is changing the location of a Tuesday town hall meeting for former workers at the Bannister Federal Complex.

"Unfortunately, we had to move the location," said GSA spokeswoman Angela Brees.

The June 1 meeting for former workers, to address health concerns uncovered by an NBC Action News investigation, is being moved to the International Brotherhood of Electrical Workers Local 124.

A second meeting for current workers will remain at the Bannister Federal Complex.

The town hall meetings coincide with a Centers for Disease Control team's visit to the plant, where the statement says scientists will be collecting "health data from current and former employees as part on their on-going study, holding group and one-on-one sessions."

The meeting for current workers remains scheduled for June 1 at 1:30 in the Bannister Federal Complex at 1500 E. Bannister Rd., Kansas City, Missouri.

The town hall for former workers is also June 1 at 6:30 pm, but has moved to the International Brotherhood of Electrical Workers Local 124 at 303 East 103rd Terrace, Kansas City, Missouri.

Click here to see our six month investigation into health concerns at Bannister.

Posted: 05/26/2010

- By: Russ Ptacek

KANSAS CITY, Missouri - The new regional administrator of the General Service Administration has launched an unprecedented external public relations campaign along with internal probes at the Bannister Federal Complex to address worker illnesses and deaths.

In the past week Jason Klumb, a 41-year-old attorney and former Missouri legislator, has promised an "unprecedented level of transparency and openness," in a Kansas City Star editorial, appeared on a radio talk show discussing worker concerns, and sat down for a one-on-one interview with me.

"It's going great, I think," Klumb said about his effort to find answers and communicate what he's learned. "I was appointed by President Obama. President Obama has called for open and transparent government. I take that very seriously."

When we launched our investigation in November, GSA officials openly denied knowledge of a list of about a hundred sick and dead workers compiled by former employees.

Documents I obtained under the Freedom of Information Act showed GSA officials actually had the list months before those official denials.

"It proved not to be true," Klumb said. "That was the result of a miscommunication."

Our investigation has also identified a government list of 785 known toxins at the complex and independently collected the names of about 300 sick or dead workers from the GSA side or from the Kansas City Plant side of the complex.

The Kansas City Plant, managed by Honeywell, makes parts for nuclear bombs.

Until Klumb's interview, the GSA had denied every interview request I'd made since our initial investigation.

In addition to media appearances Klumb has also written the Centers for Disease Control asking the agency to expand its investigation at Bannister to include former workers, and he's scheduled two town hall meetings in June along with a separate meeting for union representatives.

"I think there is power in information," Klumb said. "That's the path we're marching down."

He's also established a website so the public can see current and former reports on worker health concerns and environmental testing on the GSA side of the complex.

His efforts haven't gone unnoticed.

"It's like a breath of fresh air because in the past everything seemed to be pooh-poohed," said Barbara Rice who initially brought employee health concerns to me at the launch of our NBC Action News investigation. "It seemed like all of our concerns were dismissed."

"I have to say that I'm extremely impressed and moved that in such a short amount of time that this new regional administrator has been so proactive," Rice said.

Others remained skeptical.

"He needs to be educated," Maurice Copeland, a sick former worker from the Kansas City Plant said. "I don't have any opinion of him whatsoever. He's a government person, right?"

Copeland acknowledged that Klumb had personally called him to ask about his concerns.

"That is very positive," Copeland said. "I appreciate that. It seems to be that he wants to be transparent, and hopefully that is the way it works out, but I know these people can change their attitude in a minute."

Klumb was appointed in February, but hadn't commented publically until this month.

"It's taken a long time to figure out where all the pieces are and how they fit together," Klumb said. "I didn't want to get out of the box without having a clear understanding not only of where we've been, but more importantly where we're headed."

We have posted my entire interview with Klumb separated in multiple parts.

Note that Klumb refers to the finding of a tiny particle of uranium during a recent environmental sweep. Shortly after the interview, off-camera, Klumb corrected the location of the uranium positive sample as being near a stairwell in a corridor on the first floor of the GSA side of the complex.

Posted: 05/25/2010

- By: Russ Ptacek

KANSAS CITY, Missouri - The General Service Administration is hosting town hall meetings to discuss health concerns at the Bannister Federal Complex for both current and former workers.

An NBC Action News investigation has identified hundreds of illnesses, many fatal, among current and former employees at the complex.

The complex is split into two sides between GSA controlled space and the Kansas City Plant, managed by Honeywell, where workers make parts for nuclear bombs.

According to a government statement, GSA Regional Administrator Jason Klumb has asked doctors and scientist from the Centers for Disease Control to attend the town halls to answer questions.

GSA officials requested a health hazard evaluation from the CDC's National Institute of Health and Occupational Safety to look into illnesses.

Klumb has since sent a letter to the CDC asking scientists to include the health concerns of former workers in the study.

The town hall meetings coincide with the CDC team's visit to the plant, where the statement says scientists will be collecting "health data from current and former employees as part on their on-going study, holding group and one-on-one sessions."

There will be separate town hall meetings for current and former workers.

The meeting for current workers is scheduled for June 1 at 1:30 in the Bannister Federal Complex at 1500 E. Bannister Rd., Kansas City, Missouri.

The town hall for former workers is scheduled June 1 at 6:30 pm. at the International Brotherhood of Electrical Workers Local 124
303 East 103rd Terrace, Kansas City, Mo.

Posted: 05/24/2010

- By: Russ Ptacek

KANSAS CITY, Missouri - Tests on the General Services Administration side of the Bannister Federal Complex have identified a tiny particle of uranium on the floor near a stairwell on the first floor.

Tests to determine where it came from and whether it could be elsewhere are now the responsibility of Jason Klumb, GSA's new regional administrator.

"Am I concerned, of course I'm concerned," Klumb said when asked about a 78 page report that identified uranium oxide in one of the massive office building's main corridors.

The tests, obtained by wiping 29 surfaces in the GSA controlled part of the complex, identified only one surface with readable levels of uranium.

"I think that a critical question is at what level and the level we detected was a trace amount," Klumb said.

According to the report, the tests identified .63 micrograms of uranium oxide, which is less than a millionth of a gram.

Some experts who oppose depleted uranium use don't consider any level of uranium safe, but GSA experts indicate the level is too small to be a health hazard.

"The standard for depleted uranium comes from the World Health Organization, which says that an 100 lb adult would need to ingest 22 micrograms every day to cause a health problem," said GSA Industrial Hygienist Kevin Santee. "Our single result was measured at 0.63 micrograms. In spite of this, we have re-sampled the area to verify whether or not this is an anomaly and should receive those results in several days."

Klumb said tests haven't indicated whether the uranium found was naturally occurring or man-made.

An analysis industrial hygienists provided GSA along with the test results indicates the low level of uranium wouldn't be a threat unless a worker ate all the dirt from a contaminated surface the size of a very large floor tile "every day."

A map shows investigators found the trace amount of uranium near a staircase on the complex's first floor.

"I believe that the Bannister Federal Complex is a healthy place to work and I come to work here everyday," Klumb said. "We will get answers to questions."

Industrial hygienists conducted the uranium test in February

That was when NBC Action News uncovered a report on depleted uranium and radiation sources on the other side of the complex.

The report indicated in the 1960s and 1970s, uranium was used in 10,000 pound lots at the Kansas City Plant, where they make parts for nuclear bombs.

According to a report from the National Institute of Health and Occupational Safety (NIOSH) at the Centers for Disease Control obtained by NBC Action News, there was so much depleted uranium in the air at the time that tested employees had uranium in their urine.

Officials at the Kansas City Plant, currently managed by Honeywell, did not respond to NBC Action News requests about current depleted uranium programs during our investigation in February, but a spokeswoman did issue a statement.

"The use of radiation at KCP is consistent with common industrial processes such as x-ray and equipment calibration and depleted uranium is often used in commercial aircraft because of its density," said plant spokesperson Tanya Snyder in an e-mail. "KCP is open and transparent in providing information about the type of work done at the plant, materials used, and types of safety controls in place."

"The publicly available NIOSH study you cited in your e-mail was conducted in conjunction with the U.S. Department of Energy as part of the federal EEOICPA process in 2005," Snyder wrote in her e-mail response.

In her e-mail Snyder quoted several items from the CDC report that specify areas where contamination was not found.

"There is no evidence of any environmental radiological impact at the Kansas City Plant," is one area Snyder flagged from the report in her e-mail. "No documentation has been found to indicate any significant off-site levels of contamination – no off-site airborne concentrations," the report says.

"Air and water effluents have been monitored routinely to assess compliance with relevant criteria," made Snyder's list of key findings in the report, along with, "intakes after 1972 are not likely" according to the CDC report.

Since launching our investigation in November, NBC Action News has identified about 300 illnesses and/or deaths among former workers at the complex.

About half are from workers from the GSA side.

"We've got doctors and scientists who are coming in to go through all that information with a fine toothed comb," Klumb said.

In addition to this interview, over the past two weeks, Klumb and the GSA have shown new levels of transparency.

"The current issue is primarily one of communication and it's my responsibility to address it," Klumb said.

Klumb is now calling on NIOSH to expand its investigation to include health concerns of former workers.

"These are not the kinds of questions the GSA normally deals with," Klumb said. "That's why we've turned it to the experts at NIOSH."

Klumb has also created a website with public access to

past and on-going tests on the GSA controlled property.

To access reports made public on the GSA's website, click here .

To see our original uranium investigation, click here .

. Posted: 05/07/2010

KANSAS CITY, Mo. – Hundreds of interviews and health surveys conducted by NBC Action News have uncovered what health experts call "an alarming number" of an otherwise rare condition among 13 former workers at the Bannister Federal Complex.

All of the former workers are now dead, including Diana Boyce's husband, Gene, who worked at the Bannister Federal Complex.

"When will I get over this?" Boyce said while looking at old family photos. "It's difficult. It's only been 22 months."

Boyce's husband and the 12 others died of pancreatic cancer.

University of Missouri-Kansas City Professor Marcus Iszard analyzed the list of hundreds of sick and dead workers whose information we've gathered from surveys and interviews through our five month investigation.

Iszard teaches toxicology to UMKC pharmacy students searching links between toxins and disease.

State cancer registries estimate an annual average of one pancreatic cancer death in a population of 10,000 people.

Experts say on average most of the victims should be over the age of 60.

But out the of the 13 pancreatic cancer deaths reported to us by family members of Bannister Federal Complex workers, there were three cases in 2007 alone.

Most were under the age of 60.

Four of the rare cancers came from the Defense Finance and Accounting Service where former employees estimate about 1,000 employees worked.

The four DFAS employees were diagnosed with pancreatic cancer at an average age of 55, which is statistically rare according to medical experts.

"That's problematic," Iszard said. "Is this alarming? Absolutely."

Family members reported the DFAS employees as being diagnosed with pancreatic cancer between 1997 and 2008.

To estimate the expected average for a similar population of employees to be diagnosed with pancreatic cancer at an average age of 55 over an eleven year period, a researcher at the National Cancer Institute ran a model at the request of NBC Action News.

The model begins with healthy employees at the age of 44 and ends eleven years later at the age of 55.

"On average, out of 1000 people age 44, less than 1 (0.8 people) will develop pancreatic cancer by age 55," said Eric J. "Rocky" Feuer with the National Cancer Institute. "To translate this into other terms, 0.8 out of 1,000 people,"

The rate of pancreatic cancers among DFAS workers reported by family members is five times higher than the average created by the National Cancer Institute model according to Prof. Iszard's analysis.

"The number of individuals to be diagnosed with pancreatic cancer in such close proximity to a working area," Iszard said. "I just found it very phenomenal."

Iszard warns more research is necessary before classifying a cancer cluster.

"You're one or two steps from being able to say it's a cancer cluster," Iszard said. "It signals a cancer cluster, but I can't say for sure. You have to have more scientists take a look."

Feuer says the numbers could shift dramatically depending upon ages and other variables.

"If you are talking about an office building full of people, and investigating the probability of them developing pancreatic cancer over 11 years, the age mix of the people in the building is critical," Feuer said. "Just doing the calculation using the average age might not yield the correct answer, since the incidence of pancreatic cancer increases rapidly with age."

"I didn't want to believe in the beginning that this whole issue with Gene could have possibly been related to his work, but the more that I'm seeing, the more I'm reading...the more that I'm hearing, I'm starting to wonder," Diana Boyce said.

Gene Boyce's office was next to the sealed doors that connect the General Services Administration side of the Bannister Federal Complex to the Kansas City Plant where workers make parts for nuclear bombs.

That's where Diane Price's husband Terry worked near classified materials.

"He never would tell me what he did other he worked on parts," Diane Price said. "That was as much as I knew. And that was as much as he could tell me."

He died of pancreatic cancer, too.

"We asked three different doctors," Price said, "None of them could tell us why he had pancreatic cancer."

Since the launch of our investigation five months ago, the families say not one government investigator has documented their cases.

When we brought that to the attention of U.S. Rep. Emanuel Cleaver, D-Mo., he promised to change that.

"We want the information." Cleaver said. "The CDC, whether they are asking for it or not, they need it. I will let them know they need it."

The families of the dead workers will be waiting.

If you are a former Bannister worker with health concerns you can report your case to the NBC Action News Investigators by clicking here.

To see all the stories we've published about the Bannister Federal Complex, click here.

These Bannister Federal Complex workers all died of pancreatic cancer:

- Robert Middleton, Jr. was diagnosed in 2005 and died at age 55. He worked at the GSA from 1980-2005.
- Bernard J. Drees was diagnosed in 1968 and died at age 34. He worked at the Kansas City Plant from 1958-1968.
- Marion Giorgini was diagnosed in 1987 and died at age 64. He worked at the Kansas City Plant from 1951-1987.
- Don C. Beymer was diagnosed in 1997 and died at age 58. He worked at GSA-MCFS/DFAS from 1984-1998.
- Joe Kondas was diagnosed in 2000 and died at age 46. He worked at GSA-MCFS/DFAS from 1975-2000.
- Mildred Wright was diagnosed in 2003 and died at age 74. She worked at GSA-IRS from 1979-1990.
- Donald D. Smith was diagnosed in 2004 and died at age 63. He worked at the Kansas City Plant from 1964-2005.
- David Owsley was diagnosed in 2006 and died at age 58. He worked at the Kansas City Plant from 1969-2007.
- Terry Price was diagnosed in 2006 and died at age 49. He worked at the Kansas City Plant from 1977-2006.
- Dorys Ann Wilson was diagnosed in 2007 and died at age 72. She worked at GSA-IRS from 1979-2003.
- Keith Kuhn was diagnosed in 2007 and died at age 55. He worked at GSA-MCFS/DFAS from 1972-2003.
- David Johnson was diagnosed in 2007 and died at age 57. He worked at the Kansas City Plant from 1991-2007.
- Gene Boyce was diagnosed in 2008 and died at age 59. He worked at GSA-MCFS/DFAS from 1985-2008.

Posted: 04/30/2010

KANSAS CITY, Mo. - The Environmental Protection Agency Friday announced a deal to put the agency in charge of toxin investigations and cleanup at the Bannister Federal Complex.

The pact, called an Environmental Working Agreement, takes oversight away from the General Services Administration and makes the EPA the policing agency.

The GSA initially denied receiving a worker generated list of cancer victims at the complex that was later found in the agency's records by an NBC Action News investigation that has uncovered hundreds of worker illnesses.

Barbara Rice, a sick former worker who sparked the NBC Action News investigation by making her own list of sick friends wept at news the EPA was taking over.

"I just had no clue a year ago when I was putting together a spread sheet that it was going to become all this," Rice said. "All I was doing was just asking a question of this can't be a coincidence."

U.S. Rep. Emanuel Cleaver, D-Mo. called the agreement a landmark move towards finding answers.

"I think the best thing to do is what the Environmental Protection Agency is doing: finding out exactly what's there," Cleaver said. "If nothing is there the people need to know. If something is there we need to move and move expeditiously."

"This is a step in the right direction to provide the workers and the Kansas City community the answers they need and deserve," said Sen. Kit Bond, R-Mo.

Bond has called independent investigations after learning the NBC Action News investigation used Freedom of Information Act documents to show GSA officials knew of the worker compiled list of cancer victims.

According to the EPA statement, the agency signed a pact outlining plans to investigate and manage environmental conditions on the GSA's side of the facility.

The GSA shares space at the facility with the Honeywell managed Kansas City Plant where workers manufacture parts for nuclear bombs.

On the side of the plant where workers make non-nuclear bomb parts there is a long history of government documented illnesses that the U.S. Dept. of Labor has linked to likely causation from toxins.

There had been no government investigation into illnesses at the GSA side of the plant where Rice and others sick former workers had offices until our investigation.

"We didn't work with chemicals," Rice said. "We had no idea of what was going on next door to us. I'm just so thankful that somebody is going to look into this."

"The government has a responsibility to look at any possible link between what goes on at the facility and maladies that are being experienced by workers or former workers," Cleaver said.

According to the EPA statement, GSA will continue be responsible for its own site investigations and clean-up, but the actions will be supervised by the EPA.

"I remain committed to serving our tenants at the Bannister Federal Complex and being a good neighbor in the south Kansas City community," said the GSA Regional Administrator Jason Klumb in a statement. "I expect the EPA agreement and formation of the two councils to enhance our already thorough environmental program."

In addition to EPA probes, the Centers for Disease Control's National Institute for Occupational Health and Safety, and the Office of the Inspector General of the GSA have launched independent probes.

Posted: 04/21/2010

KANSAS CITY, Mo. - Congressional aides, staff from the mayor's office and an official with the Kansas City Health Department will be among officials listening to sick workers from the Bannister Federal Complex Wednesday night.

"This town hall is an important venue for workers and their families to share their experiences," Senator Kit Bond R-Mo. said in a statement. "Not only do these workers deserve answers about the safety of the Bannister Complex, it is also important that their elected officials understand their concerns."

In addition to staff from Bond's office, spokespersons for the offices of Sen. Claire McCaskill, D-Mo. and U.S. Rep. Emanuel Cleaver say they will have staff assigned to the town hall meeting which begins at 6:30 Wednesday night.

"We plan to have someone there to monitor the meeting," said Mark Seittman, spokesman for Kansas City Mayor Mark Funkhouser.

The manager of the air quality program at the Kansas City Health Dept. will also be attending according to an agency spokesperson.

This is the first town hall meeting organized by a public official since an NBC Action News investigation identified hundreds of illnesses, many fatal, suffered by current and former workers.

The NBC Action News reports prompted probes by the multiple state and federal agencies including the Centers for Disease Control, the Environmental Protection Agency, and the Office of the Inspector General at the GSA.

Many former workers have expressed concerns that new federal investigations still haven't contacted them or included their health concerns.

"We will have staff there," said Danny Rotert, spokesperson for Congressman Cleaver. "We continue to try and assist those who have contacted our office for help, and will be happy to take the information of those who will be meeting Wednesday night."

County Executive Mike Sanders facilitated tonight's meeting at the request of sick workers,

according to a Sanders assistant.

The General Services Administration initially denied knowledge of a list of cancers reported by employees but documents uncovered by Freedom of Information Act requests show the GSA knew about those concerns and other health fears going back to the 1990's.

The GSA offices share common walls with the Kansas City Plant which produces non-nuclear parts for nuclear weapons.

At the Kansas City Plant the federal government has received more than 1,500 illness or death claims linked to toxins and has paid out more than $23 million according to a U.S. Dept. of Labor website that tracks a compensation program there.

The meeting is being held April 21 between 6:30 p.m. and 8:00 p.m. on the second floor of the Jackson County Courthouse in the Legislative Conference Room. The courthouse is at 415 E. 12th St., Kansas City, Mo.

Posted: 04/21/2010

KANSAS CITY, Mo. – The Sierra Club and an anti-nuclear group are petitioning the government to include the Bannister Federal Complex on the Superfund National Priorities List.

Hundreds of illnesses and/or deaths involving current or former workers at the complex have been identified by an NBC Action News investigation.

The Sierra Club and Physicians for Social Responsibility cited health hazards and illnesses uncovered by the NBC Action News investigation in making its request.

"The recent admissions of factual and potential harm, and the complete loss of the public's trust that their government can protect workers and the public from occupational and environmental health hazards at the complex, it is long overdue for the EPA to reassess the threats posed by this facility, deemed by the U.S. Department of Energy to be "polluted into perpetuity," said a news release announcing the Sierra Club's petition.

Government officials say tests show there are no abnormal health risks to workers at the complex.

The facility is already cited on the Environmental Protection Agency's Superfund list, but a designation on the National Priorities list could make a difference in funding the clean-up of known toxins at the site.

"Only sites on the NPL are cleaned up under the Superfund program," according to an EPA website.

"The public doesn't understand how the government allowed the discharge of hazardous pollutants to continue for so many decades after the government acknowledged their existence," the news release. "The public interest is in the public health and the environment, both of which have been gravely harmed by the continuing discharge of hazardous pollutants for a very long time."

Posted: 03/16/2010

KANSAS CITY, Mo. – A former worker at the Bannister Federal Complex lobbied in Washington this week for worker participation in new federal probes into health concerns.

"We asked for them to be more transparent in the monitoring process and to reveal the specifics and open up the findings as soon as possible," said Maurice Copeland, a former Kansas City Plant employee. "Also we asked for the creation of an advocacy group to monitor the investigation."

Copeland and a group met with staff from Sen. Claire McCaskill, D-Mo., Sen. Kit Bond, R-Mo., and Congressman Emanuel Cleaver, D-Mo.

The CDC's National Institute for Occupations Safety and Health, the Inspector General's Office of the General Services Administration, and the Environmental Protection Agency are among multiple agencies that launches probes into the facility after an NBC Action News investigation uncovered a list of about a hundred sick or dead former workers.

Officials at the complex have maintained that independent tests have shown there are no unusual health risks at the facility.

Posted: 03/09/2010

KANSAS CITY, Mo. – The General Services Administration has budgeted about $228 million to move its workers out of the Bannister Federal Complex and into a new office building according to documents released by Sen. Kit Bond, R-Mo.

"This first step is a victory for the community – all of the stakeholders stuck together to break a bureaucratic log jam for a project that keeps good paying federal jobs in the city and saves taxpayers money," Bond said in a statement lauding the GSA announcement in a budget released to lawmakers in Washington.

Bond has been a vocal critic of the GSA and until last month had blocked President Obama's appointment of a new GSA director because the agency had not yet moved forward on the proposal for the downtown office building.

The proposal to move about a thousand workers currently assigned to the Bannister Federal Complex the new downtown space hasn't been assigned a target completion date, but is number 20 on a priority list of new GSA building proposals.

Since an NBC Action News Investigation uncovered a list of sick and dead workers from the facility, Bond has also expressed concerns about health issues at the facility.

Posted: 03/04/2010

KANSAS CITY, Mo. – Former workers and environmental activists say they had no idea the Bannister Federal Complex, 1500 E. Bannister Road, is listed as a Superfund site with the Environmental Protection Agency.

"I guess the government forgot to tell anybody in Kansas City," said Scott Dye with the Sierra Club. "It's not on any Superfund list that I've seen."

"It's confusing that over the years that if they've even considered that, that they wouldn't tell the people that were working there," said former weapons plant worker Maurice Copeland. "No, I never heard it."

Superfund is the status the government assigns to abandoned hazardous waste sites empowering the EPA to clean them up and to force land owners to comply with safe standards.

"They were designated as Superfund listings to ensure action was taken to mitigate any threat to human health and to ensure that they do not pose a human health threat in the future," David Bryan with the Environmental Protection Agency said. "They must be tracked to ensure there is no health hazard in the future."

An NBC Action News investigation has uncovered a list of about a hundred dead and sick workers from the General Service Administration side of the facility and about 1500 claims of toxin related illnesses on the weapons side of the plant, according to a government report.

Dye said even EPA representatives at a recent public meeting on contamination at the Bannister plant were confused.

"When I pinned down (the EPA official) at the meeting, she tried to deny it, but wilted when I produced the EPA Superfund letter," Dye said. "She relented and said she would get me the exact date the Bannister Federal Complex was designated. It took two more whacks upside the

head, but the cat is out of the bag now."

Dye said it took a week before the EPA confirmed the plants Superfund status by e-mail.

A spokesman for the EPA says the layers of Superfund designations make answers complex.

"Partial answer, the site has been a Superfund site referred to as "DOE Kansas City Plant - Bendix" said Bryan. "If you look at the chart, you will see that it is segmented into smaller "baby" sites that are named for the area that they encompass."

The EPA chart Bryan provided shows 15 "baby" Superfund sites at the Bannister Federal Complex.

"I am wondering if you are confusing Super Fund with National Priorities List" Bryan said. "This site has never been on the National Priorities List but is on the Superfund list."

The National Priorities List prioritizes further investigation at sites known as release threats of hazardous substances.

"The entire complex was designated and listed in the Superfund database in portions, all in 1987," Dye said. "By scoring it low in the Hazard Ranking System, that's a sick joke, literally, they were able to keep it off the National Priority List and deal with it quietly.

According to the Missouri Department of Natural Resources the soil and ground water at the site are contaminated with solvents, metals and petroleum contaminants.

The U.S. Dept. of Labor has established a list of the following known toxins used at the plant during its history:

Posted: 03/04/2010

- By: Russ Ptacek

KANSAS CITY, Mo. – Sen. Claire McCaskill, D-Mo., and Congressman Emanuel Cleaver, D-Mo. are joining Sen. Kit Bond, R-Mo., in the call for investigations into deaths and illnesses of current and former workers at the Bannister Federal Complex.

The statements come one day after NBC Action News broadcast an investigation documenting a worker's fears her illnesses could be linked to a 1989 radioactive contamination incident

documented in a Centers for Disease Control agency report.

"It's clear that the government needs to take another look at the contamination issues related to the Bannister complex," McCaskill said in a statement. "I think the ongoing Inspector General investigation will bring some of these much-needed answers."

"A full and independent investigation of the health concerns raised by the employees of the Bannister Federal Complex is in order," Cleaver said. "All of our federal employees deserve to work free of fear and without hazard."

The Inspector General was called into the probe by a demand for Bond after seeing our story that uncovered documents contradicting government claims.

"Maybe now that there is bipartispan alarm about GSA's lack of concerns for Bannister workers this Administration will pay attention."

General Services Administration officials initially claimed they knew nothing about a cancer scare involving about a hundred employees.

Our investigation uncovered e-mails notifying high level GSA officials about the cancer scare months before our interview where officials denied knowledge.

The CDC report indicates in 1989 plant safety crews searched the homes of four employees after an "incident" involving the radioactive material promethium and found "contamination."

The report indicates tests showed the employees did not get the substance in their systems.

"The IG is independent from the various government agencies involved with the plant, and they will be able to determine whether there were additional incidents of contamination, inside or outside the plant," McCaskill said. "My staff and I will continue to follow-up on this situation as things move forward."

Officials at the facility maintain safety controls and environmental testing indicates workers are safe.

"My office has met with some of the employees and their families, and for their sake, we need to get to the bottom of this," McCaskill said.

"I am a former employee of the Complex, so this is very personal to me," Cleaver said. "I urge any resident of Missouri's Fifth District, who is a current or former employee, and is concerned and in need of assistance to contact my office."

Bond's office has also encouraged concerned employees or neighbors of the plant to call his their offices.

Cleaver's office provided the following number: 816-842-4545. Senator Bond's office can be reached at 573-634-2488.

Posted: 03/03/2010

- By: Russ Ptacek

KANSAS CITY, Mo. – The arrival of men with a Geiger counter, rubber suits and face masks at the homes of former Bannister Federal Complex workers marked the only known residential contamination incident and a health mystery that's lasted two decades.

An NBC Action News review of government documents and interviews with witnesses indicates government workers went to not only Ivory Mae Thomas' home, but actually searched the homes of four workers, and found contamination during a 1989 incident where a radioactive material got outside the plant.

"I don't know what it was," said Thomas, now 82 years old. "They said radiation. That's the only name I knew about it and I know when I stepped in it that my health started going down."

Thomas blames the contamination from the Kansas City Plant for her heart failure, lung problems and a tumor in her chest.

Although Thomas says she was never told specifically what the men were looking for, our investigation has determined the men were looking for promethium, a radioactive substance used at the Kansas City Plant where they make non-nuclear parts for nuclear weapons.

"Until now, I knew nothing about what she was exposed to," said her son, David Hunt.

Hunt believes radiation contamination may be responsible for his prostate cancer as well.

"Today, I'm glad to find out. At least we know what she was exposed to. It's a mystery that we've been trying to find out for a long time," said Hunt.

"That was an unfortunate industrial accident," said KCP safety officer Pat Hoopes.

"That was an unfortunate industrial accident," said KCP safety officer Pat Hoopes. "There would have been no expected health issues from that."

It was in an interview with Hoopes that we were able to connect Thomas's contamination story to a 1989 plant accident involving promethium, a radioactive material.

"She did walk around in area that had low-level promethium," Hoopes said.

Although U.S. Dept. of Energy officials and the Kansas City Plant have not disclosed details about the incident, Hoopes briefly discussed the promethium event during a November 2009 interview when we began our initial investigation into illnesses at deaths of current and former workers at the Bannister Federal Complex.

"I've been here 23 years," Hoopes said. "I know Ivory Mae. There in the late eighties, there was a radioactive source. It is something they use in industry all the time. It did leak a little bit of low level."

"The homes of 4 KCP workers were inspected and some contamination was found." according the most recent site report on the Kansas City Plant from the National Institute for Occupational Safety and Health at the Centers for Disease Control. "There were undoubtedly many activities to identify the cause and extent of this contamination."

The report, prepared in 2006 by Oak Ridge Associated Universities under contract with NIOSH, says there are "several radioactive sources that can be fragile and relatively unsealed" at the Bannister Federal Complex plant.

Hoopes said there has only been one contamination incident at the plant of which he is aware.

He disputed accounts from Thomas and her son that she was not given details about the exposure.

"They did go there with a Geiger counter," Hoopes said. "She was given all the information about it, whether she understood it or not."

Thomas was a housekeeper at the Kansas City Plant, but she says she suffered a series of debilitating illnesses after the incident that forced her to retire early.

"I couldn't even walk the stairs," Thomas said. "I couldn't use the buffer any more. I hardly could dust."

"We almost lost her twice," said Hunt describing hit mother's surgery where doctors removed a tumor from between her heart and lungs. "Each time was for surgeries and for the things she went through."

A report on a 2005 meeting between NIOSH officials and union workers from the facility indicates employees expressed concerns that they were not warned about possible exposure.

"The plant wanted the exposed workers to bring their cars inside of the plant so that they could

be checked for radiation," an ORAU summary of the meeting states. "For security reasons, the guards had to search the cars that were brought in. The guards were never told about the possibility of radiation being inside the cars."

The NIOSH site profile indicates there was initial concern about promethium being identified in workers' bodies, but initial exposure tests "eventually were determined to be false-positive."

The report indicates the only known radioactive material at the Kansas City Plant to have tested positive in worker urine tests as depleted uranium.

"Scared me to death," Thomas said recalling the incident. "I stepped in radiation in that area and I needed some work done on me real quick."

She says officials sent her to the emergency room and forced her to take tests but she claims she does not know the results.

"They got rid of all my items," Thomas said, "my shoes, my socks, my apron and they cleaned me up real good."

"Getting it on ones skin could cause absorption through the skin," said University of Missouri-Kansas City nuclear scientist Tony Caruso. "The tell-tale sign here is the urine analysis to determine the uptake."

In addition to needing health records from the event, Caruso said information is needed about how much contamination Geiger counters recorded to determine a threat.

"Only from here can we make a well-formed determination," Caruso said about linking exposures to an incident.

"If the exposure time or amount is severe enough, with a sufficiently radioactive material, it can result in cancer or radiation sickness," said Kansas City Health Department spokesperson Jeff Hershberger. "On the other hand, we must remember that we are all naturally exposed to radiation every day. Some exposures are far less than getting a single x-ray, and some are far more."

Caruso, a physics professor, said if not properly cleaned, a small percentage of the radioactive elements of promethium could still be present two decades later.

Promethium is used in batteries, rifle sites and for measuring gauges according to Caruso.

"If there are still measurable amounts of promethium on the persons or at their homes (or vehicles) after 20 years, that's a big deal." Caruso said. "As an analogy, for Chernobyl victims and their children, some 24 years later, there is (radiation) that can be detected."

Caruso says as long as promethium doesn't get in a worker's system through skin contact or

accidental ingestion, it doesn't pose as much risk as many other radioactive materials.

Caruso says, overall, promethium is not nasty.

"It was purposely chosen to work with in nuclear batteries for pacemakers in the 70's because of the low gamma emission," said Caruso.

A spokesperson at the Kansas City Plant did not respond to our repeated requests for details on the event.

"The Kansas City Plant is open and communicative with its employees and stakeholders about the type of work done at the plant, materials used, and safety of the work environment," said plant spokesperson Tanya Snyder in a two sentence e-mailed statement on the incident. "Any other representation is an inaccurate characterization of the plant's operations and nationally-recognized safety and health management practices."

"I am aware that publically available documents claim that contamination was found in four homes," National Nuclear Security Administration spokesperson Damien Lavera said in an e-mail.

"A 385-page report of the investigation, issued in September 1989, concluded that there was no potential intake, even though contamination was found in some of the workers' homes and cars," Lavera said quoting the NIOSH report. "Further, that summary indicates that 'There is no evidence of any environmental radiological impact at the Kansas City Plant. No documentation has been found to indicate any significant off-site levels of contamination – no off-site airborne concentrations.'"

Although we have filed a Freedom of Information Act to obtain the 385-page report on the promethium incident, the DOE has not released it or disclosed details of the event.

"I am not in a position to provide any additional information beyond what you already have," Lavera wrote. "The FOIA process you initiated will identify the report in question, locate a copy of it, and review it for release to the public."

"As we have discussed with you in the past, our Kansas City Plant is one that has been recognized for its record of achievement in health, safety and management," Lavera said.

Thomas and her son just want answers about the specific exposure to her and her home.

Posted: 02/25/2010

KANSAS CITY, Mo. – EPA officials say a move is underway for toxin sampling of the entire side of the Bannister Federal Complex controlled by the General Services Administration.

Officials made the announcement at an EPA meeting to discuss initial results from sampling conducted in the day care area of the complex and in nearby offices.

"My health is very bad," said Karen Lauritzen who used to work in the day care center. "I have COPD. I had a total of 23 tumors removed during the time of being employed at the complex. I've had pneumonia seven times. I had a hysterectomy at the age of 40."

Lauritzen questions the EPA's initial results which haven't found any health concerns.

"I don't believe it," Luauritzen said. "I worked there 10 years."

An NBC Action News Investigation has uncovered a list of dozens of sick and dead former workers from the complex.

Although the initial EPA testing was in a small portion of the sprawling Bannister Federal Complex, official announced plans to expand testing for toxins to the entire GSA controlled side of the facility.

"Comprehensive is the way I understand it," said EPA spokesman Rich Hood.

The announcement came on the same day that a Centers for Disease Control official announced the agency's National Institute for Occupational Safety and Health is opening a health hazard evaluation in the GSA controlled office space at 1500 E. Bannister Road.

EPA officials revealed the expanded testing discussions while reviewing results of the initial tests completed at the day care center and a nearby building at the complex.

"One round of air sampling," said EPA spokesman Chris Whitley describing the tests. "There does not appear to be a health risk, but we're not done. We have a lot more work to do."

According to EPA officials the testing did document toxin vapors beneath the buildings.

The sampling identified trichloroethylene (TCE) and percholoroethylene (PCE), but not at levels that created health risks, according to an EPA report.

Many at the meeting were skeptical of the way the government is investigating..

"I'm happy that it's happening, but it's not happening right," said Maurice Copeland a former employee at the neighboring weapons plant. "They still haven't talked to the sick people."

Hood told participants at a town hall-style meeting Thursday night that the EPA would supervise

the testing which is now being negotiated between the GSA and the Missouri Dept. of Natural Resources.

No one from GSA attended the meeting, but officials there have maintained that earlier testing shows the facility is safe.

Posted: 02/25/2010

KANSAS CITY, Mo. - An official with the Centers for Disease Control says the agency is launching a health hazard investigation at the Bannister Federal Complex.

According to Fred Blosser with the CDC's National Institute for Occupational Safety and Health, officials on the General Services Administration side of the complex requested the probe.

The GSA has been the government landlord for agencies like USDA, IRS, Defense Finance and Accounting Service, U.S. Marine Corps, and other agencies at 1500 E. Bannister Rd.

"There is no one-size-fits-all for these evaluations," Blosser said about the scope of the investigation. "It really depends on the given situation."

Blosser said investigators sometimes send technicians to the sites of a health hazard investigation.

"That may take the form of taking environmental samples in the workplace, trying to determine if or what contaminants might be present, assessing the health and medical questions of employees through questionnaires and examination of medical information," Blosser said.

The NIOSH spokesman said it was unclear when the GSA requested the review, but that, "it appears that it was fairly recently, maybe just in the past few days."

Our NBC Action News investigation has identified dozens of sick and dead former workers on the GSA side of the complex where current EPA tests, prompted by our investigation, are sampling for toxins.

A U.S. Dept. of Labor Web site lists about 1400 worker toxin linked illness claims from the neighboring Kansas City Plant at the complex, where they produce non-nuclear parts for nuclear weapons.

Officials from both sides of the complex say they have done their own tests which indicate the facility is safe.

"They're reporting cases of death and illness among their own," Blosser said. "There is as I understand from the information I've seen, the incidence of cancer that is extremely complex to assess in terms of trying to determine if the workplace is the cause of the cancer."

Thursday night the EPA held a "Public Availability Session" for people interested in current testing on the GSA side of the facility. The EPA meeting took place at Evangel Temple Assembly of God, 1414 E. 103rd St., Kansas City, Mo., 64131.

Posted: 02/24/2010

KANSAS CITY, Mo. – About 50 former workers from the Bannister Federal Complex discussed legal and health issues at a town hall meeting on toxin exposure concerns for employees and their children.

Most participants in Tuesday's meeting at the Bruce R. Watkins Cultural Heritage Center had never met before.

The only thing they had in common was their employment at the Bannister Federal Complex and their illnesses.

Former General Services Administration employee William Townsend was one of the workers who listed off health problems.

"Liver, then gallstones, gallbladder problems, and kidney tumor," Townsend said.

About half of the participants indicated they had their own health problems or were there representing someone who had already died.

"He was my husband," said the Phyllis Gilmore, widow of a former Kansas City Plant employee. "He died of an astrocytoma brain tumor."

Officials at the Kansas City Plant and the GSA side of the complex have said their tests show the facility is safe.

The Bannister Federal Complex is made up by The Kansas City Plant which manufactures non-nuclear parts for nuclear weapons and GSA offices which are separated from the plant by sealed doors and a concrete wall.

A Dept. of Labor website identifies 785 known toxins used at the Bannister Federal Complex over the years including TCE, PCBs, boron, beryllium, uranium, and other radioactive materials.

"First thing we've got to have is a letter from your doctor," said Tom Thompson, a Kansas City

Attorney who specializes in cases from the Bannister Federal Complex.

Thompson explained complex compensation programs that he says could assist workers.

At nbcactionnews.com, we've posted an unedited recording of Thompson's comments on legal advice for ill workers.

Former workers from the weapons plant put the meeting together, but many at the meting, like Townsend, were from the GSA side of the complex where our investigation has uncovered dozens of deaths and illnesses.

"I worked for the child care center and I am now suffering from COPD, emphysema, and severe bronchitis," said Karen Lauritzen.

So far, the latest round of EPA tests, prompted by our investigation, at the daycare hasn't identified any risks. More tests are planned.

Thursday, the EPA is holding a separate "Public Availability Session" for people interested in current testing.

The EPA meeting is from 6:30 p.m. to 8:30 p.m. February 25, at Evangel Temple Assembly of God, 1414 E. 103rd Street, Kansas City, Mo., 64131.

The GSA provided the following number for concerned employees to report health concerns: (816) 926-7201.

As workers on the west wing wait for some sort of explanation for what happened to them, there are several resources available for those who fall ill on the other side of the building.

Former Kansas City Plant workers from the east wing who may have been exposed to hazardous substances can call the National Supplemental Screening program for free health screenings at 1-866-812-6703.

Workers who performed construction at the Kansas City Plant can call the Building Trades National Medical Screenings Program at 1-800-708-9663.

The Energy Employees Occupational Illness Compensation program, which benefits workers with serious illnesses due to toxic exposures while working in the east wing of the Bannister Federal Complex at the Kansas City Plant, can be reached at 1-866-888-3322.

Posted: 02/22/2010

KANSAS CITY, Mo. – The Inspector General's office of the General Services Administration has launched a new probe into health concerns at the Bannister Federal Complex according to a spokesperson for Senator Kit Bond (R – Mo.).

Bond called for an investigation after we uncovered documents indicating GSA officials knew about cancer fears amongst employees while officials were denying such knowledge.

"The Senator told the IG that he got wind of this story because of your work and the IG is extremely interested in the materials the Senator told them about," Bond's spokesperson Shana Marchio send in an e-mail to me.

Our investigation identified dozens of sick and dead workers from the GSA side of the federal complex and a government database that lists more than 1400 toxin related claims from workers at the nearby Kansas City Plant.

Spokespersons from both sides of the complex maintain the facility has documented safe working conditions.

The Office of the Inspector General is an independent internal affairs agency responsible for investigating accountability and integrity issues within the GSA.

The agency "is coordinating with other investigative arms of the government," Marchio said.

The Inspector General's office has not returned my calls.

Bond's office says the Senator also met with a high level GSA official Monday to inquire about the worker fears.

"The Senator found GSA's answers on workers' health concerns unsatisfactory - unfortunately that was not a surprise considering their track record," Marchio said.

A GSA spokesman did not immediately reply to my request for comment.

Tuesday from 2 until 4 p.m. at the Bruce R. Watkins Cultural Center, former workers of the Kansas City Plant are holding a meeting to discuss toxic contamination and health concerns.

Posted: 02/22/2010

KANSAS CITY, Mo. – The Environmental Protection Agency and a group of former workers from the Kansas City Plant are holding two separate meetings this week to discuss concerns about toxins and the possible health impact at the Bannister Federal Complex.

An NBC Action News investigation has identified dozens of sick and dead former workers on the GSA side of the complex where current EPA tests are sampling for toxins.

A U.S. Dept. of Labor website lists about 1400 worker toxin linked illness claims from the Kansas City Plant, where they produce non-nuclear parts for nuclear weapons.

The EPA is holding a "Public Availability Session" for people interested in current testing.

The EPA meeting is from 6:30 p.m. to 8:30 p.m. on Thursday, February 25, at Evangel Temple Assembly of God, 1414 E. 103rd Street, Kansas City, Mo., 64131.

The EPA says environmental health and science experts will answer questions from the public.

Former workers from the weapons plant, in conjunction with Physicians for Social Responsibility, are holding a town hall meeting Tuesday.

The meeting will discuss health concerns for plant neighbors, workers and their family members, as well as the efforts of environmentalists to challenge conditions at the facility legally.

The town hall meeting is scheduled Feb. 23 from 2 to 4 p.m. at the Bruce R. Watkins Cultural Heritage Center, 47th and Blue Parkway

Posted: 02/18/2010

KANSAS CITY, Mo. – A government report is stirring new concerns about health issues at the Kansas City Plant in the Bannister Federal Complex. The report documents one-time depleted uranium machining, contamination by airborne depleted uranium, and depleted uranium exposures to workers at the plant.

"It's absolutely scary," says Doug Rokke, a former U.S. Army depleted uranium scientist and controversial expert on DU. "It's a disaster because you can't clean it up. It's going to be there forever."

Rokke believes radioactive dust from depleted uranium could explain dozens of deaths and illnesses at offices that adjoin the plant.

The Centers for Disease Control report analyzes radiation risks for workers from two depleted

uranium programs operated at the Kansas City Plant which produces non-nuclear parts for nuclear weapons.

Oak Ridge Associated Universities created the report, titled "Site Profile for the Kansas City Plant", in 2005 for the CDC's National Institute for Occupational Safety and Health.

"KCP had substantial quantities of (depleted uranium) on the site at various times," the report says. It quotes documents indicating at times depleted uranium oxide at the weapons plant "was ordered in 10,000-pound lots".

"Air sample data indicate that airborne contamination existed," the CDC report says. "It is reasonable to assume that intakes of DU from 1959 through 1971 were chronic unless the individual's dosimetry records indicate otherwise."

The report serves as the CDC's current site profile for the weapons plant.

"The primary workplace exposure was associated with machining items containing (depleted uranium) oxide from 1959 to 1971," the report says.

Officials at the Kansas City Plant have declined our interview requests. A spokesperson did send us an e-mail statement.

"The use of radiation at KCP is consistent with common industrial processes such as x-ray and equipment calibration and depleted uranium is often used in commercial aircraft because of its density," said plant spokesperson Tanya Snyder in an e-mail. "KCP is open and transparent in providing information about the type of work done at the plant, materials used, and types of safety controls in place."

Snyder has not responded to specific questions about how DU has been used or about potential uranium related health concerns.

"The publicly available NIOSH study you cited in your e-mail was conducted in conjunction with the U.S. Department of Energy as part of the federal EEOICPA process in 2005," Snyder wrote in her e-mail response.

In her e-mail Snyder quoted several items from the CDC report that specify areas where contamination was not found.

"There is no evidence of any environmental radiological impact at the Kansas City Plant," is one area Snyder flagged from the report in her e-mail. "No documentation has been found to indicate any significant off-site levels of contamination – no off-site airborne concentrations," the report says.

"Air and water effluents have been monitored routinely to assess compliance with relevant criteria," made Snyder's list of key findings in the report, along with, "intakes after 1972 are not likely" according to the CDC report.

Rokke says depleted uranium is dangerous in an airborne form. Rokke supports his claims with personal research and personal experience.

"Because depleted uranium dust from manufacturing is so fine, and the contamination is so great, if it was there 50 years ago, 20 years ago, it is still going to be there today," Rokke said.

Rokke now lobbies against the use of depleted uranium and says his studies have linked the radioactive element in DU to a litany of diseases including cancers, skin conditions, neuropathy and birth defects.

More than 150 former workers from the GSA controlled offices at the Bannister Federal Complex and the weapons plant side of the facility have reported illnesses to NBC Action News including beryllium disease, respiratory problems, brain cancers and tumors, lung cancer, fibroid tumors, conditions requiring hysterectomies, still births, ovarian cancer, and skin cancer.

"The health effects and medical problems that we have seen in your workers at your plant match those that we have for those of us that were exposed in combat," Rokke said.

"The risks were absolutely unacceptable and the risk continued throughout the whole time the plant was in operation," Rokke said after reviewing the report on the Kansas City Plant.

Rokke links his own failing health condition, and that of several colleagues to their personal exposures to depleted uranium while studying it for the Army.

"What happened to us personally trashed my lungs and everybody else's and caused some lung cancers," Rokke said.

Government studies contradict many of Rokke's findings.

The CDC report says an ongoing depleted uranium program at the Kansas City Plant, since 1997, creates "minimal" risk to employees because "the uranium does not become volatile", due to a process where parts are rinsed in water and dried before handling.

The report does not reveal quantities of uranium at the weapons plant in the current program, but says a receipt from the earlier program indicated the plant purchased 10,000-pound lots of depleted uranium oxide at a time.

"In short, DU exposure in the military context has not shown to be a serious health risk," said Peter Graves with the U.S. Dept. of Defense Force Health Protection & Readiness Policy & Programs. "The Military Health System is not seeing any health effects related to DU exposure."

An ongoing examination of veterans exposed to explosions of conventional weapons made with depleted uranium has identified no link to health problems, according to government officials.

"To date, there have been no adverse clinical effects noted in these individuals related to (depleted uranium); specifically, there has been no kidney damage, leukemia, bone or lung cancer, or other uranium-related health effects," a statement on the U.S. Dept. of Defense Deployment Health Clinical Center Web site says. "No babies born to this group have had birth defects."

The DOD report says the Veteran's Administration is still observing the veterans exposed to depleted uranium for symptoms.

Risks created by airborne depleted uranium are unclear, but the World Health Organization lists kidney damage and lung cancer as potential health concerns.

The WHO report draws particular attention to airborne contamination.

"Because (depleted uranium) is only weakly radioactive, very large amounts of dust (on the order of grams) would have to be inhaled for the additional risk of lung cancer to be detectable in an exposed group," the WHO report says. "Risks for other radiation-induced cancers, including leukemia, are considered to be very much lower than for lung cancer."

The WHO report says it is unclear what impact depleted uranium could have on the central nervous system.

The 2005 CDC report on radiation exposure at the Kansas City Plant says some conditions cannot be reported in the document because of security concerns.

"The primary work activity involving external radiation exposure was fabrication and quality control testing of non-nuclear components of nuclear weapons," the report says. "Information concerning the early history of KCP nuclear weapons assembly activities involves classified information; therefore, a clear description of events at that time is not publicly available."

Senator Kit Bond, R–Mo., who has a security clearance because of his work on the Senate Intelligence Committee, said he hadn't been informed about the depleted uranium exposures at the plant.

Bond says he wants to know what is behind the classified information comment.

"That's strange," Bond said. "We will ask to find out why it is classified and demand to know what it is."

"We need scientists, people who are properly qualified to go through it," Bond said.

Ever since the health concerns at the GSA facility were exposed by our earlier investigation, Bond has been pushing for an independent federal investigation.

"Our alarm, we know that something has been happening there," Bond said. "That's why we've demanded a thorough independent investigation."

GSA officials have repeatedly denied requests for an on-camera interview and declined to discuss the reported depleted uranium contamination at the neighboring plant.

"It is a matter of public record that portions of the Bannister Federal Complex site were used in the past for manufacturing and other commercial activities involving substances handled in ways that would not meet safety standards today and that very comprehensive steps have been taken over many years to remedy those environmental issues and make a clean workplace possible," said GSA spokesman Charles Cook in an e-mail.

"At this time, based on science applied to sampling and remediation at the site over the past two decades, we have no reason to believe the complex poses health risks to workers and visitors or to children at the child care center," Cook said.

The GSA provided the following number for concerned employees to report health concerns: (816) 926-7201.

Former Kansas City Plant workers from the weapons side of the plant who may have been exposed to hazardous substances can call the National Supplemental Screening program for free health screenings at 1-866-812-6703.

Workers who performed construction at the Kansas City Plant can call the Building Trades National Medical Screenings Program at 1-800-708-9663.

The Energy Employees Occupational Illness Compensation program, which benefits workers with serious illnesses due to toxic exposures while working in the east wing of the Bannister Federal Complex at the Kansas City Plant, can be reached at 1-866-888-3322.

Posted: 02/18/2010

KANSAS CITY, Mo. - Initial test results from the GSA side of the Bannister Federal Complex "do not reveal health concerns with indoor air at the facilities" according to a report from the Environmental Protection Agency.

"Based on a careful analysis of this initial round of sampling results, EPA detected no particular health concerns present in indoor air at these two facilities," Regional Administrator Karl Brooks said in an EPA statement. "This is

good news, but it does not mean that our agency's work is done."

Senator Kit Bond, R – Mo., remains skeptical.

"Until there is comprehensive testing at the Bannister complex, - not just two small, isolated areas – workers won't have answers about whether the complex has made them sick," Bond said in a statement his spokesperson texted me.

The EPA tested the facility's daycare center and surrounding offices and plans additional tests on groundwater and soil as soon as a thaw allows those tests to be performed.

In January, we reported that documents obtained in the continuing NBC Action News Bannister Investigation revealed new health risk concerns at the day care center operated on the grounds of the Bannister Federal Complex.

According to documents given to to me by a government employee who wishes to remain anonymous, in January, Missouri Department of Natural Resources officials notified the daycare center's landlord, the General Services Administration, of a "risk to GSA employees, as well as the noted population of children at the day care" at the facility.

In one document mailed to GSA officials about the day care center, an official questioned continued use of the day care facility in the building while awaiting test results because of concerns of toxins.

State government officials have verified the authenticity of the documents.

The testing was the first known investigation of health concerns at the plant since our initial investigation uncovered a list of about a hundred employees on the GSA side of the plant with unexplained deaths and illnesses.

The tests were conducted in response to our three month long investigation.

"We are committed to protecting the health of the children, staff and visitors at the child development center, as well as that of the employees and visitors at Building 50," Brooks said in the EPA statement. "We will work closely with the buildings' owner, GSA, to make sure that this happens."

The statement says GSA officials have agreed to an EPA suggestion to install vapor removal systems in the daycare and surrounding offices.

An EPA officials says the probe did not test for depleted uranium which has been used at times in 10,000 pound lots at the neighboring Kansas City Plant where workers make non-nuclear parts for nuclear weapons.
for nuclear weapons.

Posted: 02/13/2010

KANSAS CITY, Mo. - Documents obtained under open records requests indicate recent test for toxins at a day care center at the Bannister Federal Complex were destroyed and never analyzed.

"From what I hear, I'm not the only one who has concerns with the recent round of testing," Senator Kit Bond, R – Missouri, said. "The fox shouldn't be guarding the hen house, which is why we need independent and thorough testing of the Bannister Complex."

Bond began following the health concerns of workers at the complex after our investigation

uncovered dozens of sick or dead workers on the GSA side of the facility and an additional 1400 claims from sick employees on the weapons plant side of the facility tracked by the U. S. Dept. of Labor.

Bond has since called for an investigation from the GSA's Inspector General.

The missing test results uncovered by our open records request are also creating concerns amongst current and former workers.

"Lost tests, lost tests make me suspicious," said former Kansas City Plant employee and longtime facility critic Maurice Copeland. "Not only does it make me suspicious, it makes me think who do they think we are?"

"This is what you expect to happen," Copeland said of an agency investigating itself. "And, I can't handle it.

According to government papers leaked to me in January, Missouri Dept. of Natural Resources officials have identified the day care at the facility as being a potential ""risk to GSA employees, as well as the noted population of children at the day care,"

The missing samples are from tests conducted by a GSA contractor at the day care January 24th.

Six of the eight samples were successfully analyzed and don't show unusual health risks according experts we consulted.

"All the data achieved is well below the risk levels that the State of Missouri supports," said independent industrial hygienist Ralph Keller who reviewed the report on existing samples.

Keller has done consulting for the government at the facility and currently consults with the firm that conducted the tests in question.

He says, although unusual, it is not unheard of for test results to be accidentally destroyed.

"It does not flip me out," Keller said. "It is a possible error explained in the report and it could have happened."

The GSA test document quotes a GSA official who reported that the missing samples were destroyed in a lab mix-up over requests to cancel additional testing.

"The lab misunderstood I was cancelling the new order, and proceeded to discard the already-collected samples," the report

The GSA report says "this mistake was not discovered until the lab already discarded two

samples."

A Dept. of Labor website identifies 785 known toxins used at the Bannister Federal Complex over the years including boron, beryllium, uranium and other radioactive materials.

GSA officials declined our requests for results of the recent day care testing which we ultimately obtained through an open records request with the Missouri Dept. of Natural Resources.

EPA officials say they conducted their own testing last weekend at the day care to compare to the results of the GSA samples that were not destroyed.

"It is important that it be evaluated together to evaluate risk," said EPA spokesman David Bryan. "EPA Region 7 and an EPA-approved contractor did an array of tests beginning last Thursday and completed Sunday."

GSA spokesman Charles Cook issued the following statement in response to our inquiry.

"The EPA is now overseeing the sampling and analysis for buildings 50 and 52," Cook wrote in an e-mail. "They are currently in the process of analyzing and ensuring accuracy of all sampling data, including data gathered from the GSA samples taken on Jan. 24."

"The EPA will be answering any environment-related media questions about the sampling and results," Cook wrote without responding to my questions about the missing samples.

Posted: 02/10/2010

KANSAS CITY, Mo. – The weapons plant at the center of an NBC Action News investigation into sick and dead workers is operating under an expired permit according to Missouri Dept. of Natural Resources officials.

The plant, which government records indicate has been the site of 785 toxic substances, including uranium and beryllium, makes non-nuclear components for nuclear weapons.

A U.S. Dept. of Labor Web site identifies more than 1,400 worker illness or death claims at the Bannister Federal Complex plant linked to toxins.

An NBC Action News investigation has identified dozens of sick and dead employees at the offices of government workers in offices next door to the plant that are not included in that list.

Judd Slivka, Missouri DNR spokesman, says both wastewater and hazardous waste permits

that allow the plant to operate under Missouri law have expired, but he says it is a technicality.

"Both permits are in the renewal process and the law requires the facility to operate under the confines of its existing permit until a new permit is issued."

Slivka says two of the plant's state permits are current.

"Any report that indicates there is "permit trouble" or lack of controls in place would be completely misleading," said Kansas City Plant spokesperson Tanya Snyder in an e-mail to me. "The KCP submitted the application renewal precisely as required and the permit is automatically continued per the regulation without any changes to our standards."

Snyder said regulations automatically allow plants to continue operating when permits expire until renewal is approved.

According to an article at Pitch.com, Missouri DNR officials explain the slow renewal process as being caused by EPA objections to specific wording on the State's draft permit.

The Pitch's Nadia Pflaum reports the plant could continue operating without a current permit as long as 2012, according to state officials.

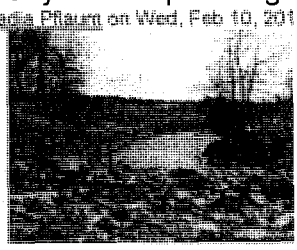
In an earlier report on pitch.com, Pflaum documented worker concerns at the Kansas City Plant over illness and death rates and complaints that a government compensation program is faulted.

Officials at the Kansas City Plant have not responded to requests for comment.

Since NBC Action News launched its investigation into deaths on the GSA side of the complex in November 2009, state and federal officials have joined a probe exploring toxin levels at the Bannister Federal Complex and Sen. Kit Bond (R-Mo.) has asked for an independent probe.

## Kansas City Plant operating with expired permits

Posted by Nadia Pflaum on Wed, Feb 10, 2010 at 6:00 AM



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http://www.littleblueriverwc.org/photos.htm

The **Kansas City Plant**, which is run by Honeywell at the **Bannister Federal Complex**, is operating under expired permits for its hazardous waste discharges and its water discharges, according to **Judd Slivka**, the communications director of the **Missouri Department of Natural Resources.**

It's not as simple as it sounds, however. "It's pretty normal" for large factories like Honeywell's to operate under expired permits, Slivka explains. "I can think of two drinking-water plants that have been operating that way [with expired permits] for three years. It just depends on the complexity of the permit. It depends on whether the EPA objects or if there's significant public input or opinion."

With regard to the Kansas City Plant's water discharge permit, Slivka says, the renewal process was slowed when the EPA objected to wording in the DNR's draft permit. "If you've ever seen these permits, they're giant," Slivka says. "They can be four or five inches thick. They're working through their hazardous-waste issues, and we expect to be done somewhere in fiscal 2012."

The permits, once issued, are typically good for five years. "The permitting process for a large facility is an ongoing process," Slivka says. "It's always happening on one permit or another."

Issues raised because of *The Pitch*'s reporting and that of **Russ Ptacek** at KSHB Channel 41 have attracted additional attention to health concerns for workers at the Bannister Federal Complex. Recently, the EPA joined in a probe of the 785 toxic chemicals known to have been present at the site over its 60-year history. Last Wednesday, U.S. Sen. **Kit Bond** called for a new federal investigation of the site, asking federal investigators with the General Services Administration to advise him on "the full extent of the problem and what steps GSA is taking to protect employees deemed at risk."

click to enlarge


In response to *The Pitch*'s story on sick workers at the Kansas City Plant, we received a call from **Laura Gibson**, who lives in the vicinity of the Bannister site, off 96th Street and Holmes.

Gibson says she lived in the area from 1970 to 1978. She moved out of town for a time but came back often to visit friends, and returned to the neighborhood permanently in 1990. In 1980, she says, she remembers seeing plant employees carving out a segment of a hill near the plant, depositing material inside the cavern, and then blowing up the entrance with dynamite charges so that the cave was sealed. "I couldn't tell what was inside,"

she says. "It was like they didn't want anybody to see."

Gibson also recalls, on at least 10 occasions, driving past the Bannister Federal Complex and seeing green sludge emptying into the **Little Blue River** from a pipe connected to the plant. The river -- more of a stream, really -- runs past the complex and continues downstream half a mile from her house. "There's a little pipe that shuts and opens, and there was this really bright green stuff coming from it, like sludge, dumping straight into the river. It looked abnormal from what anything in nature should look like," Gibson says.

Gibson is curious whether her proximity to the plant could have anything to do with some of her health problems. She wears a heart monitor and has had a tumor removed. She says she's heard other neighbors complaining of health problems as well.

Posted: 02/05/2010

KANSAS CITY, Mo. - Former workers from the weapons plant at the Bannister Federal Complex are holding a town hall meeting to address mounting health concerns in the wake of an NBC Action News Investigation.

"Let them tell the truth," said former Kansas City Plant employee Maurice Copeland who is organizing the town hall meeting. "Get the information out to the people so they can be tested and to see if we've affected their families. Just get people taken care of."

Our investigation has identified about a hundred employees from the GSA side of the complex who have died or are sick because of illnesses former colleagues fear are related to toxins at the facility.

The GSA facility butts against the Kansas City Plant where they make non-nuclear components for nuclear weapons.

A Department of Labor Web site identifies more than 1,400 claims from former workers at the weapons plant that reported illnesses possibly linked to toxins.

This week, we told a story involving internal GSA e-mails indicating the agency knew about a cancer scare amongst employees on the GSA-side while officials there were denying knowledge.

In response to our report, Sen. Kit Bond called for an independent investigation of the GSA side of the facility in a speech on the floor of the U.S. Senate.

"My greatest hope is that they will end this investigation, do some serious interviewing with people who worked at that plant," Copeland said.

Officials on both sides of the facility maintain that frequent monitoring and testing indicate the work spaces are safe.

The GSA has begun new testing, requested by state officials, in response to our investigation.

Those results have not yet been released.

The town hall meeting is scheduled Feb. 23 from 2 to 4 p.m. at the Bruce R. Watkins Cultural Heritage Center, 47th and Blue Parkway.

Posted: 02/04/2010

WASHINGTON, D.C. – U.S. Senator Kit Bond, R-Missouri, spoke on the floor of the Senate on Thursday, saying the General Services Administration has "apparently been unresponsive to the ongoing health concerns of their employees and tenants at the Bannister Federal Complex."

Bond based his concerns on fears exposed during our investigation into more than 100 Bannister Federal Complex employees who say they fear their medical conditions could be linked to known toxins there.

Bond is calling for an Inspector General investigation into the concerns.

Bond is also closely watching for results of recent tests at the facility's day care.

"In the next day or so, tests will come back on the levels of Trichloroethylene or TCE, a dangerous carcinogen at the Banister Complex," Bond said.

"These tests were called for after a local TV station reported unexplained illnesses afflicting Bannister workers and a possible link to toxins at the complex," Bond said, referring to the NBC Action News investigation.

Bond said his office is hearing from parents of children at the day care who are afraid.

"While the pending results of these tests are of concern, the more disturbing fact is that these types of scares and reports are becoming commonplace at the Bannister Federal Complex," said Bond.

Bond faulted the GSA for not being forthcoming about workers' fears about a growing list of their

sick and dead colleagues.

Bond made the comments while defending his efforts to block the appointment of the GSA's top executive.

The Missouri senator is battling with the agency over whether to proceed on a $175 million proposal to open new government office space in downtown Kansas City.

The move would allow employees to leave the aging Bannister Federal Complex for new office space.

Senator Kit Bond

Floor Statement

GSA Controversy

Thursday, February 4, 2010

Today, I rise to shed some light on the situation going on at the General Services Administration (GSA) – a tangled mess of bureaucracy I've been fighting against the last five years.

Yesterday, the President accused me of holding the nominee to be Administrator, Martha Johnson, hostage. Now I feel no joy in holding up this nominee, but the hostage I am concerned about is NOT the one looking for a DC job.

Instead, the hostages I am worried about are the 1,000 people working in a dump in Kansas City at the mercy of an agency that refuses to act to remedy a problem they acknowledge exists. Again, the hostage, with respect, is not Martha Johnson; the hostages are the 1,000 Kansas City workers at the Bannister Complex.

As Senators we have a few tools at our disposal to carry out our responsibilities. One of those important responsibilities is oversight of the federal government. And one of these tools is to force the Senate to debate – and actually vote – on an issue rather than just be a rubber stamp for the Administration.

While he has criticized me for using this oversight tool, the President wielded it himself when he was a Senator in this very chamber.

Senator Reid shares some responsibility in delaying Martha Johnson's confirmation.

You see, Johnson's nomination actually passed out of committee in May. Was she ever called up for a vote?

No. Because until July – when I formally placed an informational hold on the nominee -- the Senator from Nevada, according to Congress Daily, delayed her confirmation to ensure that taxpayer dollars were still being used to send federal employees to Las Vegas to meet, gamble or whatever one does in Vegas.

Senator Reid has his priorities regarding the delay on this nomination and I have mine. He wants more federal employees in Las Vegas; I want federal employees in Kansas City to work in a building with a roof that doesn't leak.

Now some are complaining about the delay of this nominee. But the truth is that the Majority Leader could have confirmed Martha Johnson in May, June or July.

In addition, the Majority Leader picked last Thursday as his day to file cloture on this nominee. As the Senator in charge of the schedule, he could have picked any date in the last seven months to file his cloture motion. But he waited until last Thursday.

There are many reasons why a Senator might wish to place a hold on a nominee that are related to our oversight responsibilities.

It is important to have debates like this not only when the qualifications of the nominee are at stake, but when a federal bureaucracy stops being responsive to the people and communities they serve. That's the real issue here.

Martha Johnson's qualifications are not in doubt. But as you will hear in a minute, the GSA is not being responsive to the people of Kansas City.

The history here goes back about five years, and is a part of a larger plan to move all tenants out of the dilapidated Bannister Federal Complex. GSA initiated a plan to construct a new building in downtown Kansas City in order to move the final jobs out of the complex.

The community of Kansas City – all of the leadership, the elected officials and others – had worked with the GSA to get a building – a new building to replace the Bannister Complex.

The existing building - by any stretch of the imagination - is extremely expensive to operate, will be sparsely occupied, is not conducive as a good workplace, and needs to be replaced.

After three years the plan had the approval of GSA and OMB, and all the financing had been committed in order to construct a building on a lease-construction basis.

So what happened? With no warning, GSA called up to the EPW committee the week of the markup to effectively put their OWN hold on the very project they developed and approved, citing GSA's shift away from lease-construction plans.

For anyone following the project this latest move by GSA defied logic. After all, three months earlier in June of 2008, GSA was holding roundtables with real estate developers on the value of the lease-construction plans and telling them how they could seek such projects.

In scrapping their own plan, GSA ensured that after all other tenants vacated the inefficient, 5.2 million square foot complex; more than 1,000 federal employees would be stuck working there.

That is about 5,000 square feet per employee. This nonsensical plan would cost taxpayers 13 to 15 million dollars annually just to mothball unused space and operate shared heating and cooling equipment. That's $13,000 to $15,000 a year per employee for the UNUSED space.

I am also convinced that this was the best path forward that for nine months they even went as far as to conduct an analysis to justify the continued use of the Bannister Complex.

In this 60-day analysis "GSA concludes that the Bannister Complex should be a mid-term hold (approximately 15 years)." This translates into nearly 10 years of continuing to run a complex at 20% capacity.

It doesn't take a mathematician to figure out those numbers are not a good use of taxpayer dollars.

However, yet again, GSA decided to change its mind in September of 2009. This time GSA agreed to their original position -- that a new building in Kansas City was GSA's "preferred option."

Please bear with me – I know this is confusing.

Imagine how the Kansas City community feels after being jerked around for five years. We all feel a little like Charlie Brown. Every time we get ready to kick the ball down the field, GSA moves it.

So where are we now? Now that GSA has gone BACK to their original objective that they earlier rejected?

Unfortunately, we are not even one step closer to a new building for these workers. GSA has still taken no action, the people of Kansas City haven't heard anything and we still haven't seen an official plan out of GSA.

GSA agrees that Kansas City needs a new federal building so it shouldn't be asking too much for lawmakers and the community to be told their plan, yet they have stubbornly refused to produce one.

I met with Martha Johnson. I have worked with the Acting Administrator.

I have asked repeatedly for GSA to come up with an official plan to move Kansas City forward; they have refused. This is broken bureaucracy at its worst.

Mr. President – my bottom line, the reason I am on the floor today opposing this nomination is quite simple.

As Missouri's senior Senator, my job is to fight on behalf of the people that elected me. My job is to make sure that bureaucrats in Washington do their job and serve the people.

GSA continues to ignore the Kansas City community.

My efforts have always been about keeping 1,000 jobs in Kansas City, not blocking this one job in Washington.

My colleagues should be aware that there is more bad news at this very same Bannister Federal Complex.

At the same time GSA has been unwilling to move forward on a new building, they have also apparently been unresponsive to the ongoing health concerns of their employees and tenants at the Bannister Federal Complex.

In the next day or so tests will come back on the levels of Trichloroethylene or TCE, a dangerous carcinogen at the Banister Complex.

These tests were called for after a local TV station reported unexplained illnesses afflicting Bannister workers and a possible link to toxins at the complex.

While the pending results of these tests are of concern, the more disturbing fact is that these types of scares and reports are becoming commonplace at the Bannister Federal Complex.

It is also alarming that I learned about this information – not from GSA – but from the media.

Based on media reports, the implications for the health of these workers is so serious I have called for an investigation.

I have asked the Inspector General of GSA to get to the bottom of these alarming health allegations.

I will work with the proper authorities on all levels of government -- such as the Environmental Protection Agency, the Missouri Department of Natural Resources and the Agency for Toxic Substances and Disease Registry to uncover additional information.

And it goes without saying that I will demand more transparent and comprehensive testing throughout the entire Bannister Complex.

For the safety of the workers, we need to know what is going on at Bannister now, what has gone on in the past, who has known it about, and how to move immediately to protect those potentially at risk.

The bottom line is that these workers deserve answers.

This situation at GSA tells the American people that all they can expect out of Washington is business as usual.

A government that is out of touch with their concerns, and slow to act. Well, I don't support business as usual. For these reasons I will vote against the nomination and ask my colleagues to do the same

Posted: 02/04/2010

Editor's note - Remarks quoted from documents are quoted as written by the documents' authors.

Missouri Senator Christopher Bond sent a letter today to U.S. Inspector General Brian Miller, asking for information about the "full extent of the problem and what steps GSA is taking to protect employees if deemed at risk".

Bond's letter says, "the Missouri Department of Health and the Environmental Protection Administration will, in the coming days, release new tests results on the levels of Trichloroethylene or TCE, a dangerous carcinogen, at the Bannister Complex. While the pending results of these tests will be evaluated, news reports point to a possibly more wide-spread health risks at the Bannister complex, including possible exposure to beryllium."

KANSAS CITY, Mo. – Documents obtained by NBC Action News show General Services Administration officials knew about a cancer scare inside the Bannister Federal Complex at the time the agency was denying knowledge of worker concerns.

The documents, obtained under the Freedom of Information Act, substantiate claims from sick workers that they notified government officials of their fears by providing a list of about 100 sick and dead former colleagues.

"Nothing specific on any particular health issues," said Michael Brincks, acting regional administrator of the General Service Administration's Heartland Region when we asked him about complaints of a cancer scare. "Not really anything specific. I've been working here close to 19 years."

The letter that Brincks denied knowing about was written by former employees of the Defense Finance and Accounting Service offices at the Bannister Federal Complex.

We filed Freedom of Information Act requests demanding records of employee health concerns on the GSA side of the Bannister Federal Complex.

The majority of the complaints we received came from former employees of DFAS, which leased space at the complex from GSA.

The GSA also leases space to National Oceanic and Atmospheric Administration, Federal Emergency Management Agency, U.S. Dept. of Agriculture, Veteran's Administration, Internal Revenue Service and other government agencies.

The other side of the Bannister Federal Complex is controlled by a Department of Energy plant which manufactures non-nuclear parts for nuclear weapons.

A U.S. Dept. of Labor official says a program that monitors worker illnesses has recorded more than 1,400 claims at the weapons plant from workers who suspect their illnesses are linked to toxins at the facility. The reports date back to the 1960s, and possibly earlier.

No program monitors illnesses or deaths on the GSA side of the building, which is separated from the weapons plant by a concrete wall and sealed doors.

A Department of Labor Web site lists 785 known toxins identified at the weapons facility at various times since it first opened as a war aircraft engine plant in 1942. Among the toxins on the list are uranium, boron, beryllium, PCBs and trichloroethylene.

Our Freedom of Information Act request uncovered thousands of pages of reports on toxin tests and employee health concerns on the GSA side of the complex, including evidence GSA officials knew about the DFAS cancer scare.

One e-mail we uncovered regarding GSA's knowledge of the DFAS cancer scare was sent in August. It was sent by Mary Ruwwe, regional commissioner of the GSA Heartland Region, to high-ranking GSA officials in Washington.

"Heads up," Ruwwe wrote in the e-mail about the DFAS letter, explaining it "lists 90 individuals who they believe have or had cancer related illnesses cause by toxins on the complex."

Ruuwe, who reports to Brincks, sent the e-mail to Brincks' Washington superiors three months before our investigation uncovered the DFAS concerns.

GSA officials have declined repeated interview requests, citing concerns that the information would be taken out of context.

GSA spokesman Charles Cook issued a written statement saying Brincks was unaware of the e-mail that Ruuwe sent to Brincks' superiors.

"It was never accepted as an official notification, and thus was not routed through (Brincks') office for review," Cook wrote.

The sick DFAS workers had addressed the letter to Missouri Senators Kit Bond and Claire McCaskill.

"As of today, no notification of the concern has been addressed to GSA or any GSA representative in an official capacity," Cook wrote when explaining why officials said they were unaware of the claims of sick and dead workers.

Cook wrote that since the letter was in draft form and not addressed to GSA officials, GSA did not consider it had official knowledge of the cancer scare.

"It was not directed toward any GSA official but to elected officials and another federal agency," Cook wrote. "Draft notices to other agencies are not formal complaints to GSA."

Ruwwe's e-mail was addressed to Paul Prouty, acting administrator at GSA headquarters and Anthony Costa, acting commissioner of GSA Public Buildings.

The e-mail acknowledges contamination inside GSA-owned space from operations when the Department of Energy controlled the area, but says "this space is not currently occupied and will be thoroughly decontaminated before considering it for re-occupancy."

The e-mail documents GSA's receipt in August of the DFAS draft letter where employees made "cancer related illness" claims.

Ruwwe sent copies to Washington officials, but no one at GSA acknowledged that during our investigation.

We asked Brincks during a November interview about whether GSA knew of the complaints, "More than a hundred people may have become sick or died. You had no idea?"

"No, GSA had no information related to that," Brincks responded. That was three months after Ruwwe's e-mail.

Another internal document that confirms GSA's receipt of the DFAS letter doesn't make the distinction of "formal" knowledge about the cancer fears.

The document was written shortly before my interview with Brincks where he denied knowledge of the letter.

The e-mail, written by Cook, provides an executive summary of the "Bannister Press Situation."

"In August, a group of current and former employees of the Defense Finance and Accounting Service (DOD) provided GSA with a draft congressional letter indicating concern," Cook wrote in the summary for GSA executives.

"Their letter included a list of more than 90 individuals who 'we believe to have or had cancer/related illness'," Cook explained.

In the document, Cook reassures executives that the facility provides "healthy work environments."

Environmental quality tests in the workspaces confirm that no health risks exist to building workers," Cook wrote. "GSA operates under the obligations of full disclosure and takes all inquires concerning workplace health issues seriously."

The Freedom of Information Act request also obtained a 2001 inquiry from Senator Kit Bond, about PCB contamination at the complex, after IRS workers claimed 17 employees from one office area contracted cancer.

We also uncovered 2003 internal e-mails and hand written notes that indicate cancer concerns in still a different part of the complex at the GSA's National Payroll Center.

"If folks had come forward to GSA, of course we would have looked at that," Brincks said in November.

When specifically asked during that November interview about the letter claiming dozens of illnesses in deaths in the DFAS office space, Brincks responded GSA wasn't aware of the concern until they received our copy of the sick workers' complaint.

"I've seen that list, just two days ago was the first time I've ever seen that list," Brincks claimed during the November interview.

Since our investigation, the Environmental Protection Agency, the Missouri Dept. of Natural Resources and the Missouri Dept. of Health and Senior Services have joined a probe into potential health risks in the GSA-controlled space at the complex.

Posted: 01/28/2010

KANSAS CITY, Mo. – The U.S. Environmental Protection Agency has joined Missouri officials in a review of whether one of 785 known one-time toxins at the Bannister Federal Complex pose

risks to children at a day care or employees at the facility.

The probe centers on buildings 50 which houses a public child day care facility and on building 52 which houses GSA offices.

The action comes two months after the NBC Action News Bannister Investigation identified dozens of unexplained illnesses affecting sick and dead former employees at the complex.

GSA officials have refused to do on-camera interviews with NBC Action News citing

"Based on your comments to GSA in the past and your initial reports, GSA representatives are no longer commenting on camera because we are concerned our statements may be taken out-of-context," GSA spokesman Charles Cook said Tuesday in a prepared statement to NBC Action News.

The GSA controlled office space at the complex butts against the Kansas City Plant where Honeywell contractors for the U.S. Dept. of Energy produce non-nuclear components for nuclear weapons.

The NBC Action News Investigation uncovered 785 toxic substances that have been used at the complex during its use since the 40's as a defense plant.

"While GSA's 2008 test results show no environmental contamination in indoor air, GSA ordered additional testing to be completed in the Child Care Center," Cook said in a statement released today," Cook said in a statement released Thursday.

"GSA is partnering with the EPA to lead a comprehensive environmental assessment of facilities on the complex," Cook said.

Previously GSA officials had repeatedly stated that testing at the complex showed no unusual health risks.

Documents leaked to NBC Action News Wednesday indicate the Missouri Department of Health and Senior Services disagreed with the methods used for the testing.

"As for the operation of a day care in Building 52, this situation warrants careful and complete investigation," wrote Cherri Baysinger with Mo. DHHS.

The document faulted the tests for not identifying the source or extent of trichloroethylene (TCE) and other contamination at or under the day care.

TCE is a potential carcinogen according to OSHA affecting the Kidneys, liver, eyes, skin, CNS, and cardiovascular system.

An EPA statement on the probe says TCE "is a solvent used in various types of adhesives, lubricants, paints, varnishes, paint strippers, pesticides and cleaners; and perchloroethylene (PCE), a dry cleaning agent.

"Earlier this month, in response to citizens' concerns and media reports, MDNR formally requested that EPA Region 7 evaluate the results of previous sampling efforts of indoor air performed by GSA at the Bannister Complex Child Development Center," the EPA statement says.

"MDNR requested that EPA further evaluate the rate and extent of soil and groundwater contamination on the property," the statement says.

Below is a list of known toxic substances that the U.S. Dept. of Labor has verified as being onsite at one time at the DOE's Kansas City Plant which produces non-nuclear parts for nuclear weapons.

The plant butts against GSA controlled office space. Lists of chemicals in other articles

Posted: 01/27/2010

KANSAS CITY, Mo. – Documents obtained in the continuing NBC Action News Bannister Investigation reveal new health risk concerns at the day care center operated on the grounds of the Bannister Federal Complex.

According to documents given to NBC Action News by a government employee who wishes to remain anonymous, within the past ten days Missouri Department of Natural Resources officials notified the daycare center's landlord, the General Services Administration, of a "risk to GSA employees, as well as the noted population of children at the day care" at the facility.

In one document mailed to GSA officials about the day care center in the past week, an official questions continued use of the day care facility in the building.

State government officials have verified the authenticity of the documents.

This is the first known investigation of health concerns at the plant since our initial NBC Action News Bannister Investigation uncovered concerns among employees of unexplained deaths and illnesses.

The day care center is on the northwest corner of the complex.

The letter, written Jan. 15 of this year, calls to "accelerate continued monitoring and investigation in the day care area."

GSA officials have told NBC Action News that prior tests at the facility found no unusual health risks.

According to a letter written by a Missouri Department of Health and Senior Service official, state health officials now believe the previous studies of trichloroethylene (TCE) contamination at the day care facility were faulted.

The letter addressing concerns at the day care says findings indicate "excessive contamination of TCE."

According to OSHA, exposure to TCE can impact the central nervous system and in some cases, could cause death.

The letter calls for more testing points specifically to concerns at the day care.

"As for the operation of the day care in Building 52, this situation warrants careful and complete investigation," wrote DHSS Chief Epidemiologist Cherri Baysinger.

A woman at the day care center declined to answer NBC Action News' inquiries about the health concerns, but acknowledged children are still being cared for at the facility.

A GSA spokesman says officials there are refusing interview requests, but issued a statement saying the GSA is compliant with environmental standards.

"Comprehensive assessments of workplace safety, indoor air quality, environmental conditions, health factors and fire safety issues are conducted on a regular basis and at the request of our tenants," GSA spokesman Charles Cook wrote in an e-mail.

"In an effort to help ease current tenant and employee concerns, GSA now is conducting additional assessments at the complex and child care center," Cook wrote.

Among the documents sent to GSA was a comment sheet including a question of whether children should remain in the facility.

"Is continued use or occupation of the building of concern in the interim," the government document asks in a comment box discussing the several week turnaround time for lab analysis of new tests being conducted now.

The question of keeping the day care center open on the site was posed to GSA officials.

It's unclear whether GSA responded to the question.

No one from GSA responded to our request for an answer.

Posted: 12/16/2009

KANSAS CITY, Mo. – The list of sick and dead workers from the Bannister Federal Complex reported to NBC Action News has increased to 134 people, 39 of them are dead.

NBC Action News created the list through interviews, e-mails, and forms from NBCActionNews.com people have completed online to track claims.

Wednesday night about 40 people showed up at a town hall meeting held at the St. Thomas More Parish looking for answers.

Many of those attending were former employees from the weapons facility, or were there representing a former worker who has passed away.

"I'm here to see what we have to do on behalf of my brother," said Claudette Watson whose brother died last year of lung cancer.

Watson's brother, 55-year-old Trent Bell, worked at the weapons plant in the 1980's.

An attorney who has represented workers from the weapons side of the facility said he is now representing employees from the non-weapons side of the complex as well.

"A gentleman who was an IRS agent, worked in building 41 and because it had not been properly cleaned, he has what I think was Berylliosis," said attorney Tom Thompson.

Berylliosis is caused by exposure to beryllium one of the 785 known toxins at the plant.

Beryllium can cause lung problems and experts say it can sometimes cause lung cancer.

Thompson said claims are complicated because workers need medical documentation that their illness is linked to contaminants from the facility.

The vast majority of claims on the NBC Action News list involve current and former workers, some going back to the 60s.

A handful of individuals on the list include family members of workers who believe toxins were tracked home or contractors who only visited the plant briefly.

Health statistics experts say the cases reported to NBC Action News are too small a pool to determine if the illnesses are outside normal averages.

Government officials say tens of thousands of employees have worked at the complex since it

was built in the 40s.

The list of sick individuals comes from both sides of the Bannister Federal Complex.

The General Services Administration acts as landlord to government agencies that have had offices on the non-weapons side of the plant like Defense Finance and Accounting Services (DFAS), IRS, USDA, and the Marine Corps.

The GSA says regular environmental tests show that side of the facility has no unsafe levels of toxins.

"We continue to stand by our assessments of the Bannister Federal Complex and remain committed to meeting all safety and public health standards," said GSA spokesman Charles Cook in a statement to NBC Action News.

The U.S. Department of labor has tracked about 1,400 claims of illnesses linked to toxins on the weapons side of the facility since creating a compensation program about ten years ago.

Officials at the Kansas City Plant, which makes non-nuclear components for nuclear weapons, acknowledge toxins in the facility but say they are all controlled and pose no threat to anyone outside the plant.

There are several layers of health screening and compensation programs on the weapons side of the facility.

There is no similar program for people on the GSA side of the complex which is separated from the weapons plant by a concrete wall and a sealed door.

Click here to report to NBC Action News your health concerns at the Bannister Federal Complex.

Click here for a list of resources if you think you might be eligible for government screening or compensation programs to help former workers at the Kansas City Plant.

| **Agency** | **Worker** | **Status** | **Condition 1** |
|---|---|---|---|
| Allied Signal | Worker DS | living | Prostate Cancer |
| Allied Signal | Worker CD | living | Leukemia |
| Allied Signal | Worker ML | living | Brain Tumor |
| Allied/Honeywell | Worker DR | living | Lupus |

| | | | |
|---|---|---|---|
| Ben/Allied | Worker GS | living | Leukemia |
| Ben/Hon/Allied | Annette Orlando | deceased | Cancer/Sarcoma |
| Ben/Hon/Allied | Worker LW | living | Lung Cancer |
| Bendix | Laurel Anderson | deceased | Unknown |
| Bendix | Trent Bell | deceased | Lung Cancer |
| Bendix | Worker BB | living | Beryllium Sensitivity |
| Bendix | Jeanette Brown | deceased | Respiratory Problem |
| Bendix | Joseph Christian | deceased | Leukemia |
| Bendix | Timothy Collins | deceased | Brain Cancer |
| Bendix | Worker SD | living | Thyroid Problems |
| Bendix | Worker HD | living | Asthma |
| Bendix | Worker BE | living | Hypertension |
| Bendix | Worker FF | living | Unknown |
| Bendix | William Franken | deceased | Bladder Cancer |
| Bendix | Worker EF | living | Lung Problems |
| Bendix | Alice Garland | deceased | Brain Cancer |
| Bendix | Worker KM | living | Leukemia |
| Bendix | Sam Odneal | deceased | Cancer |
| Bendix | Workker PP | living | Suspected Beryllium |
| Bendix | Eddy Reber | deceased | Brain Cancer |
| Bendix | Worker MR | living | Leukemia |

| | | | |
|---|---|---|---|
| Bendix | Richard Nance | deceased | Heart Cancer |
| Bendix | Troy Beckford | deceased | Lung Cancer |
| Bendix | Worker PB | living | COPD/Asthma |
| Bendix Allied | David Borchardt | deceased | Cancer |
| Bendix Contractor | Lawrence Winkler | deceased | Colorectal Cancer |
| Bendix Contractor | Don Winkler | deceased | Liver disease |
| Bendix, Honeywell, Allied Signal | Brenda Bennett | deceased | Colon Cancer |
| Bendix/Allied | Emeral Dean Bohannon | deceased | Bone//Lung/Liver Cancer |
| Bendix/Allied | Worker MF | living | Hypothyroidism |
| Bendix/Allied | Marion Giorgini | deceased | Pancreatic Cancer |
| Bendix/Allied | Worker GM | living | Eye Cysts |
| Bendix/Allied | Patricia Newsome | deceased | Lung Cancer |
| Bendix/Allied | Worker FR | living | Lung problems |
| Bendix/Allied | Deward Taylor | deceased | Lung Cancer |
| Bendix/Allied | Worker LW | living | beryllium sensitivity |
| Bendix/Allied | Worker CH | living | Breast Cancer |
| Bendix/Allied/Honeywell | Barbara McKay | deceased | non-Hodgkin's lymphoma |

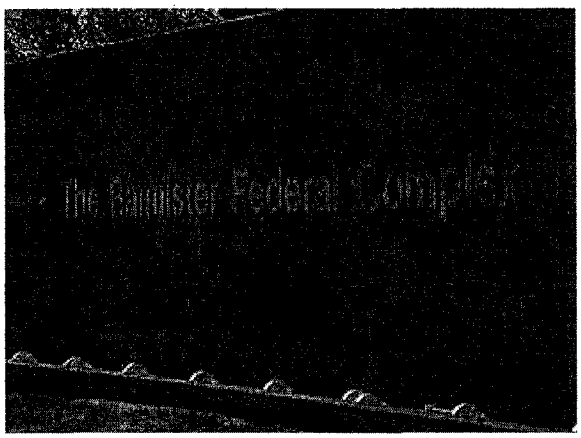
| | | | |
|---|---|---|---|
| Bendix/Allied/Honeywell | Worker JS | living | Lung Problems |
| Bendix/Allied/Honeywell | Worker TR | living | Lung Problems |
| Bendix/HW | Harold Halley | deceased | Prostate Cancer |
| Cafeteria | Worker ML | living | Cancer Melanoma |
| DFAS | Worker DB | living | See hysterectomy |
| DFAS | Worker EB | living | Prostate Cancer |
| DFAS | Gene Boyce | deceased | Pancreatic Cancer |
| DFAS | Worker PB | living | Fibroid Tumors |
| DFAS | Worker WC | living | Asthma |
| DFAS | Worker RC | living | Prostate Cancer |
| DFAS | Worker PD | living | Aneurism of Aorta |
| DFAS | Worker MD | living | Bladder Cancer |
| DFAS | Worker BD | living | Breast Cancer |
| DFAS | Renee Ellis | deceased | Colon Cancer |
| DFAS | Worker LF | living | See hysterectomy |
| DFAS | Worker CF | living | Colon Cancer |
| DFAS | Worker GA | living | Lung Cancer |
| DFAS | Worker JK | living | Graves Disease |
| DFAS | Worker JL | living | Asthma |
| DFAS | Worker PM | living | Lung Disease |
| DFAS | Worker SM | Living | Colon Cancer |

| | | | |
|---|---|---|---|
| DFAS | Worker CO | living | Thyroid Disease |
| DFAS | Worker LP | living | Polyps/atypical cells |
| DFAS | Worker JR | living | Heart Failure |
| DFAS | Worker GR | living | Neuropathy |
| DFAS | Worker SS | living | See hysterectomy |
| DFAS | Worker PS | living | COPD |
| DFAS | Worker TT | living | Lung Problems |
| DFAS | Worker CW | living | Skin Cancer |
| DFAS | Sam Sellers | deceased | Unknown |
| DFAS | Worker CD | living | Lung Disease |
| DFAS | Worker AW | living | Skin Disorder |
| DFAS | Worker DM | living | Unexplained Illnesses |
| DFAS | Worker KB | living | Lung Disorder |
| DFAS & IRS | Lavelle E. Monroe | deceased | Brain Tumor |
| DFAS & other | Worker *A | living | Cancer Multiple Myeloma. |
| DFAS & USMC | Worker GD | living | Tumors in leg |
| DFAS/GSA | Teresa Cavin | deceased | Lung Cancer |
| DFAS/MCFC | Worker *A | living | Miscarriages |
| DFAS/MCFC | Worker BA | living | Bladder Cancer |

| | | | |
|---|---|---|---|
| DFAS/MCFC | Worker CB | living | See hysterectomy |
| DFAS/MCFC | Worker JH | living | Breast Cancer |
| DFAS/MCFC | Worker KK | living | Benign Polyps |
| DFAS/MCFC | Worker BR | living | Hyperthyroidism |
| DFAS/MCFC | Worker LR | living | COPD |
| DFAS/MCFC | Worker GW | living | Brain Tumor |
| DFAS/MCFC | Worker CW | living | Chronic illnesses |
| DOD/USMC | Worker AM | living | COPD |
| GSA | Worker LE | living | Thyroid Disease |
| GSA | Worker RH | living | Thyroid Disease |
| GSA | Worker GH | living | Colon Cancer |
| GSA | Worker JH | living | Breast Cancer |
| GSA | Worker MS | living | Breast Cancer |
| GSA | William Van Compernolle | deceased | Brain Tumor |
| GSA | Worker SM | living | Prostate Cancer |
| GSA & USMC | Worker AH | living | Tumor in Breast |
| GSA Contractor | Worker *A | living | Gallbladder disease |
| GSA/MCFC | Worker JJ | living | Prostate Cancer |
| Honeywell | Worker MC | living | Hearing |
| Honeywell | Worker IT | living | Tumors |
| Honeywell | David Johnson | deceased | Pancreatic Cancer |
| IRS | Sue Fitch | deceased | Skin Cancer |

| | | | |
|---|---|---|---|
| IRS | Worker JR | living | Lung Disease |
| IRS | Worker MO | living | Leukemia |
| IRS | Catherine Tousley | deceased | Brain Tumor |
| IRS | Pat Rittenhouse | deceased | Lung Cancer |
| IRS/GSA | Worker VB | living | Heart Attack |
| IRS/MCFS | Bill Shirley | deceased | Lung Cancer |
| MCFC | Worker HH | living | Ovarian Cancer |
| MCFC | Keith Kuhn | deceased | Pancreatic Cancer |
| MCFC | Worker KM | living | Breast Cancer |
| MCFC | Worker JR | living | Breast Cancer |
| MCFC/DOD | Woprker CH | living | Breast Cancer |
| MCFS | Anthony Williams | deceased | Lung Cancer |
| MCFS | Worker PS | living | Lung Disease |
| not disclosed | Worker *A | living | Thyroid Disease |
| Olathe Honeywell | Sandra Bates | deceased | Brain Cancer |
| Outside Agency | Delivery Man CH | living | Beryllium Sensitivity |
| Plant | Doris Haynes | deceased | Ovarian Cancer |
| Roofer | Worker MS | living | Beryllium Sensitivity |
| unknown | Worker CK | living | Migraines |
| unknown | Worker GC | living | Beryllium |

| | | | |
|---|---|---|---|
| unknown | Worker's Spouse NC | living | Cancer |
| unknown | Larry Grau | deceased | Stroke |
| unknown | Worker DO | living | Pancreatic Cancer |
| unknown | Son of Worker DH | living | Prostate Cancer |
| unknown | Worker SR | living | Fibroid Tumors |
| unknown | Worker BR | living | Breast Cancer |
| unknown | Karri Sanders | deceased | Cancer |
| unknown | Worker NW | living | Skin Cancer |
| unknown | Worker CW | living | Skin Disease |
| USMC | Worker BT | living | Breathing Problems |

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Posted: 12/07/2009

KANSAS CITY, Mo. - New claims of sick and dead workers from the Bannister Federal Complex are documented in an NBC Action News Investigator database made public Tuesday.

The independent NBC Action News list shows similar trends to a former worker generated list that prompted the original Bannister Investigation in November.

The NBC Action News spreadsheet represents more than a hundred current and former workers from the five-million square foot complex that some co-workers fear could have been sickened by toxins at the facility.

In most cases, the database reveals illness type, workplace, and whether the individual is still alive.

NBC Action News compiled the database through interviews, e-mails, and forms people filled out at NBCActioNews.com.

There are two sides of the Bannister Federal Complex separated by a concrete wall and a sealed door.

On the east side, the Kansas City Plant makes non-nuclear components for nuclear weapons and has been operated over the years by Bendix, Allied Signal, and currently Honeywell.

There are multiple screening and compensation programs available for workers from the weapons plant which fills up most of the complex, but no similar programs for workers in other parts of the facility.

The majority of workers on the NBC Action News list come from the other side of the wall that splits their office space from the weapons plant.

According to the U.S. Department of Labor, over the years, workers at the weapons plant have filed about 1400 claims for illnesses related to toxins at the Kansas City Plant.

About 40 of the 117 illnesses on the NBC Action News database are from workers at the weapons plant, while about a dozen of the claims didn't specify where the individual worked.

The majority of illnesses reported to NBC Action News came from the west side with non-weapons employees working in the Defense Finance Accounting Service, Internal Revenue Service, Marine Corps Finance Center, and the General Services Administration.

A handful of claims came from individuals who were related to workers, but never worked at the

facility or who didn't work at the plant but had work connected to the facility.

The NBC Action News survey identified about sixty cancers including brain, lung, prostate, ovarian, colon and breast cancers.

Five people reported conditions related to a toxic metal used at the plant called beryllium.

Thirteen former workers reported hysterectomies. Twenty-two workers reported some type of lung disease.

The more than a 100 documented illnesses cover several decades of employees at the facility which has housed tens of thousands of workers over the years.

Although there have been hundreds of documented illnesses linked to toxins at the Kansas City Plant by U.S. Department of Labor records, there is no evidence linking the illnesses on the west side of the plant to toxins.

The General Services Administration, which acts as landlord to the government agencies on the west side of the plant, says annual environmental tests show there are no toxins in the office space that threaten workers.

Officials at the Kansas City Plant say toxins linked to industrial work at the plant are under control and don't pose a threat to employees outside the plant.

Officials there point to multiple awards the plant has received for meeting or exceeding environmental health standards.

Tuesday, the General Services Administration released the following statement:

"GSA is committed to providing world-class, healthy office spaces for federal workers and regularly conducts tests to assess the safety and public health standards in federal workspace that we manage. Based on the results of these extensive tests, GSA has no reason to believe the working conditions in the GSA-controlled space on the western portion of the Bannister Federal Complex poses health risks. Our safety and environmental specialists continue to monitor working conditions, conduct standard workplace testing on a regular basis, and respond to specific environmental safety concerns reported by building tenants. To help alleviate concerns of building tenants, GSA is also consulting with health experts from the State of Missouri's Department of Health and Senior Services to see if the need exists for further studies."

The GSA provided the following number for concerned employees to report health concerns: (816) 926-7201.

As workers on the west wing wait for some sort of explanation for what happened to them, there

are several resources available for those who fall ill on the other east side of the building.

Former Kansas City Plant workers from the east wing who may have been exposed to hazardous substances can call the National Supplemental Screening program for free health screenings at 1-866-812-6703.

Workers who performed construction at the Kansas City Plant can call the Building Trades National Medical Screenings Program at 1-800-708-9663.

The Energy Employees Occupational Illness Compensation program, which benefits workers with serious illnesses due to toxic exposures while working in the east wing of the Bannister Federal Complex at the Kansas City Plant can be reached at 1-866-888-3322.

Posted: 11/24/2009

KANSAS CITY, Mo. – Former workers at the Bannister Federal Complex are asking for a congressional investigation in the wake of an NBC Action News investigation that revealed dozens of sick and dead workers.

A group led by former Kansas City Plant supervisor Maurice Copeland met with an aid to U.S. Senator Claire McCaskill, (D) Missouri, asking for an outside review.

The NBC Action News investigation uncovered a list of more than 180 illnesses that former co-workers fear may be linked to toxins at the facility.

Copeland says their fears had mostly been ignored until now.

"I'm pretty fed up with the process that we're going through and after ten years, now it's all been exposed where we've had ten years of people sick and dying," Copeland said.

Officials at the complex say annual environmental on the office building side of the facility show there are no known health concerns there.

Officials on the other side of the facility, where they produce non-nuclear components for nuclear weapons, say contaminants there are controlled.

An aide in the Senator's office says staff members are looking into the workers concerns.

Posted: 11/19/2009

KANSAS CITY, Mo. - Sick workers at an office building that abuts a historic Kansas City weapons plant fear toxins have seeped from the plant and sickened or caused the death of dozens of their colleagues.

The neighboring workers with the unexplained illnesses are separated by a concrete block wall from the east wing of the Bannister Federal Complex, 1500 E. Bannister Road, where the government has made non-nuclear parts of nuclear weapons since 1949.

The U.S. Dept. of Labor says worker claims link toxic substances to hundreds of illnesses suffered by employees who have worked in the east wing of the building.

A government program has been established to care for and compensate affected workers on the east wing.

However, an NBC Action News investigation revealed that office workers on the other side of the five-million square foot complex are suffering illnesses they say are similar, some fatal, yet there is no assistance for them.

Barbara Rice says she worked in the west side of the complex and she has suffered several debilitating medical conditions, including hyperthyroidism. Rice says when her husband, who also worked on the west side of the Complex, was diagnosed with a condition that can be caused by toxins, she began tracking the illnesses of her co-workers and others working on the west side.

"I have a list of over 180 fellow co-workers, type of cancer, whether they are undergoing treatment, survivor, or have died," said Rice, a former employee of the Defense Finance and Accounting Service (DFAS).

"Unfortunately, another friend died this week," said Rice.

At any one time, DFAS housed about 800 employees including Rice and her husband.

The memorial service for Rice's west wing colleague, Sam Sellers, who retired from the DFAS in 2007, was Saturday in Lee's Summit.

Co-workers fear that Sellers is one of the more than 60 deceased former employees in the west wing of the facility that may be linked to an unknown toxin.

**Do you have health concerns from your employment at the Bannister Federal Complex? Share them here.**

**Several workers spoke with us about their experiences and illnesses. Click here to watch their stories.**

The government challenges Rice's anecdotal list with data collected from multiple scientific tests showing her side of the building has been, and remains, safe.

"Every single one of those surveys and assessments have indicated that there is not a health issue on the GSA's portion of the space," said U.S. General Service Administration acting director Michael Brincks.

Brincks says the GSA, which serves as landlord to government agencies in the building, says the government conducts yearly environmental health tests on the west side he controls.

"What we do is test our buildings for the safety, the air, water, those types of issues," Brincks said.

He said the sick workers from the east side have not contacted the GSA with their concerns.

Now used for office space on the west side, and manufacturing of nuclear weapons parts on the east side, the Bannister Federal Complex was built in 1942 as one large assembly plant to make engines for Navy fighter planes.

After World War II, the government split the building into two wings with separate ventilation systems but shared sealed doors, common walls, fresh water supplies and plumbing.

The west wing of the engine manufacturing plant was converted into a huge office and storage facility for the USDA, United States Marine Corps, IRS, DFAS, General Services Administration, National Archives and Record Administration and other federal agencies.

Since 1949 the east wing of the facility has housed the Kansas City Plant which makes non-nuclear components of nuclear weapons.

The government has never acknowledged employee health concerns on the west wing of the facility, but the Department of Energy has launched a nine-year-long, multi-tiered response to documented toxic-linked illnesses on the east wing of the complex.

In tracking the condition of former colleagues, Rice lists off leukemia, colon cancer, lung cancer, brain cancer, cancer of the spine, heart disease, lymphoma, breast cancer, uterine cancer, skin cancer, COPD, hysterectomies, tumors, Parkinson's Disease, bone cancer, heart disease, hysterectomies, miscarriages, and more.

Rice's list includes employees with service in the facility decades ago and she acknowledges she is unaware of any employees from the west wing being tested to see if toxins could have

contributed to their conditions.

Although Sellers and the other civilian employees on the list of unexplained illnesses worked in the west wing of the Bannister Federal Complex, which has no documented health concerns, their offices butted against the east wing of the Kansas City Plant which has a long history of worker illnesses and toxic substances.

"I've seen many co-workers who have become gravely ill with a variety of cancer-related illnesses," said DFAS employee Carrie Brooks, "Some have survived, but many have not."

The workers and their families are searching for a link to explain the illnesses, many of which have no genetic disposition for their diagnosis.

"Breast cancer did not run in my family," said former DFAS employee Jo Ann Hicks who was diagnosed with the condition in 1996 after 19 years with the agency.

"I continued to work there through months of chemo and radiation treatments because I needed the medical coverage my job provided," said Hicks.

"It rends my soul every time I receive another e-mail telling me one of my friends whom I knew from work has passed away," said former employee Valarie Boston, who has thyroid and heart disease. "I have no family history."

According to former workers, DFAS housed about 800 employees at the Bannister Federal Complex until it was relocated out-of-state last year.

DFAS was formerly known as the Marine Corps Finance Center.

"What really hurts is that we were just paper pushers, accountants, systems folks, secretaries, military pay clerks," Rice said. "If someone got sick at work, our nurse station would give us aspirins or we could go home."

A DFAS spokesman declined to comment after a week of inquiries.

"Because we're talking about archived information it would all be speculative," said Steve Burghardt with DFAS Corporate Communications. "That's up to our safety folks and stuff like that and as of yet, I've turned all the information over to them and I've not yet heard from them yet."

The Kansas City Plant, on the east wing, is managed by Honeywell and fills 3.3 million-square-feet of the complex.

Over the past decade, the federal government has acknowledged and has documented 1418 claims of illnesses on Bannister Federal Complex's east side at the Kansas City Plant which are

officially classified as "toxic substance exposure," according to U.S. Dept. of Labor spokesman Jesse Lawder.

Lawder says, so far, the government has paid out $22-million in toxic-linked compensation to workers on the east wing of the complex where workers build non-nuclear components for atomic weapons.

Workers are covered "if they have an illness related to toxic substance exposure," Lawder said.

No similar compensation or screening program exists for workers on the other side of the wall on the west wing.

"If we had worked at Honeywell we would have had some idea of what might be going on," Rice said.

She believes the majority of people on her list died without any suspicions of a possible connection to the workplace. "For most people, it's too late."

A 2005 lawsuit alleges the wife of a former employee got sick from beryllium dust the worker brought home. Patricia Stark claimed she was exposed by her husband's clothing.

The lawsuit also alleged Honeywell officials had knowledge others in the immediate vicinity of the plant could be accidentally exposed.

The suit was settled out of court.

Plant officials maintain the dust from beryllium is controlled and does not pose a threat outside the plant's controlled environment.

Safety officials at the Kansas City Plant say there are controls in place to keep neighboring homes and businesses, including the workers on the west wing safe.

"They haven't made it public about the lawsuit they settled on," said former plant worker Maurice Copeland. "They know they have information that they're not giving people."

"I have pre-cancerous polyps," Copeland said. "My wife has cancer."

Copeland suspects his wife grew ill because of contaminants he brought home from the plant on his clothes or body.

Copeland faults the government for not revealing the details of the 2005 lawsuit that alleged second-hand exposure to beryllium.

"They knew people were sick and they know it now," Copeland said.

Plant officials wouldn't discuss the 2005 lawsuit and say they are unaware of any other claims of secondary exposure.

Rice says she has written letters to the U.S. Senators from Kansas and Missouri and the Environmental Protection Agency asking for an investigation.

"No one has responded," Rice said.

"We worked on the cancer, toxic contamination, asbestos, air and water quality issues for some time," said former union representative Kathy Sutcliffe. She says employees have complained since the 1980's.

"We brought it to their attention about the cancer rate, and they just kind of poo-pooed it," said Sutcliffe.

The workers say officials ignored their concerns and provided no information about potential health concerns.

Brincks said until NBC Action News launched its investigation into the unexplained illnesses on the west side, GSA officials had no idea workers there had health concerns.

"GSA had no information related to that," Brincks said when we showed him the list of ill and dead workers from the west wing of the complex. "If folks had come forward to GSA, of course we would have looked at that."

A Honeywell plant spokesperson referred comment to the National Nuclear Security Administration.

"I can tell you that we have not only a compliant program, but one of the best in the country recognized by the Department of Energy," said Patrick Hoopes, National Nuclear Security Administration safety officer at the Kansas City Plant.

Hoopes says he is "absolutely" certain the plant is safe.

"I would not work here if it was not," Hoopes said.

The government converted the plant to produces triggers and other non-nuclear components for nuclear weapons during the Cold War.

According to a Missouri Dept. of Natural Resources hazardous waste management permit, in 1989 the DOE and the Environmental Protection Agency ordered a cleanup at the plant.

The initial order listed 35 solid or hazardous waste areas which were identified as possible release sites at the Bannister Federal Complex.

Eight additional sites of concern at the complex were later documented, according to the order.

Officials say cleanups of known contaminated sites at the plant have met all federal and state standards and pose no threat greater than any traditional industrial manufacturing site.

Government officials indicate the plant on the east side has had multiple contamination incidents involving beryllium, PCBs, jet fuel, solvents and other toxins.

Although contamination issues on the east side still exist because the plant continues to work in controlled environments with the material, officials say any remaining contaminated areas are under control.

"This has always been a very regulated activity to the standards, or above, that the industry practices," Hoopes said.

The plant houses 2,700 employees, according to government officials and, over the years, has housed tens of thousands more workers.

Officials say there is no evidence suggesting an unexplained cluster of cancers.

"There is a really large group that we're dealing with, so the numbers that you may be seeing, or individual situations, can't be put in perspective," Hoopes said.

"The Kansas City Plant produces or procures 85-percent of non-nuclear components for the nation's nuclear weapons complex ," according to a report on hazardous waste management from the Missouri Department of Natural Resources.

Waste contaminated with "asbestos is also routinely generated in the decommissioning of inactive facilities" at the Kansas City plant, according to a U.S. Dept. of Energy report.

"We have done asbestos testing in our area and have not found asbestos to be a safety issue in our area," Hoopes said.

Officials at the plant say most of the toxins at the facility stemmed from "legacy contamination," meaning from work done in the 1960's before current safeguards were in place.

A government program called the Energy Employees Occupational Illness Compensation Program (EEOICP) identifies 642 unique workers with health problems linked to toxic substance exposure in the Kansas City Plant side of the complex.

According to a government Web site which tracks the program to compensate former employees, 279 claims at the Kansas City Plant were cancerous.

Sherry Kinsey-Cannon with the National Nuclear Security Administration says 12 current employees at the Kansas City Plant have been diagnosed with Chronic Beryllium Disease.

According to a statement from the NNSA, Beryllium health concerns have been identified in 79 workers.

"We also test for sensitivity to beryllium but this does not mean they have abnormal beryllium levels or will go on to
develop Chronic Beryllium Disease," the plant statement said.

Full blown Beryllium Disease can take decades after exposure to develop and can be fatal.

An OSHA report states Beryllium is classified as a carcinogen by the International Agency for Research on Cancer and may cause lung and skin disease.

Symptoms include coughs, shortness of breath, chest pain, fatigue, weight loss and loss of appetite.

Hoopes said the EEOICP compensation fund is one of many programs established to monitor and assist affected workers.

"Special testing, special compensation programs that are individually judged as to whether there might be a work-related issue," Hoopes said.

"I don't see any direct link," Hoopes said about beryllium risks at the plant and the unexplained illnesses on the west side of the facility.

Hoopes said there is an aggressive program to monitor employee health on the east side of the complex in the Kansas City Plant.

"Anyone in the plant, any subcontractor, could in fact come in and have a test to see if they're sensitive to Beryllium," Hoopes said.

He said workers on the west side of the plant don't qualify for the health screenings or government compensation programs designed for workers on the east side exposed to beryllium at the Kansas City Plant.

Brincks says GSA tests have shown beryllium has never been identified on the west side, but reports obtained by NBC Action News may contradict that.

A survey conducted by GSA safety officers indicates during one toxin test, traces of beryllium may have been detected at two different locations.

The January 2, 2002 "Beryllium Wipe Sample Results" marked eight out of ten locations on the

west side with "Non Detected."

Two other locations were documented as having beryllium traces less than .13 micrograms at locations on the basement wall, and outside, beneath an air take.

A GSA spokesman said the test was inconclusive and posed no threat.

"According to the limit of quantification, the chemical may have been detected, but at concentration levels so low that a reliable number could not be given." GSA spokesman Charles Cook said in an e-mail to NBC Action News. "The tests confirm any beryllium that may exist would be at concentration levels so low that it would not pose health risks."

Until the late 1940's, Pratt & Whitney operated the plant as one large manufacturing facility to produce aircraft engines for the Navy when it was built until 1945.

In Florida and Connecticut, health officials are currently investigating mysterious clusters of brain tumors at former Pratt & Whitney plants there.

The Hartford Courant reports officials found a higher than normal cancer rate among former workers in Connecticut, but the numbers were "not statistically significant" and could have been caused by factors unrelated to the plant, according to state investigators.

Pratt & Whitney told the Courant the aircraft manufacturer is "not aware of any connection between Pratt & Whitney and the concerns" in Florida.

"Your call was the first I've ever heard of it," said Kathleen Padgett, a Pratt & Whitney Spokesperson. "We actually had to research to see if we had facilities in Kansas City it was so long ago."

She says the first phase of a study researching the brain cancers at the Connecticut plant didn't find a higher than normal rate of brain cancer.

"The first phase (of the study) showed that the results didn't show any relationship between the Pratt and Whitney workplace and the incidents of brain cancer.

According to Missouri Dept. of Natural Resources documents, Westinghouse Electric took over the plant from Pratt & Whitney in the late 40s to operate a jet engine manufacturing site.

According to MoDNR records, both Pratt & Whitney and Westinghouse Electric used a landfill at the site for disposal activities.

A MoDNR Web site tracking U.S. Dept. of Defense sites in Missouri says when the landfill closed, several government contractors disposed waste into the landfill.

The agency says soil and groundwater underlying the site is contaminated with solvents, petroleum contaminants and metals.

Bendix/Allied Signal took over operations from Westinghouse Electric.

A 2006 MoDNR hazardous waste permit indicates the Kansas City Plant uses radioactive sources and stores acids, alkalines, solvents, acid and alkaline contaminated solid waste, solid debris waste, waste oil, wastewater treatment sludges, and toxic metals.

A map attached to the waste permit shows at least six "possible release sites" were located in or near the west wing of the complex in the vicinity of the DFAS employee offices with the unexplained illnesses.

The GSA currently plans no investigation into the illnesses on the west side of the plant based upon the NBC Action News investigation, but Brincks says officials would respond if employees contacted the GSA directly.

The GSA provided the following number for concerned employees to report health concerns: (816) 926-7201.

As workers on the west wing wait for some sort of explanation for what happened to them, there are several resources available for those who fall ill on the other side of the building.

Former Kansas City Plant workers from the east wing who may have been exposed to hazardous substances can call the National Supplemental Screening program for free health screenings at 1-866-812-6703.

Workers who performed construction at the Kansas City Plant can call the Building Trades National Medical Screenings Program at 1-800-708-9663.

The Energy Employees Occupational Illness Compensation program, which benefits workers with serious illnesses due to toxic exposures while working in the east wing of the Bannister Federal Complex at the Kansas City Plant can be reached at 1-866-888-3322.

You can share your health concerns from employment at the Bannister Federal Complex here as well.

**Do you have health concerns from your employment at the Bannister Federal Complex? Share them here.**

**Resources:**

**Workers' Letter to Legislators and Government Offices Asking for Help**

NNSA Response to Health Concerns at Kansas City Plant , Nov. 9, 2009

NNSA Additional Response to Health Concerns at Kansas City Plant , Nov. 18, 2009

NNSA Letter Regarding Health Safety Information

Map of Areas of Concern Noted in Hazardous Waste Management Facility Permit

ATTACHMENT 2

# Audit Report

REVIEW OF HEALTH AND SAFETY CONDITIONS
AT THE BANNISTER FEDERAL COMPLEX
KANSAS CITY, MISSOURI
REPORT NUMBER A100116/P/6/R11001
NOVEMBER 8, 2010

**Office of Inspector General**

**General Services Administration**

**Office of Audits**

# REVIEW OF HEALTH AND SAFETY CONDITIONS AT THE BANNISTER FEDERAL COMPLEX KANSAS CITY, MISSOURI

REPORT NUMBER A100116/P/6/R11001

NOVEMBER 8, 2010

U.S. General Services Administration
Office of Inspector General

Date November 8, 2010

Reply to
Attn of Regional Inspector General for Auditing, Heartland Region Field Audit Office (JA-6)

Subject Review of Health and Safety Conditions at the Bannister Federal Complex
Kansas City, Missouri
Report Number A100116/P/6/R11001

To Jason O. Klumb
Regional Administrator, Heartland Region (6A)

Mary A. Ruwwe
Regional Commissioner, Heartland Region Public Buildings Service (6P)

This report presents the results of our review of the health and safety conditions at the Bannister Federal Complex (Complex) in Kansas City, Missouri. The review was performed in response to a February 3, 2010, request from United States Senator Christopher Bond.

The report found that the Heartland Region Public Buildings Service (PBS) is currently taking substantial steps to protect the occupants of the Complex and testing has revealed no significant health hazards in GSA-controlled space. However, we determined that prior to 2010, PBS did not have a strong environmental management program for the Complex.

We have included your written comments in Appendix C to this report. If you have any questions regarding this report, please contact me at (816) 926-8615.

John Walsh

John F. Walsh
Regional Inspector General for Auditing
Heartland Region Field Audit Office (JA-6)
Kansas City, MO

REVIEW OF HEALTH AND SAFETY CONDITIONS
AT THE BANNISTER FEDERAL COMPLEX
KANSAS CITY, MISSOURI
REPORT NUMBER A100116/P/6/R11001

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REVIEW OF HEALTH AND SAFETY CONDITIONS
AT THE BANNISTER FEDERAL COMPLEX
KANSAS CITY, MISSOURI
REPORT NUMBER A100116/P/6/R11001

## INTRODUCTION

On February 3, 2010, Senator Christopher Bond sent a letter to the Inspector General of the General Services Administration (GSA) requesting a review of the environmental conditions at the Bannister Federal Complex (Complex). Specifically, Senator Bond's letter advised that current and former employees at the Complex may have developed serious illnesses and died as a result of exposure to toxic substances. We were asked to determine whether GSA's Public Buildings Service (PBS) took appropriate steps to protect the health and safety of the occupants in PBS space at the Complex. Subsequently, Senator Claire McCaskill and Congressman Emmanuel Cleaver also expressed their support of a review of the conditions at the Complex.

Since November 2009, a Kansas City news station and a Kansas City newspaper have run numerous reports regarding the health of current and former occupants of the Complex. These reports stated that the Complex has a history of known health hazards related to exposure to trichloroethylene (TCE), lead, petroleum hydrocarbons, beryllium, uranium, volatile organic compounds, and polychlorinated biphenyls (PCBs). The news reports further stated that such exposure may have resulted in illnesses and even the deaths of some of the occupants of the Complex. The basis of the news reports was a letter drafted by some occupants of the Complex that included a list of 95 names and indicated that these individuals had contracted cancer or other illnesses related to environmental conditions at the Complex.

Appendix A of this report describes the objective, scope, and methodology of our review in more detail. Appendix B provides a map, current usage information, and historical background of the Complex.

## RESULTS OF REVIEW

In response to employee concerns and various news reports, PBS has taken substantial steps to protect the health of the occupants of the Complex. These recent steps are encouraging, but prior to 2010, PBS did not maintain a strong environmental management curriculum that would have provided positive assurance that the space in the Complex was a safe and healthy work environment.

Current PBS efforts include enlisting the assistance of the U.S. Environmental Protection Agency (EPA)[1] and the Center for Disease Control's National Institute for Occupational Safety and Health (NIOSH). Since January 2010, EPA has been coordinating testing and providing oversight for environmental issues at the Complex. In March 2010, NIOSH began evaluating potential health issues at the Complex. These evaluations included health screening services for current and former Complex occupants. In addition, in February 2010, PBS made modifications to the Complex including the installation of vapor intrusion systems at the child care facility and an adjacent building (Building 50). Testing has revealed no significant health hazards present in the child care facility or in GSA-controlled space.

However, PBS did not always take appropriate steps to protect the health and safety of the occupants at the Complex when presented with evidence of potential hazards. In addition, PBS environmental personnel provided incorrect and misleading information in response to questions about the environmental conditions at the Complex. PBS personnel also did not have a clear understanding of environmental responsibilities pertaining to the GSA-controlled portion of the Complex and did not adequately document or maintain files related to health and safety conditions at the Complex. Finally, PBS may not have complied with the annual reporting requirements of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (CERCLA).

As a result, GSA cannot provide assurance that the Complex has historically been a safe and healthy workplace. Further, PBS's actions, along with the dissemination of incorrect information, have damaged GSA's credibility with both building occupants and the general public.

[1] While EPA has been involved in the testing performed at the Complex since January 2010, the formal work plan between GSA and EPA was executed on September 13, 2010. This work plan provides the details of the agreement between GSA and EPA.

## No Indication of Current Health Risk at the Complex but Previous PBS Efforts in Environmental Management Were Lacking

Testing conducted in 2010, in response to the Kansas City media allegations, has not identified any significant health hazards at the Complex. However, PBS's current environmental oversight efforts are not representative of its performance in this area during the previous 10-year period. We determined there was a lack of effective environmental oversight at the Complex during that time. As a result, GSA cannot provide assurance that historically, the Complex has been a safe and healthy workplace.

## Current Testing Shows No Significant Health Hazards and GSA is Taking Proactive Measures

During 2010, PBS undertook significant efforts to ensure the Complex was free of environmental occupational hazards. These efforts were pursuant to the requirements of Executive Order 12196, 29 CFR[2] Part 1960.8(a), and GSA Order ADM P5940.1A, which state that GSA must provide all individuals who work in GSA-owned or operated facilities, a safe environment that is free from health hazards. Specifically, the Executive Order states, in part, that the head of each agency shall, "Furnish to employees places and conditions of employment that are free from recognized hazards that are causing or are likely to cause death or serious physical harm."

PBS efforts have included tests for toxic substances at the Complex. These air, soil, and water analyses were generally conducted under the direction of the EPA and have indicated that the occupants of the Complex are not currently at risk from exposure to these substances. GSA has also entered into a work agreement with the EPA to provide assistance and oversight to PBS at the Complex involving environmental matters.

In addition to testing for toxic substances, PBS installed vapor intrusion systems and took other steps to address environmental issues at the Complex. These steps included: (1) testing occupants of the Complex for various illnesses that could be related to toxic substances that have been present at the site, (2) creating an environmental council to assist in the management of environmental issues at the Complex, and (3) taking actions to inform and assist the occupants concerning environmental matters at the Complex.

PBS and the Regional Administrator for GSA's Heartland Region also requested assistance from NIOSH to evaluate the Complex and its occupants for possible health conditions related to exposure to toxic substances. On September 29, 2010, NIOSH provided an interim report regarding GSA's request for a health hazard evaluation. The report states that, to date, NIOSH has found no issues related to beryllium, uranium, or

[2] Code of Federal Regulations

volatile organic compounds.[3] NIOSH stated that a final report will be issued after all tests are completed but did not provide a completion date.

Prior PBS Environmental Management Was Lacking

Prior to 2010, PBS addressed specific issues when raised by tenants but did not have a strong environmental management program for the Complex. Given the known contamination at the Complex and given the requirement to protect the health and safety of building occupants, we believe PBS should have been more vigilant in overseeing environmental issues at the Complex. Further, we are troubled by the lack of knowledge on the part of PBS officials about safety and environmental conditions at the Complex. They were even unaware of their responsibilities for these conditions.

*Ad Hoc Testing.* Despite initial PBS reports that it performed comprehensive annual and 5-year environmental testing at the Complex, we determined that PBS performed no routine environmental testing. For the period 1999 through 2009, we identified 124 separate environmental tests/analyses/inspections that were performed at the Complex. These evaluations were performed in response to specific incidents and/or requests. They addressed different environmental and health issues including air quality, water analysis, lead analysis, asbestos testing, beryllium testing, PCB sampling, soil analysis, silica dust remediation, and mold sampling. When problems were identified, the documentation indicates that PBS took actions to address the issues.

For a historical perspective on employee work related illnesses, we also reviewed workers' compensation claim information filed by federal employees at the Complex from 1988 through April 9, 2010. During that time period, a total of 4,081 workers' compensation claims were filed, of which 75 accepted claims could possibly be attributable to environmental or chemical exposure. However, these claims were typically for exposure to unusual smells or unidentified liquids with reactions such as coughing or burning of the eyes. None of the 75 claims were related to long term exposure to toxic substances.[4]

Previous ad hoc testing and our review of the workers' compensation claims do not indicate that occupants of the Complex were subjected to sustained toxic substance exposure. However, in the absence of a strong environmental management program, GSA's request to NIOSH to study potential long term health issues is prudent.

*Lax Oversight.* The PBS approach to environmental issues at the Complex is illustrated by its response to a January 7, 2005, letter from the Missouri Department of Natural Resources (MDNR) regarding environmental conditions at the Complex. MDNR

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[3] Two samples exceeded the recommended exposure limit (REL) for formaldehyde but the report stated the REL was being re-evaluated and did not state that formaldehyde exposure was an issue at the Complex.

[4] No claim contained the Nature of Injury Code DE – Occupational Exposure to Chemicals/Toxins/Biological Substance, etc.

prepared the 11-page letter in response to PBS's request for comments on a draft report (relating to TCEs) prepared by a PBS environmental consultant.

The MDNR letter was highly critical of the consultant's report stating,

> It appears to the department that the General Services Administration (GSA) believes that they only need to conduct a limited investigation of TCE contamination, speculate on whether Department of Energy's (DOE) remedies are controlling the contamination and conclude that there are no risks to human health or environment under the current conditions.

and

> The document is biased towards a conclusion of no further action, where instead, it should focus on what data gaps exist and what further work needs to be done, especially since this is an interim report.

and related to the child care facility,

> Instead, the document should propose a complete vapor intrusion study using acceptable methods as outlined in the EPA guidance.

Despite the seriousness of the issues raised in the MDNR letter, PBS took no further substantive investigative action until it initiated a preliminary assessment/site inspection (PA/SI) in July 2006, 18 months after the letter. The PA/SI was not completed until May 2008 (3 1/2 years after the MDNR letter) and the original scope of work did not include action related to the child care facility concerns raised by MDNR. PBS never provided MDNR a response addressing each of MDNR's concerns and the vapor intrusion system that addresses one of MDNR's concerns related to the child care facility was not installed until February 2010 (5 years after the letter). We also noted that on October 7, 2005, MDNR offered to provide assistance to PBS regarding environment issues at the Complex; however, PBS terminated MDNR's environmental oversight contract on October 24, 2005.

While we were informed by PBS personnel that the PA/SI was initiated in response to MDNR's concerns, we noted that PBS file documentation indicates that the PA/SI was performed because the Complex was included on the Federal Agency Hazardous Waste Compliance Docket (Docket) rather than in response to the MDNR letter. Further, we noted that PBS environmental personnel did not inform regional PBS management of MDNR's concerns.

Another example of PBS's lax oversight is reflected in its handling of wells installed to monitor groundwater contamination. PBS installed two monitoring wells at the Northwest portion of the Complex prior to 2002. It installed an additional monitoring well in the same area during 2002 and six more in 2006. However, aside from initial testing

and one test in 2004, these wells were not monitored until the DOE (that operates a three million square foot plant at the Complex) began testing the wells in 2008.

Although PBS is currently diligent in pursuing environmental issues at the site, its efforts were slow to start. In August 2009, a Heartland Region PBS official received a draft letter that was addressed to the two sitting U.S. Senators from the state of Missouri. This letter, which was the basis for later news reports, indicated that over 90 occupants of the Complex had contracted illnesses attributable to contamination at the Complex. The PBS official contacted safety and environmental management personnel about the draft letter and was provided assurances that the Complex was safe. The draft letter was not provided to the Acting Regional Administrator and no work on this issue was performed by the safety and environmental personnel until January 2010, after the environmental conditions at the Complex became the focus of media reports. PBS safety and environmental files did not contain any documentation indicating that the letter was evaluated in any form.

*Lack of Knowledge*. PBS officials do not appear to have a clear understanding of PBS's environmental responsibilities relative to the GSA-controlled portion of the Complex. For example, PBS environmental personnel could not provide accurate information about the environmental regulations that pertain to the GSA portion of the Complex. PBS environmental personnel often directed us to EPA and DOE for the answers to environmental questions regarding the Complex.

Since the late 1980s, the Complex has been listed in the Comprehensive Environmental Response, Compensation, and Liability Information System (CERCLIS). CERCLIS is an official repository for Superfund data in support of CERCLA. CERCLA (also known as the Superfund Act) Section 120(c) requires EPA to establish a Docket which contains information reported to EPA by federal facilities. Each Docket facility is required to conduct a preliminary assessment to identify and investigate areas potentially contaminated by hazardous waste. EPA's website indicates that GSA completed a preliminary assessment and site inspection for the Complex on January 20, 1989. After this assessment, EPA evaluated the environmental conditions at the Complex and did not place the Complex on the National Priorities List (NPL). The NPL is a listing of sites that are of a higher priority for clean up due to contamination.

PBS environmental personnel could not provide basic information regarding the CERCLA status of the Complex or EPA oversight responsibilities for the Complex. We further note that PBS personnel did not have regular meetings with EPA or DOE environmental staff. We believe that regular interaction with both entities was needed to acquire and maintain a basic knowledge of conditions at the Complex and any related actions that should be taken.

In addition, consistent with the PBS records regarding the January 2005 MDNR letter, the safety and environmental file documentation and interviews with PBS environmental personnel indicate that the environmental personnel generally did not bring environmental issues to the attention of Heartland Region or central office management.

*Summary.* The lack of proactive environmental management by PBS is a vulnerability for GSA.[5] PBS should have established a stronger environmental management program because of the history of contaminants at the Complex. Without a comprehensive historical perspective, there is insufficient evidence to conclude that occupants at the Complex were not exposed to toxic substances. At a minimum, PBS environmental personnel should have responded directly and quickly to address MDNR's concerns and the initial allegations of serious illnesses at the Complex. Our review indicates that, not only did PBS environmental personnel fail to quickly take action and respond to concerns, they did not inform regional GSA management that these concerns were raised.

## Recommendations

We recommend that the Regional Administrator, GSA Heartland Region, and the Heartland Regional Commissioner, Public Buildings Service,

1. Build on the actions taken during the current year to establish an environmental management program that proactively protects the occupants at the Complex; and

2. Establish controls to ensure that PBS environmental personnel are knowledgeable of the environmental rules and regulations applicable to the Complex.

## Incorrect and Misleading Information, Inadequate File Documentation, and Possible Non-Compliance with CERCLA Reporting Requirements Damage GSA's Credibility

PBS often provided erroneous and/or incomplete information to both the public and our office concerning environmental issues at the Complex. Some of this information was incorrect to the point that it misled requestors as to the environmental work performed at the Complex. This problem has damaged GSA's credibility with both building occupants and the general public. In addition, PBS file documentation dealing with environmental issues at the Complex was incomplete and disorganized and PBS may not have complied with CERCLA requirements to annually report on environmental conditions at the Complex.

[5] This vulnerability was previously raised by the Office of Inspector General (OIG) in national reviews. For example, the OIG's 2006 Review of the PBS Environment Program Management (A050040/P/4/R06003) contained a series of recommendations to implement a national environmental management system; improve the environmental risk index; and strengthen environmental liability reporting.

Incorrect and Misleading Information

In response to questions regarding the safety of the Complex, PBS environmental personnel informed regional agency management and our office that PBS performs "comprehensive" annual and 5-year safety and health evaluations at the Complex. This information was also provided to the public. However, a review of PBS file documentation indicated that no annual or 5-year comprehensive testing for environmental hazards was ever performed. In fact, environmental hazard testing performed was conducted in response to specific issues raised at the Complex and limited to the areas in which the concerns were raised.

Interviews with PBS environmental personnel revealed that these annual and 5-year surveys generally consisted of visual safety walkthroughs and did not include testing for toxic substances such as TCEs, PCBs, and beryllium. Further, these walkthroughs were not documented in PBS files. The PBS individual who performed these reviews stated that notes were taken during the reviews but were discarded after recording any corrective work needed in a computer spreadsheet. During interviews, PBS environmental personnel confirmed that these walkthroughs did not include testing for toxic substances. As a result, because the specific issue raised was related to toxic substances at the Complex, PBS's response that it performed comprehensive annual and 5-year evaluations was incorrect to the point that it misled people regarding the work performed in these surveys.

In addition, we determined many of PBS's verbal responses to inquires from our office about various safety and health issues at the Complex were either incorrect and/or unsupported. Although we requested all information related to environmental issues at the Complex, PBS did not provide the January 7, 2005, MDNR letter to our office. We obtained this letter and other associated correspondence directly from MDNR. When confronted about this, PBS environmental personnel took weeks to locate the document and did not present complete information regarding the letter. Further, in response to questions about the letter and other documentation that was not supplied, a PBS industrial hygienist provided information that was later determined to be incorrect.

In providing incorrect and misleading information PBS has seriously compromised GSA's credibility with both the occupants of the Complex and the general public. GSA will need to bridge this credibility gap in order to convince Complex tenants and the public that the site will ever be safe.

Inadequate File Documentation

In accordance with 36 CFR Part 1220.30(a), PBS personnel, ". . . must make and preserve records containing adequate and proper documentation of the organization, functions, policies, decisions, procedures, and essential transactions of the agency. These records must be designed to furnish the information necessary to protect the legal and financial rights of the Government and of persons directly affected by the agency's activities." Federal Acquisition Regulation 4.801 provides additional criteria

regarding file documentation. We determined that PBS did not document or maintain files in accordance with applicable criteria. In addition, PBS could not locate some records that we requested.

Not only is proper documentation a requirement but, more importantly, it substantiates actions taken by government personnel. Additionally, PBS's failure to provide appropriate documentation was the subject of our June 24, 2010, Alert Report[6] which reported that GSA had not properly responded to a Freedom of Information Act request pertaining to health and environmental conditions at the Complex.

Possible Non-Compliance with CERCLA Reporting Requirements

In accordance with CERCLA Section 120(e)(5), "Each department, agency, or instrumentality responsible for compliance with this section shall furnish an annual report to the Congress concerning its progress in implementing the requirements of this section." We identified one instance, December 29, 1988, where GSA filed an annual report on its implementation of the CERCLA requirements for the Complex.

While the requirements of the CERCLA are applicable to the Complex and to GSA, a PBS official questioned whether the annual reporting requirements are applicable to the Complex if there are no hazardous waste operations to report. We did not identify any criteria that excluded filing an annual report for this reason.

## Recommendations

We recommend that the Regional Administrator, GSA Heartland Region, and the Heartland Regional Commissioner, Public Buildings Service,

3. Institute controls to ensure that information provided to the public and in response to other inquiries is accurate and that safety and environmental management personnel maintain complete and organized files in order to provide a complete and accurate basis for the information; and

4. In conjunction with GSA's Office of General Counsel, determine whether GSA is required to file an annual CERCLA report with Congress for the Complex and, if applicable, file the appropriate reports.

## Conclusion

Our review determined that current testing performed at the Complex has not identified any significant health hazards present in GSA-controlled space. Further, historical ad hoc testing and our review of workers' compensation claims filed by occupants of the

[6]Alert Report, Review of Health and Safety Conditions at the Bannister Federal Complex, Kansas City, Missouri, Assignment Number A100116/P/6/W10001, dated June 24, 2010.

Complex do not indicate any sustained exposure to toxic substances by GSA occupants. However, it is important to note that not all of the test results have been finalized and the health hazard evaluation being conducted by NIOSH has not been completed.

While the analyses that are currently being performed by NIOSH and EPA will assist in addressing environmental issues at the Complex, PBS should build on these steps to establish a comprehensive environmental management program. An effective environmental management program would also help to strengthen GSA's credibility regarding conditions at the Complex.

## Internal Controls

Our evaluation of internal controls in the Heartland Region PBS was limited to those areas necessary to accomplish our objective. The internal controls were deficient to the extent identified in this report.

## Management Comments

Regional Management disputed some aspects of the report but agreed with the recommendations. Management's response is included in its entirety as Appendix C.

## OIG's Response

We considered Regional Management's comments in preparing the final report. Regional Management, in its response, stated that the report highlighted many lessons learned and improvements that it has already acted upon. However, it mistakenly casts our position as believing that PBS should have conducted more health-related environmental tests. This misconception misses one of the main points of the review: specifically, the problematic actions by the region indicate a lax environmental management program. A strong environmental management program would have taken into consideration the issues at the site, provided a set of actions for dealing with them, supported the decision-making process, and assisted in managing the public's environmental concerns.

# APPENDIXES

## APPENDIX A

### Objective, Scope, and Methodology

The objective of our review was to determine whether General Services Administration's (GSA's) Public Buildings Service (PBS) took appropriate steps to protect the health and safety of the occupants, including the child care facility, under its control at the Complex.

In order to accomplish our objective, we (1) reviewed and evaluated documentation and files maintained by PBS environmental personnel; (2) examined relevant laws, Executive Orders, regulations, and GSA orders and directives; (3) discussed environmental management with regional and central office PBS personnel; (4) met with the Missouri Department of Natural Resources (MDNR) personnel in Jefferson City, Missouri, where we obtained and reviewed MDNR documentation related to the Complex; (5) interviewed U.S. Environmental Protection Agency (EPA) personnel regarding its roles and responsibilities at the Complex; (6) met with and obtained documentation from PBS's environmental consultant; and (7) obtained and evaluated documentation from the U.S. Department of Labor concerning workers' compensation claims filed by employees at the Complex.

It is important to note that our review covered environmental aspects at the Complex during three different time periods: (1) testing that was performed in 2010; (2) documentation and test results from the 10-year period, 1999 through 2009; and (3) information and documentation prior to 1999. This was necessary in order to properly evaluate what actions GSA was currently taking in contrast to what had previously been done at the Complex. Further, this approach was required because of technological improvements in environmental and health testing over the years as well as the fact that the specific factors/criteria as to what constitutes a health risk (e.g., groundwater contamination by trichloroethylene) have changed. For these reasons, and because of the difficulty in identifying older, relevant documentation, our review concentrated on the time period 1999 through 2010.

Additionally, at our request, both the Department of Energy (DOE) Office of Inspector General (OIG) and EPA OIG are currently conducting separate reviews related to the Complex. The DOE OIG's audit objective is to determine whether the Kansas City Plant had controls in place to protect the environment, and the health and safety of its employees. The EPA OIG's audit objectives are to review EPA Region 7's[7] actions at the site, specifically focusing on evaluating the various testing methods and results related to Buildings 50 and 52.

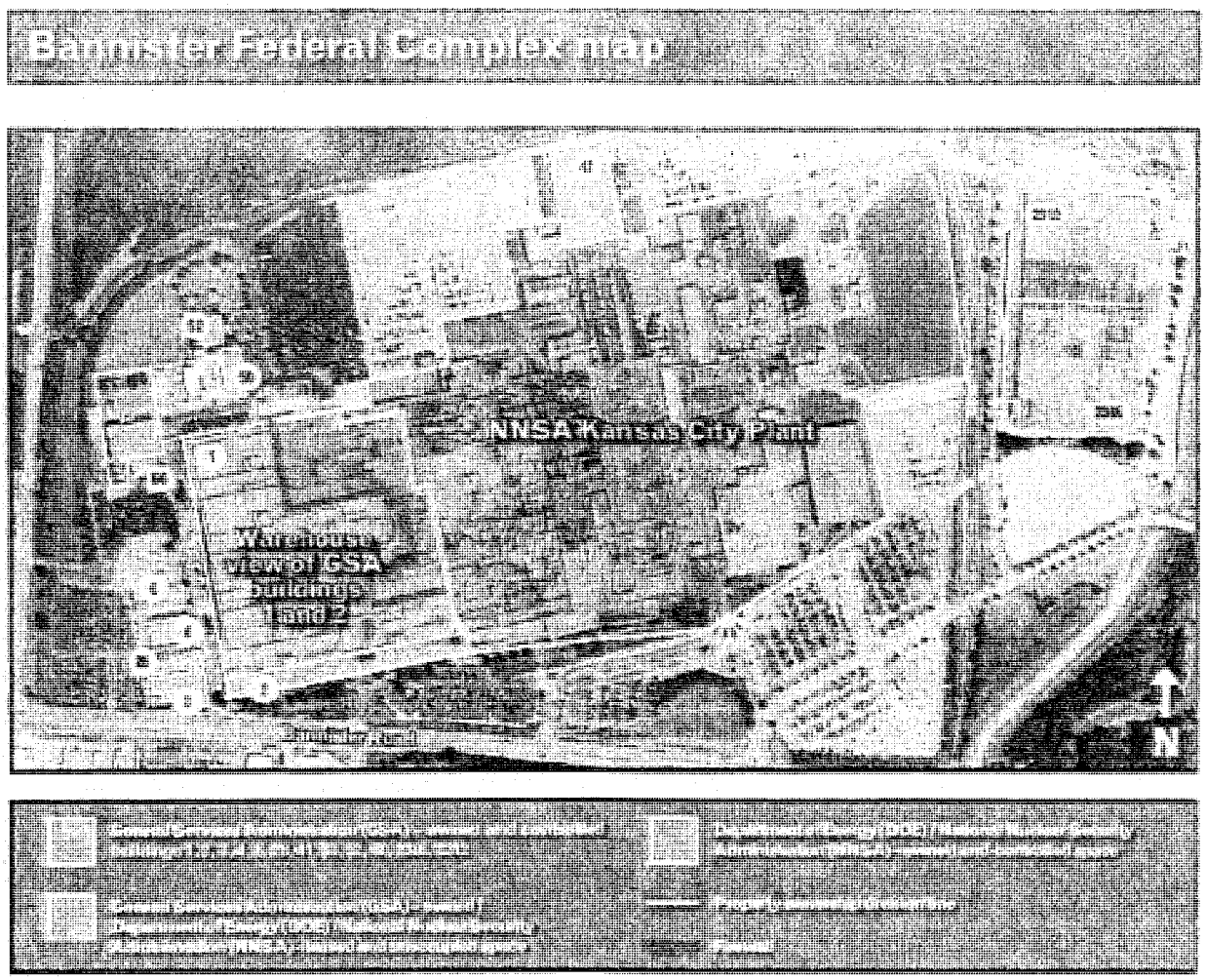
[7] EPA Region 7 has oversight responsibility for the GSA-controlled portion of the Complex.

Building 50 houses PBS's field office operation for the Complex and is adjacent to Building 52, which is the child care facility located at the Complex. Further, at the request of PBS and the Regional Administrator for GSA's Heartland Region, the Center for Disease Control's National Institute for Occupational Safety and Health is conducting a health hazard evaluation for the Complex. This evaluation is an assessment to establish whether occupants have been exposed to hazardous materials or harmful conditions and whether these exposures affect an occupant's health. The results of these reviews will be addressed by the specific agencies responsible for conducting them and, as such, are not included in the scope of our review.

The review was conducted in accordance with generally accepted government auditing standards. Those standards require that we plan and perform the review to obtain sufficient, appropriate evidence to provide a reasonable basis for our findings and conclusions based on our review objective. We believe that the evidence obtained provides a reasonable basis for our findings and conclusions based on our review objective.

## APPENDIX B

Map of the Bannister Site, Current Usage, and Historical Background




The Bannister Federal Complex (Complex) consists of 310 acres located on Bannister Road in the southern part of Kansas City, Missouri.

The Department of Energy's (DOE's) National Nuclear Security Administration (NNSA) currently contracts with Honeywell Federal Manufacturing & Technologies, LLC (Honeywell FM&T) to produce non-nuclear mechanical, electronic, and engineered material components for U.S. national defense systems at the site. DOE controls over 30 buildings totaling over three million square feet of space. Currently there are approximately 2,550 employees in the DOE-controlled portion of the Complex.

GSA controls the remaining two million square feet in 12 buildings. The GSA-controlled portion is primarily used as office and storage space for numerous government agencies including GSA, the Department of Commerce, the Department of Agriculture, the Department of Veterans Affairs, and the U.S. Marine Corps. In 1989, GSA built a child care facility on the Complex. There are currently approximately 1,400 government employees in the GSA-controlled portion of the Complex and 75 children enrolled in the child care facility.

**Historical Background**

In 1942, the Complex was developed as a manufacturing plant to build aircraft engines for the U.S. Navy. In 1949, the Bendix Corporation commenced a manufacturing operation for the non-nuclear components of nuclear weapons for the Atomic Energy Commission (now NNSA). NNSA currently contracts with Honeywell FM&T for the manufacturing operation at the Complex.

In the past, chemicals that are currently known to be harmful to humans and the environment were used at the Complex. Portions of the complex have been used for waste disposal and remediation. Upon identifying hazards, various monitoring and remediation efforts have been undertaken at the Complex. Currently, the major contaminants identified at the Complex are trichloroethylene and polychlorinated biphenyls. Over 200 groundwater wells located throughout the Complex monitor the presence of these contaminants which are not in the process of being remediated.

The entire site has undergone many changes and tens of thousands of people have worked at the site over the last 60 years. In the 1990s, for example, the NNSA employed over 6,000 workers and over 4,000 federal employees were housed in the Complex.

# APPENDIX C
## Management Response

GSA Heartland Region, Kansas City

John F. Walsh
Regional Inspector General for Auditing
Heartland Region Field Audit Office (JA-6)

Dear Mr. Walsh,

We value the mission of the Inspector General (IG) and have taken many steps to enhance our environmental program since January 2010, many in the areas the audit suggests. The IG's audit report highlights many lessons learned and administrative improvements that we have already acted on. It is important to note that while still in progress, extensive testing to date has not indicated that health risks exist for occupants and visitors of the Complex. Additionally, the National Institute for Occupational Safety and Health (NIOSH), which is completing its Health Hazard Evaluation, has not determined the need for any additional testing of the complex. Two sections of the audit report appropriately focus on the guidelines and regulations that Public Buildings Service (PBS) has potentially violated with its environmental documentation of the Bannister Federal Complex. The report does not reference if PBS violated environmental regulations or industry best practices. It also does not include analysis from environmental experts such as NIOSH or U.S. Environmental Protection Agency (EPA)

The first pertinent discussion relates to PBS' potential violation of General Services Administration (GSA) document retention policy. The second discussion focuses on PBS' potential violation of written CERCLA reporting requirements. The remainder of the report is based on the underlying belief of the IG that PBS should have performed more health-related environmental tests. To date, this belief is not supported by the expert investigative team from NIOSH. And at no point throughout the documents does it state that PBS violated federal, state or local environmental regulations.

**1) Use of the word: misleading**
Mislead is synonymous with to deceive. At no point did PBS seek to intentionally deceive the public or any government officials. It is one of several superlative statements in the report that is meant to evoke an emotional reaction from its reader and is without supporting evidence that PBS personnel sought to intentionally deceive the public or employees.

U.S. General Services Administration
1500 E. Bannister Road
Kansas City, MO 64131

The report also includes emotional phrases such as "significant health concerns" (suggesting that non-significant health concerns exists), "we believe" (instead of: we find, we conclude), "we are troubled" (a direct emotional response), "they were even unaware" ('even' is an emotional descriptor), "not subjected to sustained toxic exposure" (suggesting that un-sustained toxic exposure has occurred), "will ever be safe (discussed below)", etc.

**2) Statement: "Without a comprehensive historical perspective, there is insufficient evidence to conclude that occupants at the Complex were not exposed to hazardous toxins."**
--Page 6, paragraph 6
This conclusion, or any similar conclusion, should be left to the specialized doctors, scientists and experts of NIOSH. Such determinations will be included in their Health Hazard Evaluation.

**3) Statement: "convince Complex tenants and the public that the site will ever be safe"**
--Page 8, paragraph 3
This statement is another example of the report's superlative tone and assumes the Complex is not currently safe. To date, there has been no indication from the *health and environmental experts* at NIOSH or EPA that the facility is unsafe. As stated earlier in the IG report, "Testing has revealed no significant health hazards."

**4) Statement: "However, PBS did not always take appropriate steps to protect the health and safety of the occupants at the Complex when presented with evidence of potential hazards."**
--Page 2, paragraph 3
The phrasing "when presented with evidence of potential hazards," it is a direct contradiction to this statement on page four, first paragraph: "Prior to 2010, PBS addressed specific issues when raised by tenants but did not have a strong environmental management program for the Complex" and this statement on page four, paragraph two: "When problems were identified, the documentation indicates that PBS took actions to address the issues."

**IG Recommendations: PBS Actions to Date**
We recommend that the Regional Administrator, GSA Heartland Region, and the Heartland Regional Commissioner, Public Buildings Service,
Build on the actions taken during the current year to establish an environmental management program that proactively protects the occupants at the Complex; and
Since early 2010, PBS has worked closely with the EPA to develop a comprehensive testing program of GSA-managed space at the Complex. Testing includes beryllium and uranium dust and air sampling, air sampling for PCBs and VOCs, an additional sub-slab ventilation system installation, and soil and groundwater testing.

GSA has also established an inter-agency leadership council, comprised of senior leaders from EPA, Missouri Department of Natural Resources, National Nuclear Security Administration and GSA to discuss environmental issues and the repurposing of the Complex.

GSA and EPA have also established a community advisory panel to provide input on environmental issues and repurposing, and to serve as a conduit for public outreach.

GSA also requested a Health Hazard Evaluation of GSA-managed space by NIOSH. At the evaluation's conclusion, GSA will actively address any suggestions provided by NIOSH.

Establish controls to ensure that PBS environmental personnel are knowledgeable of the environmental rules and regulations applicable to the Complex.
PBS is currently developing an action plan that outlines clear responsibilities within the safety and environmental group. It includes the review and update of individual development plans to ensure adequate knowledge and education in the respective program areas.

Institute controls to ensure that information provided to the public and in response to other inquiries is accurate and that safety and environmental management personnel maintain complete and organized files in order to provide a complete and accurate basis for the information; and Since March 2010, all information released has been extensively vetted, and is required to have supporting documentation prior to release. PBS is currently organizing and cataloging all historical tests conducted within GSA-managed space.

PBS also revised the electronic record storage process to ensure information is easily accessible, complete and without duplication. In conjunction with GSA's Office of General Counsel, determine whether GSA is required to file an annual CERCLA report with Congress for the Complex and, if applicable, file the appropriate reports.

The safety and environmental team will meet with regional and Central Office counsel to verify GSA's responsibilities under CERCLA. The EPA environmental work plan being executed will further define GSA's CERCLA responsibilities.

Sincerely,

(FOR)

Mary Ruwwe
Regional Commissioner

## APPENDIX D
Report Distribution

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| Regional Counsel (6L) | 1 |
| Director, Internal Control & Audit Division (BEI) | 1 |
| Assistant Inspector General for Auditing (JA & JAO) | 2 |
| Counsel to the Inspector General (JC) | 1 |
| Deputy Assistant Inspector General for Real Property Audits (JA-R) | 1 |
| Special Agent in Charge (JI-6) | 1 |

ATTACHMENT 3

# Congress of the United States
Washington, DC 20515

November 30, 2010

Martha Johnson, Administrator
U.S. General Services Administration
1800 F Street, NW, Suite 6340
Washington, DC 20405

Dear Administrator Johnson:

The recent release of the General Services Administration (GSA) Inspector General's (IG) audit report regarding the handling of the health and safety concerns at the Bannister Federal Complex revealed a culture of lax oversight and inadequate environmental management on the part of GSA and Public Building Service (PBS) employees. The report makes clear that GSA employees failed to ensure and maintain a safe working environment for employees and tenants.

Going forward, our constituents expect GSA to identify those responsible for the lax safety culture at the Bannister complex, take the appropriate steps to hold those accountable and immediately implement both the IG's recommendations and additional reforms to regain the trust of GSA tenants and employees.

We expect these concerns to be addressed in full within a reasonable timetable and to receive regular progress updates. Thank you for giving this matter your full attention and we look forward to your response updating your progress.

Sincerely,

CHRISTOPHER "KIT" BOND
United States Senator

CLAIRE MCCASKILL
United States Senator

EMANUEL CLEAVER
United States Representative

PRINTED ON RECYCLED PAPER

ATTACHMENT 4

This is a combined synopsis/solicitation for commercial items prepared in accordance with the format in FAR subpart 12.6 as supplemented with additional information included in this notice. This announcement constitutes the only solicitation; quotations are being requested and a written solicitation will not be issued.

RFQ number HE1AA-Q-13-0029 is issued as a request for quotation (RFQ).

This is a simplified acquisition 100% set aside for small businesses; NAICS 541620 SIZE 14 MILLION.

**ENVIRONMENTAL CONSULTING SERVICES**

**IN SUPPORT OF AN OCCUPATIONAL HEALTH EXPOSURE REVIEW**

**SUBMITTED TO THE U.S. OFFICE OF THE SPECIAL COUNSEL**

**STATEMENT OF WORK**

## 1.0 GENERAL

The General Services Administration (GSA) seeks to award a firm fixed price Task Order contract to an environmental consulting services contractor.

As described in a letter dated February 28, 2013 from the U.S. Office of Special Counsel (OSC) to the GSA Administrator related to a Whistleblower disclosure (the OSC Letter), a retired GSA employee has made a number of allegations concerning the work environment at the Bannister Federal Complex (BFC) in Kansas City, Missouri. Pursuant to 5 U.S.C. 1213, OSC requested that GSA investigate the allegations and provide OSC a report on the results of that investigation. The requirements of 5 U.S.C. 1213(d) is found in the Enclosure appended to the OSC Letter which is attached to this SOW.

## 1.1 SCOPE

The contractor shall produce an investigation report that answers a request made by the U.S. Office of Special Counsel (OSC) to the Administrator of General Services for GSA to conduct an investigation and to timely submit an agency report to OSC on the subject matter. See attached letter dated February 28, 2013 (OSC Letter). The content of the contractor's report must satisfy the requirements set forth in 5 U.S.C. Sec. 1213(d).

Specifically, the contractor will be tasked with conducting an investigation of the allegations raised by a retired GSA employee regarding a hazardous work environment at a federal facility known as the Bannister Federal Complex (BFC) in Kansas City, Missouri. Those allegations are recounted in the OSC Letter and summarized below in Section 2.0, B., Allegations.

## 2.0 TASKS

The Contractor shall investigate the allegations found in the OSC Letter to determine if they are true in whole or in part, and to determine the potential harm attributable to each of the allegations that have been verified. **NOTE: The Government does not expect the Contractor to redo any environmental studies already conducted or conduct any new environmental studies.**

To begin its investigation and analysis of the allegations, the contractor will first review and analyze all the existing documentation, studies and reports related to environmental hazards at the BFC.

The Contractor shall then interview the former GSA employee (the complainant) who initiated the whistleblower disclosure. The contractor will interview other persons knowledgeable about operations at BFC on relevant points. Based on the sum of the

information gathered during its investigation, the Contractor will prepare a Report addressing all of the allegations found in the OSC Letter.

Specific:

A. Existing Environmental Studies and Reports

Several environmental studies of the BFC have been conducted and can be found at this link: http://r6.gsa.gov/bannister/. Additional records and background information concerning the complainant's working conditions at BFC will also be made available in the offices of the GSA Region 6, Kansas City, Missouri. These additional records have been ordered from the Central Processing Center record archives and will be made available upon contract award. The volume additional records are expected to be less than those available at the website above.

B. Allegations

In performing the investigation, the contractor shall, at a minimum, investigate and address each of the following particular allegations.

(1) In 2011, the National Institute for Occupational Safety and Health (NIOSH) conducted a health hazard evaluation (HHE) at GSA's request in response to concerns about adverse health effects possibly associated with contamination of soil and groundwater by the Plant. The evaluation did not include the Kansas City Plant (the Plant) or its employees, but only those who worked at GSA or a tenant agency other than the Plant.

(2) The HHE did not consider a subset of GSA Maintenance and Operations employees, including Plumber- Pipefitters, Electricians, and Air Conditioning Mechanics, who performed work at the Plant (a group which the complainant alleges he was a member).

(3) In 1988, a chest x-ray of complainant taken as a part of medical monitoring of employees showed pleural changes, consistent with exposure to hazardous materials. Subsequent chest x-rays in 1989 and 1990 also identified pleural changes. GSA retained a different physician to review chest x-rays, and in 1991, the complainant's reading was normal. Four other Maintenance and Operations employees also had positive readings between 1988 and 1990, and negative readings in 1991.

(4) Complainant contends that GSA failed to comply with Occupational Safety & Health Administration regulations contained in Title 29 of the Code of Federal Regulations, when it accepted the negative findings in the 1991 chest x-rays. He asserts that the abrupt change in findings was the result of the GSA's failure to use an appropriately classified radiologist as required by 29 CFR 1910.1001, Appendix E, and an attempt to negate prior findings indicating the health consequences of exposure to asbestos, beryllium or other toxins. After complainant challenged the 1991 findings, the doctor reading the chest x-rays reviewed his films again and qualified the negative finding, asserting that fat deposits may have caused the pleural changes. Subsequent x-rays in 1992, 1993 and 1994 reflected the positive findings previously identified.

(5) Since he retired in 1994, complainant has not been offered testing by GSA.

(6) Complainant asserts that current GSA Maintenance and Operations employees are not currently being offered medical monitoring following exposure to asbestos as required by 29 CFR 1926.1101. He stated that employees have been offered only annual pulmonary function tests, rather than the comprehensive physical examinations required by Part 1926.

(7) Complainant and approximately 40 other Maintenance and Operations employees worked at the Plant while employed by GSA. These employees worked extensively in the fan rooms, both in the Plant and on the GSA-controlled portion of the site, physically

changing large roll filters that captured contaminants. Complainant explains that he worked in fan rooms that were common to both the GSA-controlled portion of the Complex and the Plant. All of the fan rooms at GSA drew outside air into the building from nearby ventilation stacks from the Plant. In addition, Complainant reports that water from the DOE-controlled portion of the site traveled to the GSA-controlled portion, and he and other Maintenance and Operations employees were responsible for pipe repairs occasioned by the breaks or leaks on the DOE-controlled portion of the site.

(8) Complainant stated that he and other Maintenance and Operations employees regularly performed maintenance and repairs on the sewage ejection system. The sewage systems for the GSA-controlled portion of the site and the Plant were shared, at least at the level of the pits to which all sewage flowed before being pumped up and out of the facility. Thus, contaminants disposed of at the Plant, including, for example, the chemical residue from barrel- washing operations, were washed into common pits, which were then pumped to the street level. When a sewage back-up occurred, potentially contaminated sewage was released into the GSA-controlled side.

(9) Complainant reports that the agency has not taken sufficient action to protect employees from the hazards known to exist at the Complex. Such actions include notifying employees of the potential for exposure, and providing a medical surveillance program for all employees who were exposed at or above a permissible exposure limit.

(10) In contrast to the comprehensive medical surveillance program in place for DOE employees and former employees who worked at the Plant, GSA has not established a comprehensive medical monitoring program for its own employees. Nor are GSA employees who worked at the Plant recognized as a Special Cohort eligible for compensation for illness caused by their employment under the Energy Employees Occupational Illness Compensation program, despite their exposure to the same contaminants that affected Plant employees. Many of the Maintenance and Operations employees who worked at the Plant have since died.

(11) None of the investigations, audits, or evaluations performed by GSA, DOE, and NIOSH examined the potential exposures of GSA employees who performed work at the Plant. The GSA OIG investigation found that "...prior to 2010, [GSA] did not have a strong environmental management program for the Complex," and "without a comprehensive historical perspective, there is insufficient evidence to conclude that occupants at the Complex were not exposed to hazardous toxins." The GSA OIG review concentrated on the time period 1999 through 2010. No historical review or investigation of employee health hazards has been completed for the time period prior to 1999. Complainant asserts that such a review is necessary in order to establish the exposures GSA employees may have experienced as a result of the cross-contamination from the Plant, as well as from working on Plant equipment on DOE-controlled property.

## 2.2 Deliverables

The contractor shall provide a "draft final" and final report.

| DESCRIPTION | DUE DATE |
|---|---|

ATTACHMENT 5

# McCaskill's Ongoing Fight for Accountability at GSA

Senator Claire McCaskill began investigating the General Services Administration (GSA) in 2010 over questionable spending practices and lack of accountability. McCaskill's inquiry into a costly no-bid contract awarded by the GSA focused scrutiny on the agency's spending practices and preceded a larger investigation that ultimately cost the agency's top leaders their jobs. Below is an outline of some of McCaskill's ongoing fight for accountability at the GSA:

**NOVEMBER 12, 2010: McCaskill demands answers from Martha Johnson, then-GSA Administrator, about the agency's award of a costly public relations contract to help the agency respond to public criticism over contamination at the Bannister Federal Complex in Kansas City.**

- *"I am concerned whether spending money on these services is in the best interests of the taxpayer," McCaskill wrote. "I am particularly concerned about GSA's decision to spend such a significant amount of money to develop a strategy to counter potentially adverse findings of government agency investigations."*

**MARCH 1, 2011: McCaskill chairs Senate hearing grilling Martha Johnson, Bob Peck, and other GSA leaders about the contracts related to the Bannister Federal Complex in Kansas City.**

- *"The bottom line here is that we had a one-day, non-competitive, sole-source contract with the work order written by the contractor," McCaskill said at the hearing."I am not aware of anyone who suffered any kind of accountability because of the mistakes that were made surrounding this contract. That's troubling to me. I don't think that would happen in the private sector. I think it's important that we demonstrate to the public that when mistakes are made that someone is held accountable, and I'm not convinced that is the case in this particular contract."*

**MAY 9, 2011: McCaskill confronts then-Administrator Martha Johnson, regarding reports that Regional Commissioner Mary Ruwwe provided incorrect and misleading information at the Subcommittee's March 1 hearing.**

- *"Inspector General Miller raises several issues which, if true, would raise concerns regarding the accuracy and completeness of testimony provided by GSA officials at the hearing."*

**MAY 2011 - MARCH 2012: McCaskill presses for safeguards at GSA against the waste of taxpayer dollars, continues supporting investigation by the GSA Inspector General.**

**APRIL 2, 2012: Inspector General releases report, Martha Johnson resigns, Bob Peck and other senior leaders are fired or placed on administrative leave.**

- *"I"ve been investigating GSA for more than a year, and this report shows what I'd already suspected: an unacceptable waste of taxpayer dollars at the GSA," McCaskill said. "This latest Inspector General report uncovers almost-unbelievable irresponsibility on the part of GSA officials, and underlines the importance of our Inspectors General in holding government accountable. Getting rid of these officials, who clearly weren't up to the task of safeguarding taxpayer dollars, is a no-brainer-and I plan to continue my fight for accountability at GSA, and across the federal government."*

**APRIL 10, 2012: McCaskill uncovers evidence that senior leaders at the GSA received lucrative, taxpayer-funded bonuses while under investigation by the Inspector General and tells Acting Administrator Daniel Tangherlini to release the names of agency officials who have received bonuses while under investigations by the Inspector General or while they were subjects of audits, as well as the size of those bonuses.**

- *"Although I am encouraged by the actions taken to date to hold the agency's senior leadership accountable, I have concerns about whether your agency has sufficiently addressed what appears to be a pervasive culture of rewarding officials for misconduct relating to the expenditure of taxpayer dollars," wrote McCaskill. "I recently learned that many of the individuals named in the Inspector General's reports received substantial cash bonuses for their performance in 2010 and 2011."*

**JUNE 4, 2012: McCaskil reveals initial findings from her investigation into the GSA showing that in just the past few years the agency has paid more than $1 million in taxpayer-funded bonuses to employees being investigated by the Inspector General for wrongdoing or misconduct.**

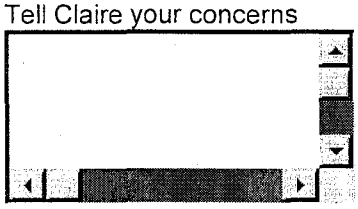
- *"Missouri families who don't have the luxury of getting multiple bonuses every year would be outraged at the way this agency is spending taxpayer dollars-I know I am," said McCaskill, a former State Auditor and prosecutor who began investigating GSA in 2010. "It doesn't pass the smell test to be awarding huge bonuses in taxpayer dollars to officials who are being investigated, or have already been found responsible, for fraud and waste of those very taxpayer dollars. That's why I'm not letting up on our fight for accountability in government."*

**August 2, 2012: McCaskill, joined by U.S. Senator Kelly Ayotte (R-N.H.), introduced legislation to create better safeguards against such waste and install strong new measures for accountability across the federal government.**

- *"With this legislation, we're aiming to make sure that agency leaders can't just shrug off responsibility for wrongdoing, and to see that employees who betray the public's trust by wasting taxpayer dollars are punished, not rewarded for bad behavior," said McCaskill, Chairman of the Senate Subcommittee on Contracting Oversight. "A lot of folks are understandably cynical that Congress can work together to get anything done-but accountability in government is a value that crosses party lines, and I'm glad to have Senator Ayotte's support in this effort."*

###

Tell Claire your concerns



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Talk to someone now:
Call (202) 224-6154 to speak to a member of our staff.

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ATTACHMENT 6

**Question Set for Jim Daniels Telephone Interview**

1. Full name:

2. Dates of GSA service:

3. GSA employment location(s) and dates:

4. GSA occupational title(s) and dates:

5. Description of occupational duties and activities:

   a. Description of occupational activities associated with potential exposures from the DOE portion of the Bannister Kansas City Complex (include location, work description, frequency and duration, personal protective equipment used, suspected potential toxic materials and sources)

   b. Description of occupational activities associated with potential exposures from the GSA portion of the Bannister Kansas City Complex (include location, work description, frequency and duration, personal protective equipment used, suspected potential toxic materials and sources)

6. Do you have any other concerns or comments not addressed in the previous questions that you'd like to add for the record?

1) Complaint is centered on the failure of GSA to maintain a Occupational Saftey and Health program as prescribed by the Occupational safety and Health Act of 1970. GSA sent me into the prementioned areas, common to the DOE side of the plant, thus exposing myself and coworkers to the some 900 contaminants already identified. GSA failed to offer protective equipment nor did they inform us of the danger to our health and safety in doing so. GSA broke the law cited above by thr Occupastional Saftey and Health Act of 1970. GSA committed a criminal act in destruction of the Saftey and Health program. GSA committed the same criminal act at the Hardesty location by allowing DOE to store and auction contaminated tools and machinery used to manufacture nuclear and non nuclear components for nuclear weaponry and exposed myself and other workers unknowingly to toxic substances, as well as the public who attended these and purchased from these auctions.
2) GSA purposely attempted to cover up employee illnesses by falsification of records, for example as a result of the 1991 x-rays and B readings several employees were previously identified as disease evident with a 15 % loss of lung function, the 1991 readings were found to be negative with normal lung function

to placed in our medical records for a period of 30 years. Asbestos and Beryllium damage show a close similarity as per the American Thoracic Disease Document. The 1988 1989 and 1990 readings were done by a Dr Speakman.These readings showed pleural plaques and were disease evident. B Reader Speakman was contracted to look for Asbestos toxin and damage. In 1991 GSA switched readers from Speakman to Dr Kelly Hart. Hart's readings found found the former x rays to be completely negative. No disease, pleural plaques or toxic ingestions evident. Mr David Hendricks requested a third reading and GSA refused. They refused to have the 1991 x-ray reviewed by a pulmonary specialist and instead scheduled a $500 CT scan and promised to have it read by a Dr Schlozman who was a Pulmonary Specialist. It was never reviewed by a Pulmonary Specialist but was reviewed by two people with no qualifications for evaluation of an x-ray pertaining to Occupational Lung Injestion.

3) GSA Inspector General, John Walsh investigated on or about 2010, the GSA, PBS Health and Saftey program, back to 1999, and found the PBS program to be "without credibility". GSA had knowledge of toxins from the DOE that their maintainence workers were exposed to back to or about 1990. They chose to destroy the program rather than follow the law and afford these workers the protections the law demanded resulting in the illness and death for many.

ATTACHMENT 7

Hutson

General Services Administration - Region 6
1500 East Bannister Road
Kansas City, MO 64131

Date : FEB 17 1983

Reply to Attn of : 6PBD-1S

Subject : SAFETY-Asbestos exposure in maintenance, repair and alteration activities

To : All Maintenance Supervisors and Employees

The attached letter concerns the asbestos control program for the protection of GSA employees and tenants. You will note the instructions are given for the performance of repair, alteration or maintenance work where exposure may result from asbestos insulation of pipes and/or boilers.

Each supervisor and/or employee is expected to follow these instructions. If you are in doubt about the material being asbestos, then stop work, call your supervisor and a determination will be made as to the type of material. After the material has been identified, work will proceed from that point.

Don F. Ream

DON F. REAM
Field Office Manager
Kansas City South Field Office

Enclosure

General Services Administration - Region 6
1500 East Bannister Road
Kansas City, MO 64131

RECEIVED FEB 2 1983

Date : January 28, 1983

Reply to Attn of : Accident and Fire Prevention Branch, BMD (6PBA)

Subject : Asbestos exposure in maintenance, repair and alteration activities

To District Managers and Field Office Managers

GSA has an established asbestos control program for the protection of GSA employees and tenants. Since there is no determined safe exposure level to asbestos fibers, any maintenance, repair, or construction work involving friable asbestos shall be performed in accordance with GSA, EPA, and OSHA guidance in such a manner that occupational exposure to workers and incidental exposure to occupants or others shall be controlled to minimize release of fibers.

Specific guidance has previously been provided to those locations where sprayed-on asbestos exists and those requirements remain in effect. The guidance provided below is for the performance of repair, alteration, or maintenance work where exposure may result from asbestos insulation of pipes and/or boilers.

1. All asbestos material that needs to be disturbed will be adequately wetted prior to any repair, alteration, or maintenance work, and will be worked in a wet state to prevent emission of airborne fibers.

2. Approved disposable respirators for employees working with asbestos will be furnished by the Field Office Manager. A disposable dust and mist respirator which provides self-contour fitting and which is approved for this use is produced by 3M Company. These respirators, 3M Part No. 021200 08710, are packaged 20 to the box at a price of approximately $12.50 per box, and are carried by the Self-Service Store in some locations.

3. After repairs are completed, clean up all asbestos material and enclose in a plastic bag at least six (6) mils in thickness.

4. The plastic bag containing asbestos will be sealed, labeled asbestos, and sent to an approved sanitory land fill.

5. A record of the disposition of the asbestos will be maintained at the Field Office.

If additional information or guidance is required, please contact Jack Smith, Chief, Accident and Fire Prevention Branch, at 926-5318.

JAMES J. HOOVER
Director, Buildings Management Division
Office of Public Buildings and Real Property

ATTACHMENT 8

sick and dead colleagues.

Bond made the comments while defending his efforts to block the appointment of the GSA's top executive.

The Missouri senator is battling with the agency over whether to proceed on a $175 million proposal to open new government office space in downtown Kansas City.

The move would allow employees to leave the aging Bannister Federal Complex for new office space.

Senator Kit Bond

Floor Statement

GSA Controversy

Thursday, February 4, 2010

Today, I rise to shed some light on the situation going on at the General Services Administration (GSA) – a tangled mess of bureaucracy I've been fighting against the last five years.

Yesterday, the President accused me of holding the nominee to be Administrator, Martha Johnson, hostage. Now I feel no joy in holding up this nominee, but the hostage I am concerned about is NOT the one looking for a DC job.

Instead, the hostages I am worried about are the 1,000 people working in a dump in Kansas City at the mercy of an agency that refuses to act to remedy a problem they acknowledge exists. Again, the hostage, with respect, is not Martha Johnson; the hostages are the 1,000 Kansas City workers at the Bannister Complex.

As Senators we have a few tools at our disposal to carry out our responsibilities. One of those important responsibilities is oversight of the federal government. And one of these tools is to force the Senate to debate – and actually vote – on an issue rather than just be a rubber stamp for the Administration.

While he has criticized me for using this oversight tool, the President wielded it himself when he was a Senator in this very chamber.

Senator Reid shares some responsibility in delaying Martha Johnson's confirmation.

You see, Johnson's nomination actually passed out of committee in May. Was she ever called up for a vote?

No. Because until July – when I formally placed an informational hold on the nominee -- the Senator from Nevada, according to Congress Daily, delayed her confirmation to ensure that taxpayer dollars were still being used to send federal employees to Las Vegas to meet, gamble or whatever one does in Vegas.

Senator Reid has his priorities regarding the delay on this nomination and I have mine. He wants more federal employees in Las Vegas; I want federal employees in Kansas City to work in a building with a roof that doesn't leak.

Now some are complaining about the delay of this nominee. But the truth is that the Majority Leader could have confirmed Martha Johnson in May, June or July.

In addition, the Majority Leader picked last Thursday as his day to file cloture on this nominee. As the Senator in charge of the schedule, he could have picked any date in the last seven months to file his cloture motion. But he waited until last Thursday.

There are many reasons why a Senator might wish to place a hold on a nominee that are related to our oversight responsibilities.

It is important to have debates like this not only when the qualifications of the nominee are at stake, but when a federal bureaucracy stops being responsive to the people and communities they serve. That's the real issue here.

Martha Johnson's qualifications are not in doubt. But as you will hear in a minute, the GSA is not being responsive to the people of Kansas City.

The history here goes back about five years, and is a part of a larger plan to move all tenants out of the dilapidated Bannister Federal Complex. GSA initiated a plan to construct a new building in downtown Kansas City in order to move the final jobs out of the complex.

The community of Kansas City – all of the leadership, the elected officials and others – had worked with the GSA to get a building – a new building to replace the Bannister Complex.

The existing building - by any stretch of the imagination - is extremely expensive to operate, will be sparsely occupied, is not conducive as a good workplace, and needs to be replaced.

After three years the plan had the approval of GSA and OMB, and all the financing had been committed in order to construct a building on a lease-construction basis.

So what happened? With no warning, GSA called up to the EPW committee the week of the markup to effectively put their OWN hold on the very project they developed and approved, citing GSA's shift away from lease-construction plans.

For anyone following the project this latest move by GSA defied logic. After all, three months earlier in June of 2008, GSA was holding roundtables with real estate developers on the value of the lease-construction plans and telling them how they could seek such projects.

In scrapping their own plan, GSA ensured that after all other tenants vacated the inefficient, 5.2 million square foot complex; more than 1,000 federal employees would be stuck working there.

That is about 5,000 square feet per employee. This nonsensical plan would cost taxpayers 13 to 15 million dollars annually just to mothball unused space and operate shared heating and cooling equipment. That's $13,000 to $15,000 a year per employee for the UNUSED space.

I am also convinced that this was the best path forward that for nine months they even went as far as to conduct an analysis to justify the continued use of the Bannister Complex.

In this 60-day analysis "GSA concludes that the Bannister Complex should be a mid-term hold (approximately 15 years)." This translates into nearly 10 years of continuing to run a complex at 20% capacity.

It doesn't take a mathematician to figure out those numbers are not a good use of taxpayer dollars.

However, yet again, GSA decided to change its mind in September of 2009. This time GSA agreed to their original position -- that a new building in Kansas City was GSA's "preferred option."

Please bear with me – I know this is confusing.

Imagine how the Kansas City community feels after being jerked around for five years. We all feel a little like Charlie Brown. Every time we get ready to kick the ball down the field, GSA moves it.

So where are we now? Now that GSA has gone BACK to their original objective that they earlier rejected?

Unfortunately, we are not even one step closer to a new building for these workers. GSA has still taken no action, the people of Kansas City haven't heard anything and we still haven't seen an official plan out of GSA.

GSA agrees that Kansas City needs a new federal building so it shouldn't be asking too much for lawmakers and the community to be told their plan, yet they have stubbornly refused to produce one.

I met with Martha Johnson. I have worked with the Acting Administrator.

I have asked repeatedly for GSA to come up with an official plan to move Kansas City forward; they have refused. This is broken bureaucracy at its worst.

Mr. President – my bottom line, the reason I am on the floor today opposing this nomination is quite simple.

As Missouri's senior Senator, my job is to fight on behalf of the people that elected me. My job is to make sure that bureaucrats in Washington do their job and serve the people.

GSA continues to ignore the Kansas City community.

My efforts have always been about keeping 1,000 jobs in Kansas City, not blocking this one job in Washington.

My colleagues should be aware that there is more bad news at this very same Bannister Federal Complex.

At the same time GSA has been unwilling to move forward on a new building, they have also apparently been unresponsive to the ongoing health concerns of their employees and tenants at the Bannister Federal Complex.

In the next day or so tests will come back on the levels of Trichloroethylene or TCE, a dangerous carcinogen at the Banister Complex.

These tests were called for after a local TV station reported unexplained illnesses afflicting Bannister workers and a possible link to toxins at the complex.

While the pending results of these tests are of concern, the more disturbing fact is that these types of scares and reports are becoming commonplace at the Bannister Federal Complex.

It is also alarming that I learned about this information – not from GSA – but from the media.

Based on media reports, the implications for the health of these workers is so serious I have called for an investigation.

I have asked the Inspector General of GSA to get to the bottom of these alarming health allegations.

I will work with the proper authorities on all levels of government -- such as the Environmental Protection Agency, the Missouri Department of Natural Resources and the Agency for Toxic Substances and Disease Registry to uncover additional information.

And it goes without saying that I will demand more transparent and comprehensive testing throughout the entire Bannister Complex.

For the safety of the workers, we need to know what is going on at Bannister now, what has gone on in the past, who has known it about, and how to move immediately to protect those potentially at risk.

The bottom line is that these workers deserve answers.

This situation at GSA tells the American people that all they can expect out of Washington is business as usual.

A government that is out of touch with their concerns, and slow to act. Well, I don't support business as usual. For these reasons I will vote against the nomination and ask my colleagues to do the same

Posted: 02/04/2010

Editor's note - Remarks quoted from documents are quoted as written by the documents' authors.

Missouri Senator Christopher Bond sent a letter today to U.S. Inspector General Brian Miller, asking for information about the "full extent of the problem and what steps GSA is taking to protect employees if deemed at risk".

Bond's letter says, "the Missouri Department of Health and the Environmental Protection Administration will, in the coming days, release new tests results on the levels of Trichloroethylene or TCE, a dangerous carcinogen, at the Bannister Complex. While the pending results of these tests will be evaluated, news reports point to a possibly more wide-spread health risks at the Bannister complex, including possible exposure to beryllium."

KANSAS CITY, Mo. – Documents obtained by NBC Action News show General Services Administration officials knew about a cancer scare inside the Bannister Federal Complex at the time the agency was denying knowledge of worker concerns.

The documents, obtained under the Freedom of Information Act, substantiate claims from sick workers that they notified government officials of their fears by providing a list of about 100 sick and dead former colleagues.

"Nothing specific on any particular health issues," said Michael Brincks, acting regional administrator of the General Service Administration's Heartland Region when we asked him about complaints of a cancer scare. "Not really anything specific. I've been working here close to 19 years."

ATTACHMENT 9

Dear Mr. Dan Tangherlini: September 24, 2012

Acting GSA Administrator

Regarding the unexplained illnesses exposed at a Region 6 GSA headquarters. A large number of employees believe toxins escaping from the DOE side of the 1500 E Bannister Rd Complex have caused sickness and death. PBS officials have denied the existence of toxins by a deliberate violation of its Occupational Medical Surveillance Safety and Health Program.

This Program began for GSA in 1984 and was expanded to include Chest X-rays by Special trained radiologists. Their B-readings found several maintenance employees with lung problems. Some with disease evident. For three consecutive years starting in 1988 these employees had the same lung problems. GSA-PBS allowed its Public Health contractor to Use a different B-reader in1991. The result was an apparent instant cure. Three of the diseased no longer had lung problems and the other had no plural anomalies. (Completely Negative Chests) A required 3rd opinion was requested and ignored.

An Effort was made toward understanding why a Federal Government Agency would allow itself to disobey a Code of Federal Regulation in violation of the Occupational Safety and Health Law. This effort led to the discovery that Asbestos symptoms read like Beryllium. These chest X-rays would also show the existence of Beryllium ingestion.

GSA-PBS Region 6 apparently felt any further involvement with maintenance lung problems ( as required by additional evaluations) could/would lead to exposing the toxic contaminants affecting tenant agency employees as well as visiting Public.

A lengthy history consisting of 100 or more pages of document justification has been sent to OSC. It explains the back and forth between GSA and Union Representatives. The Inspector General Brian Miller, Catherine A. Mc Mullen of OSC, and John F. Walsh Home Land IG already has copies.

Jason Klumb has ignored the opportunity to help (both past and present employees) gain recognition of their toxic exposure. His failure to act has resulted in a relatively small group of GSA-PBS Maintenance Employees being deigned (by the Department of labor) to process claims. The DOL denial then caused a forthcoming hearing over the definition of a contract.

The EO 13179 states that "THE DEPARTMENTS OF LABOR, HEALTH AND HUMAN SERVICES, and ENERGY SHALL BE RESPONSIBLE FOR DEVELOPING AND IMPLEMENTING ACTIONS UNDER THE ACT TO COMPENSATE THESE WORKERS AND THEIR FAMILIES IN A MANNOR THAT IS , FAIR AND TIMELY". It also states the Federal Government should provide necessary information and otherwise help employees of the DOE or its contractors determine if their illnesses are associated with conditions of their nuclear weapons-related work. The DOL is using a delay tactic in opposition to the stated intentions of EO 13179.

We need help from the partnership of yourself and IG Brian Miller to expose and rectify the GSA-DOL

Occupational Safety and Health failures so that Claims can be processed without further delay and obstruction.

Respectfully:

David M. Hendricks Retired Maintenance Worker at 1500 E. Bannister Rd., KC, Mo.

Cell Phone

ATTACHMENT 10

# President's Budget Includes Major Investments in the Nation's Public Buildings

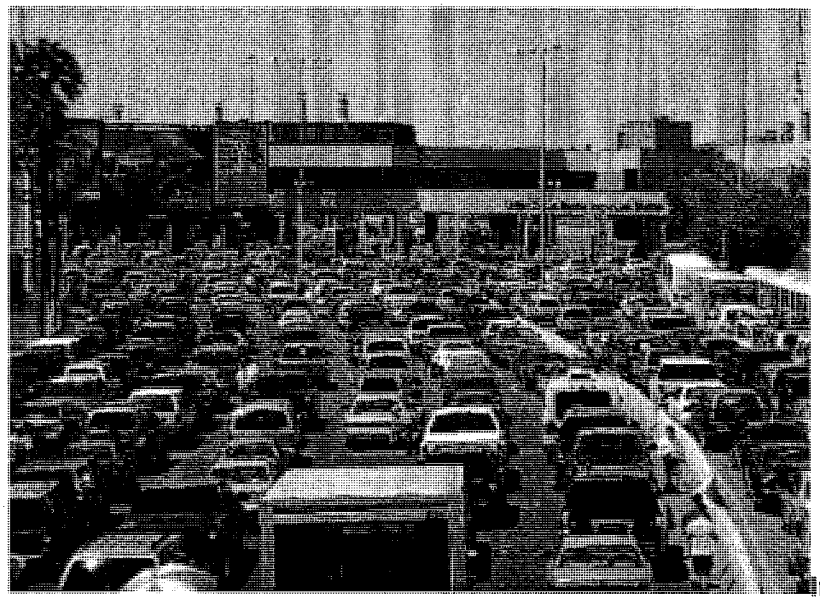
Washington, DC -- Today, the U.S. General Services Administration announced major construction and repair projects for public buildings outlined in President Obama's Fiscal Year 2015 Budget request. The Administration's budget request calls for important, common sense investments in the nation's public buildings managed by U.S. General Services Administration (GSA). These investments would enable GSA to properly maintain and improve the real estate assets owned and paid for by the American people.

"The President's budget includes the investments we need to help rebuild our nation's infrastructure, ensure that federal agencies can support economic and job growth in communities across this country, and provide vital and high quality services for the public," said GSA Administrator Dan Tangherlini. " I know that with this budget, we will contribute to delivering the efficient and effective government that the American people expect."

**Investing in the Nation's Public Buildings**

As a result of consecutive years of reduced funding, GSA's portfolio of facilities have forgone more than $4 billion worth of capital improvements including major repairs and maintenance as well as critical additions to the inventory. While we have begun to make significant progress in addressing years of deferred repairs, there is still significant work to do in ensuring that our buildings can support the work of government in the 21st century. The President's Budget restores GSA's authority to fully use incoming rent funds to meet the urgent needs of its real estate portfolio by investing more than $1 billion in maintaining federal buildings that need major renovations and basic repairs and renovations instead of diverting those funds to other uses.

The Budget also identifies important construction projects across the country, including more than $745 million in investments in nine construction projects that range from land ports of entry to office buildings and courthouses.



**nvesting in Border Infrastructure**

The Budget request includes $420 million in provisions for three border crossing and inspection projects that will promote economic growth, national security, and improve conditions for both vehicular and

pedestrian traffic. This provision includes work on the next phase of the San Ysidro Port of Entry in Southern California, the busiest border crossing in the world.

**Making the Federal Real Estate Footprint Smaller and More Efficient**

The Budget request includes $100 million to further GSA's efforts to consolidate agencies within existing Federally owned space across the country to improve space utilization, optimize inventory, decrease reliance on leased space, increase energy and water conservation, and reduce the federal government's footprint. GSA's consolidation program will save taxpayer dollars by reducing agency dependence on leased space, and reducing the total amount of space occupied by the government.

**Improving Safety and Energy Efficiency in Public Buildings**

The Budget request includes $100 million for projects that will improve safety systems, meet security requirements, cut energy costs, and reduce water consumption in buildings across the country.

These are all critical investments in infrastructure that will create significant savings by preventing costly emergency repairs in the future and build upon our progress of maintaining America's public buildings.

###

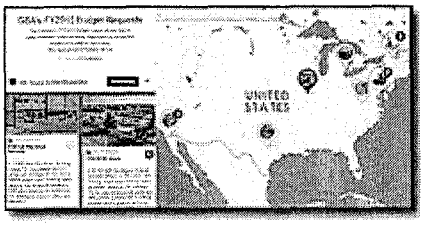
*The mission of GSA is to deliver best value in real estate, acquisition and technology services to government and the American people. The agency delivers this commitment through six priority areas that include: delivering better value and savings; serving our partners; expanding opportunities for small businesses; creating a more sustainable government; leading with innovation; and building a stronger GSA.*


CONTACTS

Dan Cruz

(202) 357-9597

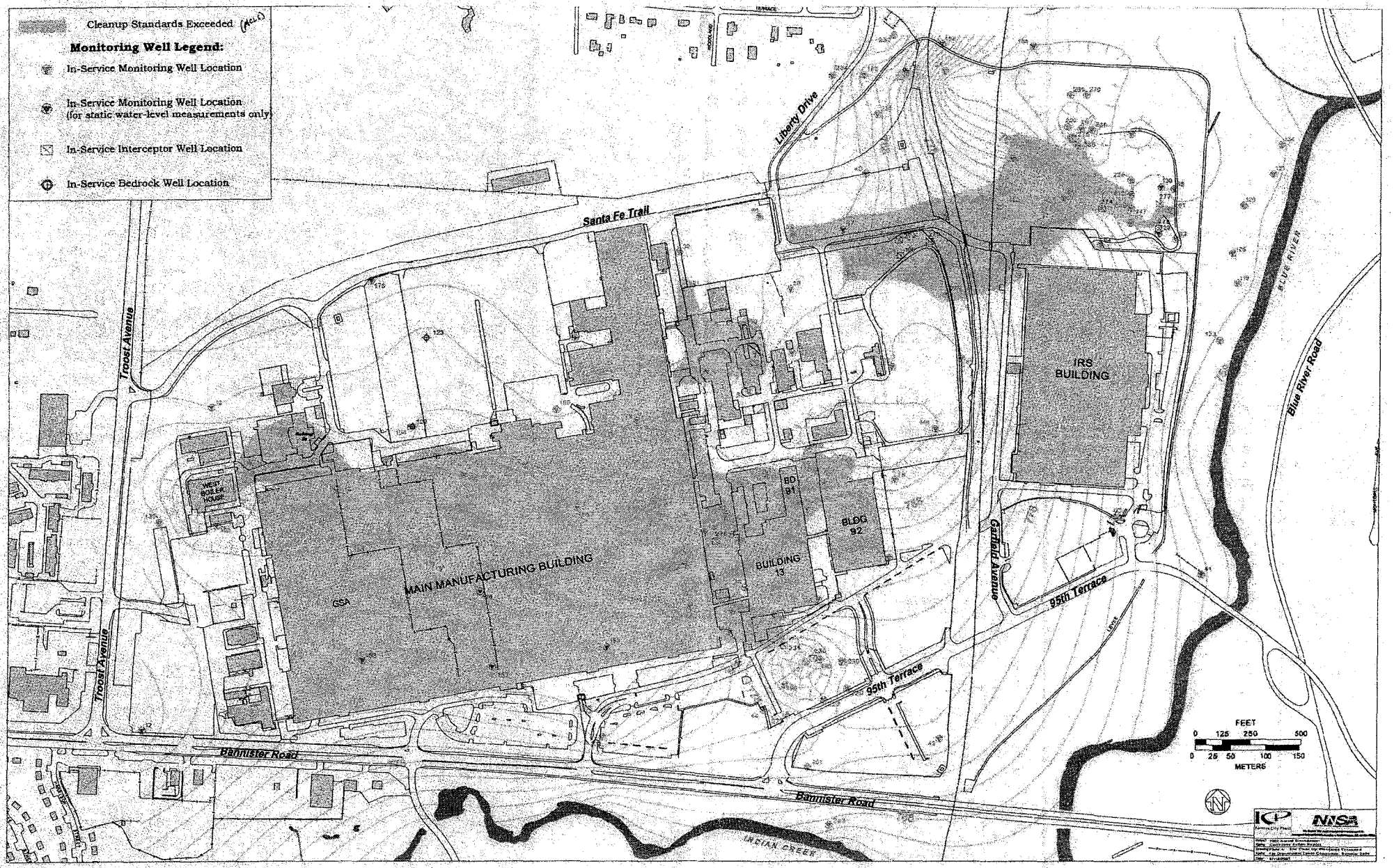
- dan.cruz@gsa.gov
- View Contact Details

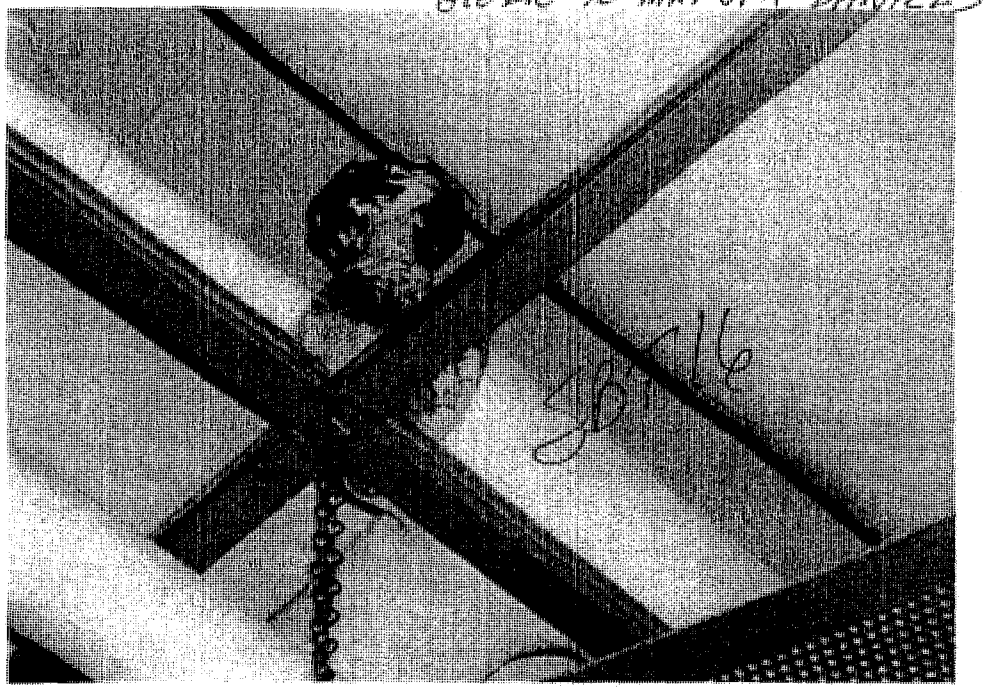
**To learn more, visit GSA's FY2015 Budget Request page on Pinterest**

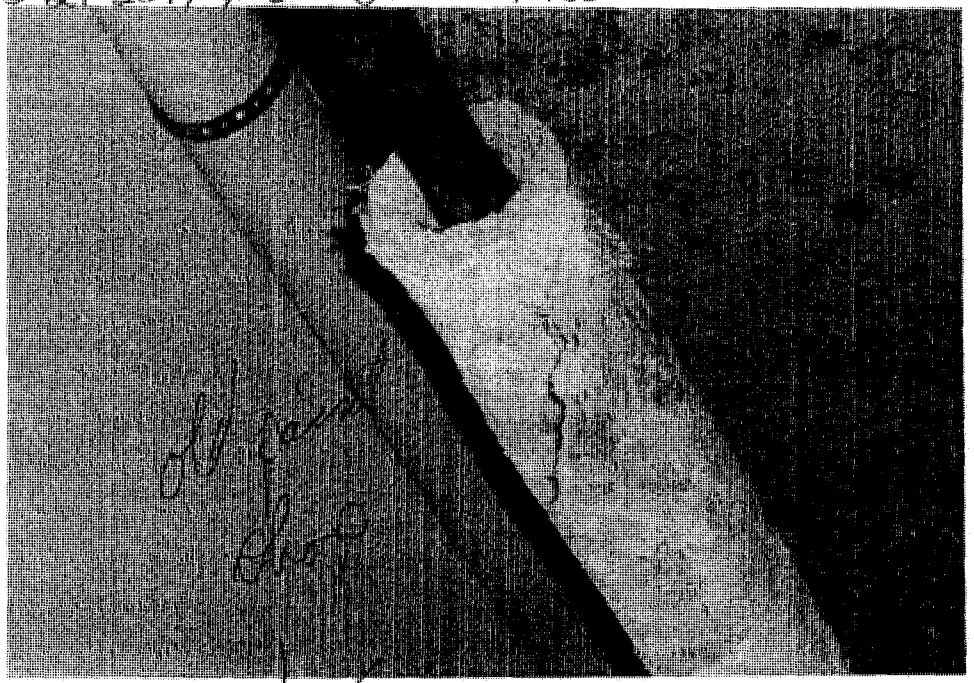
*Last Reviewed 2014-03-04*

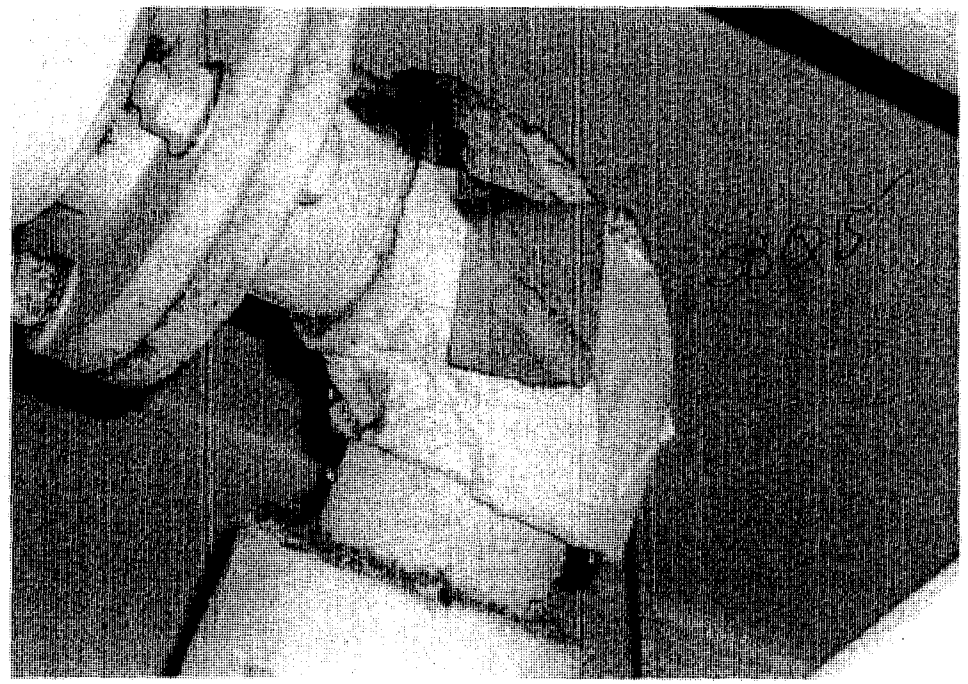
ATTACHMENT 11

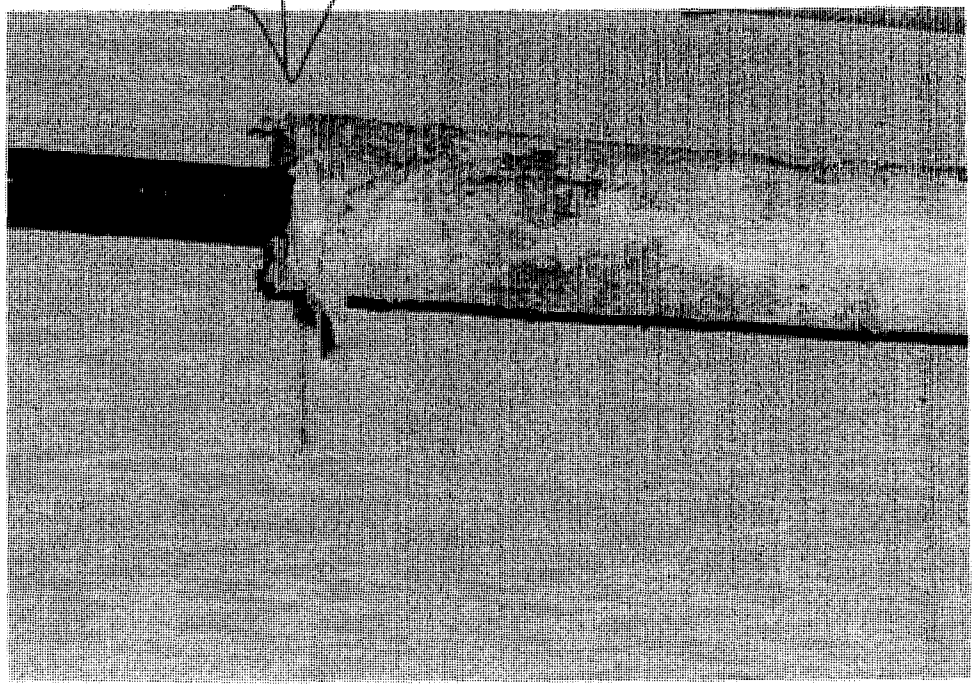

Cleanup Standards Exceeded
Monitoring Well Legend:
In-Service Monitoring Well Location
In-Service Monitoring Well Location (for static water-level measurements only)
In-Service Interceptor Well Location
In-Service Bedrock Well Location
Santa Fe Trail
Liberty Drive
Troost Avenue
Bannister Road
95th Terrace
Garfield Avenue
Blue River Road
BLUE RIVER
MAIN MANUFACTURING BUILDING
GSA
BUILDING 13
BLDG 92
BD 91
IRS BUILDING
WEST BOILER HOUSE
MEAN CREEK
FEET
METERS

PICTURES TAKEN DECEMBER 2012 BY ROBERT L. [illegible] ROUNCLAUD
GIVEN TO MR. JIM DANIELS 3-21-2014 FOS-SFO-PBS

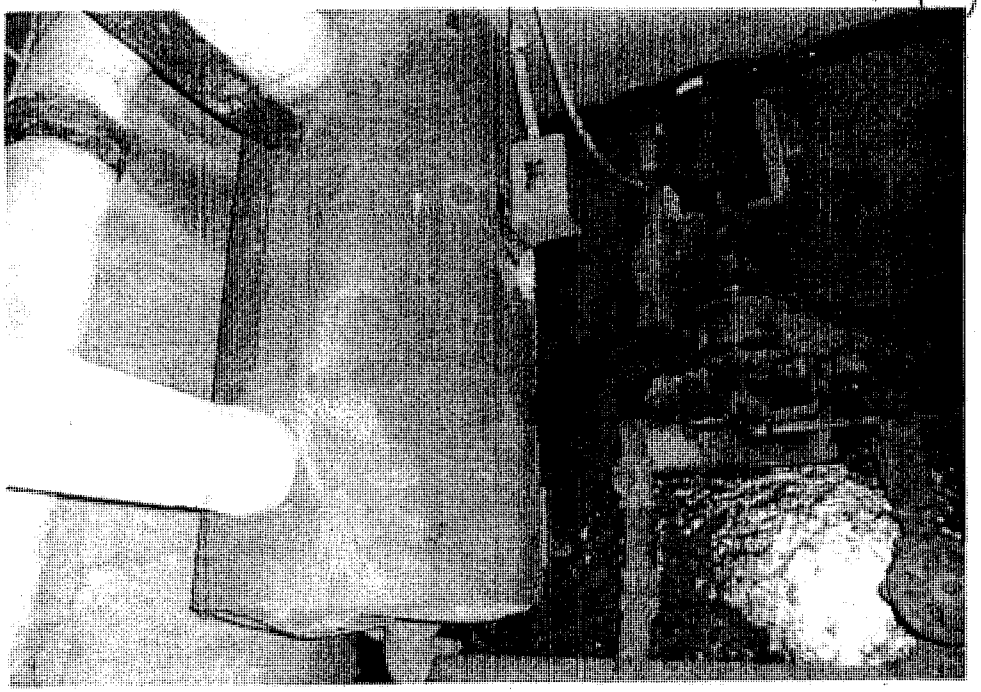


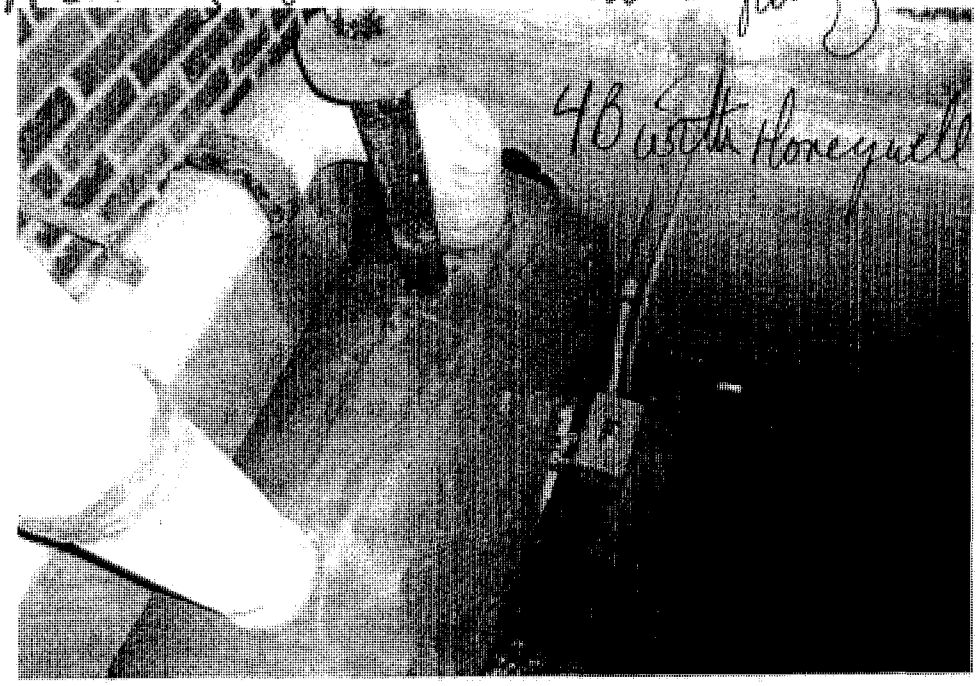


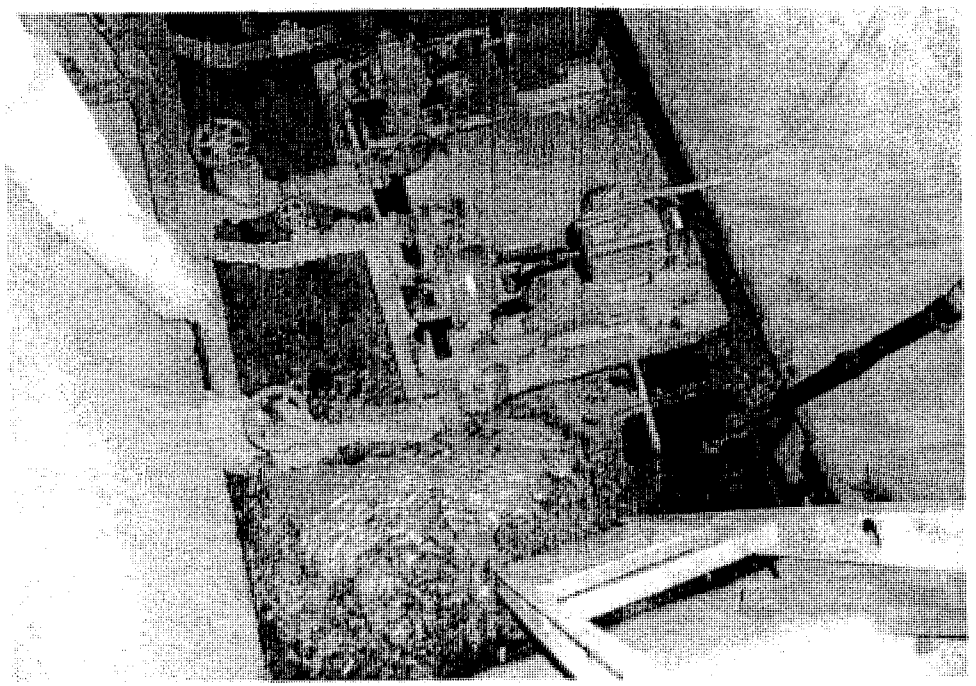




Old tank (10) & covering & who knows what under floor





ATTACHMENT 12

OFFICE FAX: 202-501-1944
ON THE ROAD FAX: 206-203-0209
Laura A. McGinnis/7P/R07/GSA/GOV

Laura A. McGinnis/7P/R07/GSA/GOV
07/16/2007 05:05 PM

To [redacted]
cc David L. Hartshorn/6P/R06/GSA/GOV@GSA, [redacted]
Subject Contaminated Property

We have a situation here at Bannister with DOE and their request to return GSA leased space. There have been beryllium operations in or adjacent to the leased area. We do not have any guidance on assessing or evaluting residual surface contamination for beryllium. DOE's contention is we have no choice except to take this space back into our inventory.

Any thoughts you can offer ie. surface cleanliness standard?? Dave can offer more history if other questions are raised.

Thanks

Laura McGinnis
Project Manager
Real Property Disposal Division
1500 E. Bannister Road (7PR-6)
Kansas City, MO 64131
(816) 823-5355
(817) 307-1943 cell phone

BUILDING RELATIONSHIPS BY OFFERING SOLUTIONS!

----- Forwarded by Laura A. McGinnis/7P/R07/GSA/GOV on 07/16/2007 03:43 PM -----

David L. Hartshorn/6P/R06/GSA/GOV
07/16/2007 03:03 PM

To Laura A. McGinnis/7P/R07/GSA/GOV@GSA
cc
Subject Disposal of Contaminated Property

Laura,

Could you send me the language GSA goes by when evaluating property for disposal which may be contaminated.

Here's the situation: we are likely to take possession of some DOE/NNSA buildings which may be contaminated with beryllium (a very hazardous material). To my knowledge (I'm checking further), there are no standards for evaluating contamination on building surfaces for beryllium to non-beryllium workers.

I'm trying to determine a process we can go by when looking at properties they want to give back to GSA. The building area I'm looking at now is actually our space which they've leased from us and have used for their beryllium operations.

Thought this might be of interest
Laura

Bernard K. Schafer/LR/CO/GSA/GOV
07/17/2007 08:04 AM

To Laura A. McGinnis/7P/R07/GSA/GOV@GSA
cc David L. Hartshorn/6P/R06/GSA/GOV@GSA, [redacted]
bcc
Subject Re: Contaminated Property

Laura --

RCRA regulates "Beryllium Powder" as a listed hazardous waste -- to be precise an "acute hazardous waste" -- its RCRA code is P-015. Thus, it is quite appropriate to view it as a CERCLA "hazardous substance" which incorporates all RCRA hazardous wastes into the scope of CERCLA (I've highlighted the critical passage in CERCLA's definition of hazardous substance, in red, where the word "listed" is what being on the "P" lists of RCRA hazardous wastes means):

CERCLA 42 USC Sec. 9601 (14)

The term "hazardous substance" means (A) any substance designated pursuant to section 311(b)(2)(A) of the Federal Water Pollution Control Act [33 USCS § 1321(b)(2)(A)], (B) any element, compound, mixture, solution, or substance designated pursuant to section 102 of this Act [42 USCS § 9602], ***(C) any hazardous waste having the characteristics identified under or listed pursuant to section 3001 of the Solid Waste Disposal Act [ 42 USCS § 6921]*** (but not including any waste the regulation of which under the Solid Waste Disposal Act [42 USCS §§ 6901 et seq.] has been suspended by Act of Congress), (D) any toxic pollutant listed under section 307(a) of the Federal Water Pollution Control Act [33 USCS § 1317(a)], (E) any hazardous air pollutant listed under section 112 of the Clean Air Act [42 USCS § 7412], and (F) any imminently hazardous chemical substance or mixture with respect to which the Administrator has taken action pursuant to section 7 of the Toxic Substances Control Act [15 USCS § 2606]. The term does not include petroleum, including crude oil or any fraction thereof which is not otherwise specifically listed or designated as a hazardous substance under subparagraphs (A) through (F) of this paragraph, and the term does not include natural gas, natural gas liquids, liquefied natural gas, or synthetic gas usable for fuel (or mixtures of natural gas and such synthetic gas).

Now I suspect DOE will argue that the physical form of the berryllium contamination is not a "powder" and thus it falls outside RCRA -- but though there may be large, nonpowdery chunks of berrylium, this doesn't exclude the possibility that whatever it takes to be a "powder" could in fact be present. Furthermore, I would suspect most regulators would want chunks of berrylium managed as a hazardous waste to avoid the formation of powders.

But regardless of how RCRA might cause the regulation of beryllium, CERCLA certainly has treated it as a contaminant as can be seen in the IRIS examination of the compound (where IRIS is the EPA program to develop toxicological profiles for the kinds of contaminants found at cleanup sites). Here's the link to the berryllium website: http://www.epa.gov/iris/subst/0012.htm The point of having on the books CERCLA's IRIS analysis of berryllium is this: regulators have got the science in hand necessary to calculate the risk to human health and the environment from exposure to beryllium wastes, such that a cleanup number could be derived at any given release site even if regulators hadn't gotten around to establishing a conservative, default response number. BUT, the truth is that regulators HAVE got a conservative, default, response number in hand. Here is what EPA Region 9's cleanup program says about beryllium (taken from this website: http://www.epa.gov/region09/waste/sfund/prg/files/04prgtable.pdf

Key: SFo,i=Cancer Slope Factor oral, inhalation RfDo,i=Reference Dose oral, inhalation i=IRIS p=PPRTV c=California EPA n=NCEA h=HEAST ca** (where nc PRG < 10X ca PRG) +++=Non-Standard Method Applied (See User's Guide) sat=Soil Saturation (See User's Guide) max=Ceiling li

| TOXICITY VALUES | | | | | | | | | | | | CONTAMINANT |
|---|---|---|---|---|---|---|---|---|---|---|---|---|
| SFo 1/(mg/kg-d) | | RfDo (mg/kg-d) | | SFi 1/(mg/kg-d) | | RfDi (mg/kg-d) | | V O C | skin abs. soils | CAS No. | | |
| | | 4.0E-03 | i | | | 4.0E-03 | r | | 0.1 | 114-26-1 | | Baygon |
| | | 3.0E-02 | i | | | 3.0E-02 | r | | 0.1 | 43121-43-3 | | Bayleton |
| | | 2.5E-02 | i | | | 2.5E-02 | r | | 0.1 | 68359-37-5 | | Baythroid |
| | | 3.0E-01 | i | | | 3.0E-01 | r | | 0.1 | 1861-40-1 | | Benefin |
| | | 5.0E-02 | i | | | 5.0E-02 | r | | 0.1 | 17804-35-2 | | Benomyl |
| | | 3.0E-02 | i | | | 3.0E-02 | r | | 0.1 | 25057-89-0 | | Bentazon |
| | | 1.0E-01 | i | | | 1.0E-01 | r | | 0.1 | 100-52-7 | | Benzaldehyde |
| 5.5E-02 | i | 4.0E-03 | i | 2.7E-02 | i | 8.6E-03 | i | y | | 71-43-2 | | **Benzene** |
| 2.3E+02 | i | 3.0E-03 | i | 2.3E+02 | i | 3.0E-03 | r | | 0.1 | 92-87-5 | | Benzidine |
| | | 4.0E+00 | i | | | 4.0E+00 | r | | 0.1 | 65-85-0 | | Benzoic acid |
| 1.3E+01 | i | | | 1.3E+01 | r | | | | 0.1 | 98-07-7 | | Benzotrichloride |
| | | 3.0E-01 | h | | | 3.0E-01 | r | | 0.1 | 100-51-6 | | Benzyl alcohol |
| 1.7E-01 | i | 2.9E-03 | r | 1.7E-01 | r | 2.9E-03 | n | y | | 100-44-7 | | Benzyl chloride |
| | | 2.0E-03 | i | 8.4E+00 | i | 5.7E-06 | i | | | 7440-41-7 | | Beryllium and compounds |

So, here are the two bottom lines:

1. I see no merit in the argument that beryllium releases are not regulated. If they are saying, as odd as it may be, that since GSA has no beryllium guidance, well, sure, fine -- but we also don't have any baygon bayleton, baythroid, benefin, benomyl, etc. etc. ad nauseum guidance. BUT EPA and the states do. Our generic CERCLA 120 guidance controls any contaminant that we have not otherwise highlighted in guidance (e.g., as we do with PCBs, pesticides, etc.).

2. If they truly think beryllium releases aren't like any other CERCLA-actiionable release, go get a letter from federal and state regulators, and we'll consider abiding by such direction. Betcha' they won't get that.

bk

Bernard K. Schafer, J.D., LL.M.
Senior Assistant General Counsel
Real Property Division

U.S. General Services Administration
Office of the General Counsel
1800 F. Street, NW
Washington, D.C. 20405

OFFICE: 202-501-0255
NEW BLACKBERRY CELL: 202-680-3094

ATTACHMENT 13

Amendment #1 attached

MEMORANDUM OF UNDERSTANDING

between

THE UNITED STATES DEPARTMENT OF ENERGY

and

THE UNITED STATES GENERAL SERVICES ADMINISTRATION

for

THE BANNISTER FEDERAL COMPLEX
KANSAS CITY, MISSOURI

1989

MEMORANDUM OF UNDERSTANDING

between

THE UNITED STATES DEPARTMENT OF ENERGY

and

THE UNITED STATES
GENERAL SERVICES ADMINISTRATION

for

THE BANNISTER FEDERAL COMPLEX
KANSAS CITY, MISSOURI

Memorandum of Understanding
DOE MOU No. DE-GM33-89AL53604

This MEMORANDUM OF UNDERSTANDING (herein called "Agreement"), is between the UNITED STATES GENERAL SERVICES ADMINISTRATION (herein called "GSA") and the UNITED STATES DEPARTMENT OF ENERGY (herein called "DOE"), and will become effective the first day of the month following the month the Agreement has been executed by both parties.

WITNESSETH THAT:

WHEREAS, there is a Federal Complex located in the vicinity of Troost Avenue and Bannister Road in Kansas City, Missouri which is known as The Bannister Federal Complex; and

WHEREAS, The Bannister Federal Complex is occupied and utilized by several government agencies and private parties; and

WHEREAS, GSA and DOE each have custody and control of portions of The Bannister Federal Complex and together have custody and control of the entire Bannister Federal Complex; and

WHEREAS, by Memorandum of Understanding (EY-76-C-33-0072) executed in 1976, GSA and DOE's predecessor agency, i.e. the Energy Research and Development Administration, set forth the rights and obligations of the parties with respect to access, use, maintenance, utility services, costs and reimbursements as related to The Bannister Federal Complex; and

WHEREAS, GSA and DOE desire to modify and supplement the agreements set forth in the Memorandum of Understanding, as amended, and consolidate the current agreements into a new document which will supersede said Memorandum of Understanding; and

WHEREAS, GSA and DOE certify that this Agreement is authorized by and entered into under the authority of 31 U.S.C. Sections 1535 and 1536 and other applicable law;

NOW THEREFORE, in consideration of the foregoing and the mutual covenants set forth herein, the parties enter into this Agreement and provide as follows:

ARTICLE I - DEFINITIONS

A. The term "GSA" means the United States General Services Administration and any duly authorized representative thereof.

B. The term "DOE" means the United States Department of Energy and any duly authorized representative thereof.

C. The term "Premises" means the entire realty, fixtures and improvements comprising The Bannister Federal Complex as more particularly outlined on the document entitled "Site Layout", drawing number 14929-V1, revision 4 dated 30 JUN 88 and marked Exhibit I, which Exhibit is attached hereto and incorporated into this Agreement. Subsequent revisions of Exhibit I will become effective when furnished to GSA by DOE written transmittal.

D. The term "GSA Area" means all of the Premises except that which is shown on Exhibit I as being under DOE custody and control.

E. The term "DOE Area" means that part of the Premises under DOE custody and control as identified on Exhibit I.

F. The term "GSA Permitted Areas" means those parts of the Premises identified on Exhibit I which are occupied by GSA pursuant to a DOE permit.

G. The term "DOE Permitted Areas" means those parts of the Premises identified on Exhibit I which are occupied by DOE pursuant to a GSA permit.

H. The term "Joint Use Areas" means those parts of the Premises used in common by DOE, GSA and its tenants and invitees, which areas include, but are not limited to, entrances, driveways, parking spaces, docks, restrooms, railroad tracks, roads, flood walls, and dikes.

I. The term "Utility Services" means those utilities such as electric power, city water, sewage (storm and sanitary), steam, chilled water, hot water, fire protection water, natural gas and compressed air.

J. The term "Utility Service Distribution Systems" means those portions of the Premises which are necessary to generate and deliver Utility Services.

K. The term "Maintenance Projects" means projects for the maintenance, repair, replacement, modification, overhaul and rehabilitation of the Utility Service Distribution Systems, Flood Control and Joint Use Areas.

L. The term "Total Project Cost" means all costs associated with a specific Maintenance Project including, but not limited to, all costs for design and construction supervision.

M. The term "Termination Point" means the point on the Utility Service Distribution System at which the responsibility for the system shifts from one agency to the other. The "Termination Points" for the systems are shown on the appropriate Utility Services Distribution System drawings which are identified and incorporated in this Agreement as Exhibit II. This means that on systems having valves GSA assumes responsibility after the first valve off of the main utility lines under DOE control.

ARTICLE II - GENERAL PROVISIONS

A. Term of Agreement

This Agreement shall have an initial term of five years from its effective date and shall continue from month to month thereafter until terminated by either party upon written notice given at least six (6) months prior to the date of termination specified in the notice.

B. 1976 Memorandum of Understanding

This Agreement, when effective, supersedes the 1976 Memorandum of Understanding, as amended (EY-76-C-33-0072).

C. Mutual Assistance

Either party may request services from the other in addition to those specifically covered by this Memorandum of Understanding with the understanding that the costs of such services shall be on a reimbursable basis, provided the request does not create an undue burden on the other party.

D. Control of Utility Service Distribution Systems Drawings

The drawings referenced in Exhibit II may contain Unclassified Controlled Nuclear Information subject to section 148 of the Atomic Energy Act of 1954, as amended (42 U.S.C. 2168) and should not be released outside GSA or DOE prior to approval of a DOE classification officer.

E. Federal Anti-Deficiency Act

Consistent with the intent of the Federal Anti-Deficiency Act, 31 U.S.C. 655, the obligations of each of the parties under this Agreement are subject to availability of appropriated funds.

ARTICLE III - USE OF AND ACCESS TO PREMISES

A. Joint Use Areas

Use by DOE, its contractors, business invitees and guests, of the entrances, driveways, parking spaces, docks, restrooms, railroad tracks, roads and other areas of the Premises outside of the DOE Area and DOE Permitted Areas, shall be in common with all others and shall be subject to regulation by GSA consistent with DOE mission requirements.

B. DOE Area

The DOE Area is a limited access area. GSA agrees to obtain written or oral permission from DOE before entering. DOE agrees that, subject to security requirements, permission will be granted for entry to the DOE area at all reasonable times for all reasonable purposes.

C. DOE Permitted Areas

Security of areas held by DOE under GSA Permit will be the responsibility of DOE. Some of the DOE Permitted Areas are limited access areas and are so designated by appropriate signs. GSA agrees to obtain written or oral permission from DOE before entering such areas. DOE agrees that, subject to security requirements, permission will be granted for entry to limited access DOE Permitted Areas at all reasonable times for all reasonable purposes.

Subject only to the above provision regarding limited access, all DOE Permitted Areas will be governed by the terms and conditions of the GSA permit to DOE.

D. GSA Area

Portions of the GSA area are limited access areas. DOE agrees to obtain written or oral permission from GSA before entering these areas. GSA agrees that, subject to security requirements, permission will be granted for entry at all reasonable times for all reasonable purposes. GSA will permit DOE to enter all areas for the purpose of accomplishing its Utility Services and Maintenance Projects responsibilities.

E. GSA Permitted Areas

Security of areas held by GSA under DOE Permit will be the responsibiility of GSA. Some of the GSA Permitted Areas may be limited access areas which will be so designated by appropriate signs. DOE agrees to obtain written or oral permission from GSA before entering such areas. GSA agrees that permission will be granted for entry to limited access GSA Permitted Areas at all reasonable times for all reasonable purposes.

Subject only to the provisions regarding limited access, all GSA Permitted Areas will be governed by the terms and conditions of the DOE Permit to GSA.

F. Changes in Use

In order to facilitate the exchange of information between the parties and compliance by each party with its obligations under this Agreement, GSA and DOE agree to initiate a Utility Information Exchange Meeting to meet the first month of each quarter. DOE shall conduct the meeting and coordinate all pertinent information with a designated GSA representative.

GSA and DOE further agree to notify the other party whenever a change is contemplated that would have any impact on their respective activities on the Premises, the Utility Services or Maintenance Projects.

Engineering documents concerning any proposed changes shall be provided by the initiating agency for review by the other agency.

G. Environmental Responsibilities

Each party will notify the other as soon as possible of any potential health or environmental hazards on the Premises, which would include all air, surface, or subsurface discharges of hazardous substances, as defined by current laws, regardless of quantity. At the written request of either party, documentation shall be provided to allow proper evaluation of environmental issues affecting The Bannister Federal Complex. DOE will maintain the necessary permits, as required by law, for discharges to the sanitary sewer and from outfalls No's 001, 002, 003, & 004. GSA shall be responsible for all outfalls serving GSA areas except as noted above. DOE will operate and maintain all air monitoring stations shown on Exhibit I. GSA agrees to grant DOE access to the monitoring stations on property under GSA's custody and control for the purpose of maintenance and air sampling.

ARTICLE IV - UTILITY SERVICES

A. DOE Responsibilities

DOE will provide Utility Services for the Premises, excluding all areas east of the Union Pacific Railroad Right-of-Way, from the utility station's source to termination points as identified in Exhibit II drawings. For the areas east of the Union Pacific Railroad Right-of-Way, DOE will supply electric power to termination points.

DOE will be responsible for the operation of all primary switching gear on the Premises, including the Main Switch Gear Station, the location of which is shown on Exhibit I (Building No. 85). DOE will protect access to the above-named station.

B. GSA Responsibilities

GSA will provide maintenance beyond the termination points on those Utility Service Distribution Systems that serve GSA and its tenants.

C. Telephone Switching System

GSA and DOE have agreed to participate in a federal common user telephone system. DOE shall provide space within and on the main DOE plant for the purpose of housing the main

telephone switching system and associated equipment. DOE will bear the cost of and provide all utilities to the telephone equipment room except electrical power, for which GSA shall be billed in accordance with Article VII, Section A. Maintenance services on the utility system shall be performed by DOE and billed to GSA in accordance with Article VII, Section A. GSA shall be responsible for maintenance of all telephone equipment and telephone trunk cable to the switching equipment. GSA shall also be responsible for distribution cable up to and including all Intermediate Distribution Frames (IDF). Maintenance beyond the IDF shall be the responsibility of the agency it services. GSA shall provide for the equitable reallocation of the telephone switch operating costs among the various agencies. DOE agrees to allow GSA access at all reasonable times for the purpose of performing maintenance on the system.

D. Description of Utility Service Distribution Systems

The Utility Service Distribution Systems are shown on the Support Drawings comprising Exhibit II to this Agreement. The Utility Service Distribution Systems are identified as follows:

1. Electric Power - Primary electric power and distribution system, including the meters at the main switchgear switching station as shown on Exhibit II, Drawing 14930-E1.

2. City Water - General purpose water (excludes cooling and fire protection water) and water distribution mains as shown on Exhibit II, Drawing 14931-MU1.

3. Sewage - Sanitary sewerage system as shown on Exhibit II, Drawing 14932-MU1. Storm sewerage system as shown on Exhibit II, Drawing 14933-MU1.

4. Steam - Steam and steam main distribution loop system, including return mains, as shown on Exhibit II, Drawing 14934-MU1.

5. Chilled Water/Hot Water - Chilled water and hot water main distribution loop system, including return mains, as shown on Exhibit II, Drawing 14935-MU1.

6. Fire Protection Water - Main fire protection water distribution loop system up to and including (a) first shut-off valve, (b) booster pumps, and (c) reserve storage tanks as shown on Exhibit II, Drawings 14936-MU1 & MU2.

7. Natural Gas - Gas and main gas distribution lines up to and including the meter as shown on Exhibit II, Drawing 14937-MU1.

8. Compressed Air - Compressed air and main distribution lines as shown on Exhibit II, Drawing 14938-MU1.

ARTICLE V - MAINTENANCE FUNCTIONS

A. GSA Responsibilities

GSA shall perform all maintenance in the GSA Area except as otherwise provided herein with respect to the Utility Services Distribution Systems, Joint Use Areas and Flood Control Functions.

B. DOE Responsibilities

DOE shall perform maintenance in all portions of the DOE Area except as otherwise provided herein with respect to the Utility Service Distribution Systems, Joint Use Areas and Flood Control Functions.

C. Maintenance Projects for Utility Service Distribution Systems and Joint Use Areas - Total Project Costs

The costs of Maintenance Projects on the Utility Service Distribution Systems from the utility station's source to the termination points and for the Joint Use Areas, other than roads, where the Total Project Costs are estimated to be $200,000 or more, will be shared by GSA and DOE on a pro rata basis as set forth in Article VII, Section B, and each maintenance project will require a separate Interagency Agreement. DOE shall furnish to GSA and GSA shall furnish to DOE the recommendations, supporting cost estimates, budget justification, and proposed reimbursement amounts for each such Maintenance Project two years in advance of the required funding for inclusion in the normal budget cycles; provided, however, that the two year advance notice requirement is waived in the case of a Maintenance Project arising because of an emergency or other unforeseen conditions.

1. DOE Responsibilities

Maintenance Projects on a part of the Utility Service Distribution Systems between the utility station's source and the termination points that have an estimated Total Project Cost of less than $200,000 will

be DOE's responsibility. Regardless of the dollar amount, DOE shall pay for the Total Project Costs of that north-south roadway known as Liberty Drive from 88th Street to Santa Fe Trail, and all roads in the DOE Area.

2. GSA Responsibilities

Maintenance beyond the DOE termination points of the Utility Service Distribution Systems identified on the Exhibit II Drawings, will be GSA's total responsibility, regardless of cost. Except as provided in paragraph C.1. above, Maintenance Projects in all Joint Use Areas with an estimated Total Project Cost of less than $200,000 will be GSA's total responsibility. Regardless of the dollar amount, GSA shall pay for the Total Project Costs of that east-west roadway known as Santa Fe Trail from Troost Avenue to the Internal Revenue Service building east of the Union Pacific Railroad Right-of-Way and all other roads, except Liberty Drive, in the GSA and Joint Use Areas.

ARTICLE VI - FLOOD CONTROL FUNCTIONS

A. Emergency Control Functions

DOE agrees to implement the emergency flood control measures as set out in Section 17 (Flood Plan) of the Kansas City Plant Emergency Plan (KCPEP). Both of the parties have copies of the Flood Plan and agree to its provisions. DOE shall publish and maintain the KCPEP for the Premises.

In accordance with the KCPEP DOE will establish and maintain a Flood Control Center for the Premises. The Flood Control Center shall be used to direct flood protection activities during flood threatening situations. GSA shall provide a representative to the Flood Control Center at such times as the Center is activated. DOE and GSA shall provide manpower and equipment for flood protection activities.

B. Flood Control Maintenance and/or Expansion Projects

The costs of flood control maintenance projects and new construction projects to expand flood protection for The Bannister Federal Complex, where the Total Project Costs are estimated to be $200,000 or more, will be shared by GSA and DOE an a pro-rata basis as set forth in Article VII,

Section B and each maintenance project will require a separate Interagency Agreement. DOE shall furnish to GSA and GSA shall furnish to DOE the recommendations, supporting cost estimates, budget justification, and proposed reimbursement amounts for each such project two years in advance of the required funding for inclusion in the normal budget cycles; provided, however, that the two year advance notice requirement is waived in the case of a project arising out of an emergency or other unforeseen conditions.

1. DOE Responsibilities

DOE shall be responsible for all storm drains within the DOE Area and DOE Permitted Areas. DOE will maintain the stop-logs and be responsible for their timely placement in the stop-log gaps. Subject only to the provisions of the preceding paragraph above, DOE shall be responsible for the maintenance and repair of all mechanical portions of the flood control system including sluice gates, flap gates and connecting mechanisms.

2. GSA Responsibilities

GSA shall be responsible for all storm drains within the GSA Area except those in the DOE Permitted Areas. Subject only to the provisions of the initial paragraph of this Section B., GSA shall be responsible for the maintenance and repair of all levees, holding ponds, stop-log gaps, and concrete structures in the flood control system. GSA will notify DOE before any modifications are made to the stop-log gaps.

ARTICLE VII - PAYMENT FOR UTILITY SERVICES AND MAINTENANCE PROJECTS

A. Utility Services - Bases for Charges to GSA

The bases for determining charges to GSA for Utility Services are set forth below. The currently agreed upon rates are set forth in the document entitled "Rates for Utility Services" which is incorporated herein as Exhibit IV. Supporting documents will be furnished upon written request.

1. Steam

Steam of sufficient quantity and quality to provide necessary heating and air conditioning shall be metered and paid for on the basis of a charge per thousand pounds.

2. Chilled and Hot Water

a. All chilled water shall be metered and paid for based on actual consumption with a charge per MBTU of cooling.

b. All hot water shall be metered and paid for based on actual consumption with a charge per MBTU of heating.

3. Electric Power, City Water and Natural Gas

Electric power, city water, and natural gas shall be metered and paid for at the average rate paid by DOE to the supplier. For electric power the average rate paid will be determined by dividing the total cost on a billing by the KWH used during that billing period.

4. Compressed Air

Compressed air shall be paid for on the basis of a charge per thousand cubic feet.

5. Sewage

The charge for sewage shall be determined in the following manner:

a. A monthly usage charge based on metered city water consumption by GSA (cu.ft.) times the city commercial and industrial sewer rate (cu.ft.); plus

b. A monthly billing service charge equal to the actual service charge billed to DOE by the city; plus

c. An annual charge for costs of yearly repairs and expenses associated with the sewage meters and the equipment used to calibrate the meters, which charge will be a pro-rata portion of DOE's total costs based on GSA's yearly consumption of city water as compared to DOE's yearly consumption of city water.

6. Undesirable Bird Control

The cost of a contract to control undesirable birds shall be paid on the basis of 50 percent for GSA and 50 percent for DOE.

7. Meters (excluding Sewage Meters)

The cost of replacement, repairs and calibration of the meters will be charged to GSA for all meters used by DOE for the purpose of billing GSA for utility services.

8. Natural Gas Surcharge

Should any act of government add a surcharge on natural gas used for boiler fuel the incremental pricing item will be added to the steam billing by applying the percentage of boiler gas used for GSA areas to the surcharge costs.

9. Utility Maintenance Services for Telephone Switching System

The costs incurred by DOE for maintaining Utility Service Distribution Systems providing Utility Services for the Common User Telephone System Facilities will be charged to GSA.

B. Maintenance Projects - Bases for Determining Pro Rata Shares

The bases for determining the parties' pro rata shares of the Total Project Costs for Maintenance Projects are described below. The currently agreed upon ratios of cost sharing are set forth in Exhibit III entitled "Pro Rata Shares of Maintenance Projects" which is attached to and incorporated herein.

1. Joint Use Area

Except for road projects, each party's pro rata share shall be in proportion to the percentage of total acreage in the custody and control of each party.

2. Flood Control Projects

Each party's pro rata share shall be in proportion to the percentage of total acreage in the custody and control of each party.

3. Utility Service Distribution System

a. Heating, Electrical, Chilled Water, City Water, Gas and Compressed Air - Where this Agreement provides for cost sharing of the Total Project Cost for Utility Service Distribution Systems Maintenance Projects, the pro rata shares of the parties shall be in proportion to the average utility costs over the twelve months preceding the month in which the Maintenance Project documentation is furnished pursuant to Article V, Section C.

b. Fire Protection Water Distribution Loop System and Sanitary Sewage System - Pro rata shares of the parties shall be in proportion to their respective shares of gross square feet of building space served by the respective systems.

c. Storm Sewer Distribution System - Each party's pro rata share shall be in proportion to the percentage of total acreage in the custody and control of each party.

C. Rates and Reimbursement Adjustments

The ratios and rates set forth in Exhibits III and IV may be renegotiated from time to time. Any request for revision shall be made in writing and shall include data which supports the requested revision(s). Any negotiated revision(s) will be reflected in a formal modification to this Agreement and shall be effective commencing the October 1 following the date agreement is reached on the revision(s).

D. Billing for Payment

1. GSA Payments to DOE

GSA will receive from DOE a billing at the end of each month for utility and other reimbursable services furnished to GSA during that month. GSA will certify the bill and provide payment to DOE within forty-five (45) days of the billing date.

2. DOE Payments to GSA

Upon completion of services performed by GSA for DOE on a reimbursable basis, GSA shall submit a billing to DOE. The bill for services will be certified by DOE and payment made to GSA within forty-five (45) days of the billing date.

IN WITNESS THEREOF, the parties have caused this Memorandum of Understanding to be executed.

Approved 13TH day of February 1989

UNITED STATES OF AMERICA
General Services Administration

by John B. Platt
John B. Platt
Regional Administrator, Region 6 General Services Administration

Approved 23rd day of December

UNITED STATES OF AMERICA
Department of Energy

By Earl W. Bean
Earl W. Bean, Area Manager
Kansas City Area Office

## DOE/GSA MEMORANDUM OF UNDERSTANDING
## SUPPORT DRAWINGS and EXHIBITS

### EXHIBIT I -SITE LAYOUT DRAWING

| Title | Drawing No. | Date | Rev. No. |
|---|---|---|---|
| SITE LAYOUT | 14929-V1 | 30 JUN 88 | 4 |

### EXHIBIT II - UTILITY SERVICE DISTRIBUTION SYSTEMS DRAWINGS

| Title | Drawing No. | Date | Rev. No. |
|---|---|---|---|
| ELECTRIC POWER | 14930-E1 | 30 JUN 88 | 3 |
| CITY WATER | 14931-MU1 | 30 JUN 88 | 3 |
| SANITARY SEWERS | 14932-MU1 | 30 JUN 88 | 3 |
| STORM SEWERS | 14933-MU1 | 30 JUN 88 | 3 |
| STEAM | 14934-MU1 | 30 JUN 88 | 3 |
| CHILLED WATER/HOT WATER | 14935-MU1 | 30 JUN 88 | 3 |
| FIRE PROTECTION WATER (Inside CV Locations) | 14936-MU1 | 30 JUN 88 | 3 |
| FIRE PROTECTION WATER (Outside IPV Valves & FH) | 14936-MU2 | 30 JUN 88 | 3 |
| NATURAL GAS | 14937-MU1 | 30 JUN 88 | 3 |
| COMPRESSED AIR | 14938-MU1 | 30 JUN 88 | 3 |

EXHIBIT III - PRO RATA SHARES OF MAINTENANCE PROJECTS

A. Where this Agreement provides for cost sharing of Total Project Costs for Flood Control Maintenance Projects or Utility Service Distribution Systems Maintenance Projects, the parties shall share the costs in accordance with the following ratios:

| | GSA | DOE |
|---|---|---|
| 1. Fire Loop | 35% | 65% |
| 2. Heating | 25% | 75% |
| 3. Electrical | 18% | 82% |
| 4. Chilled Water | 7% | 93% |
| 5. City Water | 3% | 97% |
| 6. Gas | 0% | 100% |
| 7. Compressed Air | 0% | 100% |
| 8. Sanitary Sewer | 35% | 65% |
| 9. Storm Sewer | 50% | 50% |
| 10. Flood Control | 50% | 50% |

B. Where cost sharing is in proportion to the total acreage in the custody and control of each of the parties, the parties have agreed that each shall be considered to have 50% of the Premises in its custody and control.

EXHIBIT IV - RATES FOR UTILITY SERVICES

The rate charges for individual utilities are set forth hereinafter:

A. Steam

The metered rate per thousand pounds of steam shall be $5.15.

B. Chilled and Hot Water

1. For heated factory and office space, the metered rate per MBTU shall be $7.28.

2. For cooled factory and office space, the metered rate per MBTU shall be $4.88.

C. Compressed Air

For compressed air, the rate shall be $.234 per thousand cubic feet.

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RECEIVED
FACILITIES MANAGEMENT BR.
RPMSD

Facility Mgmt. Br.
Chief
Secretary
Custodial
Mechanical

Mr. Gregory A. Betzen
Chief, Facilities Branch
Department of Energy
P.O. Box 410202
Kansas City, MO 64141

Dear Mr. Betzen:

I am enclosing a signed copy of Modification No. 1 to the Memorandum of Understanding, as you requested in your letter of February 26, 1991.

Sincerely,

DELWYN STROMER

Delwyn Stromer
Regional Administrator (6A)

Enclosure

cc:
Official File - 6PMD-1
Reading Files - 6P 6PM 6A
6PE
~~6PMF~~
6PMD-1S
~~6PMD~~-1:G.LUNSFORD:gb:2/28/91x7243

MEMORANDUM OF UNDERSTANDING
between
THE UNITED STATES DEPARTMENT OF ENERGY
and
THE UNITED STATES GENERAL SERVICES ADMINISTRATION
for
THE BANNISTER FEDERAL COMPLEX
KANSAS CITY, MISSOURI

Modification No. 1 to
Memorandum of Understanding
DOE MOU No. DE-GM33-89AL53604
GSA Contract GS06P90GXC0016

WHEREAS, the Parties recognize that certain changes and additions to the Memorandum of Understanding are required; and

WHEREAS, the Parties have agreed to incorporate these changes and additions into the formal contract document with an effective date of January 1, 1991;

NOW, THEREFORE, the following changes are made to the Memorandum of Understanding.

Article VII - PAYMENT FOR UTILITY SERVICES AND MAINTENANCE PROJECTS

Paragraph D.1. is changed to read, "GSA will receive from Allied Signal Inc., operating contractor for DOE, a billing at the end of each month for utility and other reimbursable services furnished to GSA during the month. GSA will certify the bill and provide payment to Allied Signal Inc. within thirty (30) days of the billing date."

U.S. DEPARTMENT OF ENERGY

by _____
Area Manager

Date 2/21/91

U.S. GENERAL SERVICES ADMINISTRATION

by _____
Regional Administrator

Date 3/6/91

ATTACHMENT 14

# HAZARD REPORT AND ASSESSMENT
# REGION 6 ASBESTOS MANAGEMENT/ASBESTOS MEDICAL SURVEILLANCE PROGRAMS

For

**GSA Region 6**
**Public Building Service**
**1500 East Bannister Road**
**Kansas City, MO**
**November 4, 2013**

Performed by:


Jeffry Cushing MS
Gary Adams MS, IH, CSP
*Heartland Safety & Environmental Team*
*1500 East Bannister Road (6PMX)*
*Kansas City, Mo 64131*

## Executive Summary

A formal investigation of the regional asbestos management program, and asbestos medical surveillance program was opened on November 4, 2013. The investigation was a result of an inquiry from central office to answer an Office of Special Counsel investigation and four inquiries from current GSA associates (former GSA maintenance personnel, two regional and two from the Kansas City South Field Office), as to why they have not been receiving annual medical exams due to asbestos exposure at the Bannister Federal Complex, 1500 East Bannister Road, Kansas City, Missouri 64131. The investigation was conducted from November 4 through December 26, 2013, by Jeffry Cushing and Gary Adams, Region 6 Safety and Environmental Team.

The investigation started out informally to answer questions concerning the asbestos medical surveillance program that has been in place since the year 2000, but quickly turned into a comprehensive review of the entire Region 6 Asbestos Management and Asbestos Medical Surveillance Programs. The following significant issues were identified:

- Potential contractor and GSA employee exposure to airborne asebestos fibers, and possible inadvertent tenant exposure to airborne asbestos fibers in some GSA Region 6 facilities.
- Non-compliance with OSHA assessment, labeling, posting, control, employee protection, and employee training requirements.
- Non-compliance with the 2008 GSA Asbestos Policy inventory, assessment, control, employee protection, and employee training requirements.

The scope and significance of these issues apply to all the facilities in the region that contain asbestos materials.

## Background

### Medical Surveillance

Prior to the year 2000, GSA Region 6 employed tradesmen ("green shirts") to perform the building operations and maintenance that is currently being perfomed by a contractor. The work performed by the "green shirt" employees exposed them to asbestos and required them to be on a formal asbestos medical surveillance program that complied with OSHA regulations. In 2000, GSA Region 6 eliminated the "green shirt" positions and absorbed many of the former "green shirt" employees into the organization, and hired contractors to perform the building operations and maintenance tasks for GSA. Since GSA employees were no longer performing the work that exposed them to asbestos, a formal asbestos medical surveillance program was not required by OSHA regulations however, a decision was made to informally keep it.

The current GSA Region 6 version of the asbestos medical surveillance program has been in place for approximately 13 years and appears to be the result of a decision made between former Region 6 Asbestos Program Managers, Region 6 PBS Management, and Region 6 Human Resources Management. Apparently, the managers at the time decided it was a good idea to continue to offer asbestos medical exams on a voluntary basis to any GSA employees who were previously performing duties that had exposed them to asbestos, as long as the safety and environmental budget could support it. No formal GSA Region 6 policies could be found to support the existance of this program. However, a 2012 Memo For Record from Kevin Santee, former safety and environmental team member, team leader and branch chief, indicates this is the case. In addition, two informal documents were discovered in the electronic files maintained by the former asbestos program manager, Dave Hartshorn, that supports this program, but has significant flaws and inconsistancies. The GSA policy governing medical surveillance briefly mentions medical surveillance, but it is woefully inadequate. See Attachments 1-4.

Note: The search for formal documentation included a search of archived files on the regional "K" drive, and inquiries at the Region 6 Inspector General's Office, the Office of the Region 6 Counsel, GSA Region 6 Human Resources Labor Relations, the American Federation of Government Employees Local Union Office, and previous Region 6 Safety and Environmental Team members.

Asbestos Program Management

At least since 2007, GSA Region 6 has been using a generic building asbestos management plan developed by the former Region 6 Asbestos Program Manager (contraced out and written by Occu-Tec) based on the Asbestos Hazard Emergency Response Act (AHERA) EPA Guidelines for Schools to manage asbestos in place, prevent employees and tenants from being exposed to asbestos, and to safely remove asbestos when necessary. Unbeknown to the current asbestos program manager who inherited responsibility for the asbestos program in January 2013, the GSA Central Office issued a formal asbestos policy in 2008 that, if followed from the beginning, would have done a much better job of asbestos management and allowed the region to be in compliance with OSHA regulations. The building asbestos management plans put in place by the former asbestos program do not conform to the 2008 GSA PBS Asbestos Policy, omits OSHA labeling and posting requirements, and does not address GSA employee and custodial service duties or responsibilities. The management plans also leave out specific OSHA housekeeping and training requirments.

Although the asbestos management and medical surveillance program resposibilities changed hands in January, 2013, the new program managers were informed all actions for the fiscal year 2013 were complete, and no action for either program was required until the new fiscal year by the outgoing program manager, current safety and environmental team leader, and the current safety and environmental branch chief.

## Findings

1. The region has not complied with the OSHA termination of employment medical examination requirements : GSA Region 6 employees who were under the asbestos medical surveillance program prior to the year 2000 were not provided medical examinations within 30 days before or after the date of their termination as required by 29 CFR 1910.1001(l)(4)(i) and (ii).

2. The informal medical surveillance program for the region is flawed and inconsistant: It appears the program was first initiated as a good faith gesture to continue to provide former "Green Shirt" employees who performed duties that exposed them to asbestos with medical exams if they so desired. However, records show it also included safety and environmental team members from 2001-2007 as well and there is not a formal policy or procedures to determine who should have been offered the medical exam from year-to-year, and which employees had priority if the budget could not support providing exams for everyone on the list. In addition, the list was expanded from 2010-2012 to include regional Design and Construction and Facilities Divisions employees for unknown reasons. These exams are still being offered and there still is not a formal policy in place.

According to two documents found in an elctronic file maintained by the former asbestos program manager, both dated May 6, 2009, one titled "Medical Exams Procedures" and the other titled "Medical Surveillance Exam Criteria," the medical surveillance exam process involves providing a list of employees for a given year to Federal Occupational Health who then is required to notify the employees on the list that may schedule their exam. There are not checks and balances to this system, and verification that all the employees on the list were/are actually offered an exam only exists for a couple of the thirteen years this program has been in existance. Several employees stated they were removed from the list and never reinstated, yet archived files indicate they were on the list provided to Federal Occupational Health. One employee that was taken off the list, was reinstated by virtue of his complaint alone.

The most troubling part of these two documents are the statements that imply regional employees were/are being exposed to asbestos and these exams are acually required. Taking these two documents at face value, the region has knowingly been exposing GSA employees to asbestos without a proper medical surveillance program in place, or a proper asbestos safety program that includes proper hazard assessments, personal protective equipment, and the monitoring required to meet the OSHA regulations to protect the employees being exposed.

3. The region has failed to meet the OSHA building and facility owner responsibility to determine the presense, location, and quantity of asbetos containing materials and/or presumed asbestos containing materials as required by 29 CFR 1910.1001(j)(2)(i): Although the region has had a recurring survey process in place, it was discovered in Spring 2012 by the regional industrial hygienist, the surveys at the following buildings were inacurate:

- U.S. Courthouse and Federal Building in Hannibal, Missouri - asbestos containing materials were listed where none were actually present and more asbestos containing materials was listed than were actually present.
- Building 100, Federal Records Center in Overland, Missouri - more asbestos containing materials were listed than were actually present.

When confronted, the contractor (Occu-Tec) who conducted the surveys was unable to reconcile the deficiencies. Upon reviewing the survey contract, the regional industrial hygienist discovered there was not a QA/QC verification step to ensure the surveys were accurate, and the former asbestos program manager only provided a cursory review of the survey report when it was submitted for payment. In addition, the surveys do not adequately identify those areas that may contain asbestos. This renders the current asbestos survey data extremely suspect for completeness and accuracy. The regional industrial hygienist identified these issues to the former asbestos program manager, current safety and environmental team leader, and current branch chief on November 20, 2012, and again on May 6, 2013, but no action was taken. The same contractor has recently been selected and retained on a Five-year Blanket Purchase Agreement by the contracting group. The region stopped the survey program in 2013 due to budget constraints, but is planning to bring it back in 2014 to meet GSA Central Office requirements.

This issue surfaced again on August 2, at the Federal Building in Pittsburg, Kansas. During an emergency roof leak repair and water intrusion project, asbestos pipe fittings that were not reported on the facility asbestos inventory were discovered above the ceiling of the men's restroom after the plaster had been removed. Fortunately, the Kansas Field Office Project Manager recognized one half of a wet mud pipe fitting laying on the floor in the construction area that had the potential to be asbestos and immediately notified the regional asbestos manager. The regional asbestos manager instructed the Project Manager to put the wet fitting portion into a bag and seal before further damage to it or further exposure could occur. The regional asbestos manager retrieved the bag with the fitting and took it to a laboratory to find out if the material was asbestos, it was. Although the hard plaster ceiling in the restrooms did not provide access from inside the restrooms, the areas above the ceilings can be viewed from the boiler room. An experienced inspector would have conducted the inspection viewing the space above the ceiling from the boiler room to observe the piping and pipe fittings and identified the fittings as presumed asbestos containing material in the survey.

In November, 2013, several Kansas City South field office employees stated the asbestos at the Bannister Federal Complex was being mismanaged. A spot check conducted by the region safety specialist and industrial hygienist revealed asbestos containing materials and/or presumed asbestos containing materials in multiple locations not listed on the facility survey or labeled as required by OSHA. See Figures 1-7.

This issue was further validated on December 11, 2013, in the Neil Smith Federal Building in Des Moines, Iowa, when the building manager, on-site manager for the O&M contractor, and the on-site asbestos worker for the O&M contractor showed an entire wall of asbestos that is not

listed on the survey for that facility, or labeled as required by OSHA. A check of archived files revealed the asbestos was listed on a previous survey. See Figure 8.

4. The region has not complied with the OSHA building and facility owner labeling and posting requirements: Asbestos containing materials and/or areas containing asbestos materials have not been properly labeled or posted as required by 29 CFR 1910.1001(j)(3). See Figures 1-8.

5. The region has not complied with OSHA employee information and training requirements: GSA building managers, facililities operations specialist, and regional facilities maintenance personnel responsibilities include asbestos houskeeping duties, but have not received initial and annual asbestos awareness training as required by 29 CFR 1910.1001(j)(7)(iv).

In addition, the region has not complied with the training requirements outlined in the 2008 GSA PBS Asbestos Policy. GSA building managers, facilities operations specialist, regional and field office project managers, regional facilities maintenance, and safety and envirnmental personnel have not received the asbestos inspector, asbestos project designer, and asbestos supervisor training in accordance with Section XIV Training.

6. The region has not complied with the 2008 GSA PBS Asbestos Policy (Attachment 5) renovation and demolition pre-assessment requirements, and does not have a regional policy that would meet the GSA policy requirements:

- The policy requires "... an assessment must be performed to determine the potential to disturb such asbestos containing materials and sufficent controls must be designed into the project. The pre-alteration assessment must be conducted for all projects reguardless of the age of the facility and must address both accessible and inaccessible asbestos containing materials. Destructive sampling must be conducted where necessary to address inaccesible asbestos containing materials. Firms performing such assessments must use personnel accredited as both "asbestos inspector" and "asbestos project designer." PBS personnel performing such assessments must meet the training requirements of Section XIV.

  *Explanatory note: Asbestos surveys are useful in the preparation of pre-alteration assessments but cannot substitute for such assessments. Asbestos surveys typically do not include distructive sampling and are not project specific."*

  Although the Region 6 asbestos manger who handles the majority of the asbestos projects has a vast amount of education, training and experience in the asbestos arena, he has not met the initial and recurring training required by this policy. In addition, projects in the region have typically not included pre-assessment surveys, especially distructive sampling, for either large regional or smaller field office projects. Questionable asbestos inventories for each facility has been used almost exclusively in most of the construction projects performed in the region since 2007. A prominent example of this can be found in Figure 9, and a typical example of a field office repair

can be found in Figures 2, 6, and 7. Because the region has not followed GSA asbestos policy protocols, regional employees and contractor personnel may have inadvertently been exposed to asbestos in violation of OSHA 29 CFR 1910.1001 regulations. In this case, how much, how long, and how is almost impossible to determine however, this report includes four examples.

- The policy requires "The potential impact of asbestos containing materials must be considered and included in the cost of Reimbersable Work Authorizations and programed into proposed projects." Typically, asbestos abatement has not been considered in regional/field office projects.

- The policy requires "Only designers qualified in accordance with the EPA Asbestos Model Accreditation Plan may design asbestos projects. Project designers must be licensed in the State in which the project is located." Typically, this requirement is only fulfilled on large regional projects when asbestos is discovered after the project has already started.

- The policy requires "Property managers must establish a work permit system to disclose the presense, location, and condition of asbestos containing materials to everyone intending to perform work that may disturb the asbestos containing material and to regulate such work. Tenant agencies must also obtain a work permit from PBS before performing any such work." Region 6 does not use this work permit process.

- Region 6 field office building managers do not issue work permits, and the majority have erroneously shifted the asbestos management responsibility over to the O&M contractor even though this responsibility is not part of their contract. This, coupled with the inaccurate survey data provided to the O&M contractor, has created the situation where contractor employees and the GSA employees verifying their work are potentially being exposed to asbestos. See Figure 2, 6, 7, and 8. There is a small possibility that tenant employees may have been exposed as well. As stated before, there is no way to verify this except through direct observation when the violation occurs, and sampling can only be used to determine if asbestos containing material is present and exposure is occuring at the time of the sampling.

- The region has not complied with all the 2008 GSA PBS Asbestos Policy survey requirements. Annual visual inspections of asbestos containing materials in facility occupied space and common areas have typically not been performed.

## Figures

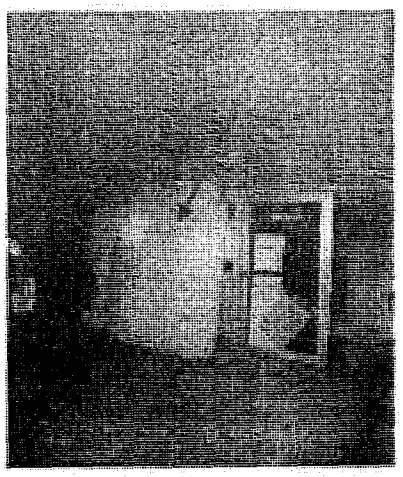

**Figure 1**

Location: Banister Complex Building 1 – Mall Level Fan Room 2B

Description: Asbestos containing material (ACM (Transite ® partial panels) has not been properly disposed of. These panels have not been used in over 10 years. The ACM has not been properly labeled as required by OSHA regulations, and the entrance to the room has not been properly posted as required. These panels are being stored in an inactive air handling room. This material is not listed on the current facility asbestos inventory.

**Figure 2**

Location: Banister Complex Building 1 - Mall level custodial contractor's storage area and laundry room.

Description: This material is presumed asbestos containing material (PACM) according to OSHA regulations. The PACM (thermal system insulation) is in poor condition and not being properly maintained. The PACM has not been properly labeled as required by OSHA regulations, and the entrance to the room has not been properly posted as required. This Material is not listed on the current facility asbestos inventory or archived inventory.

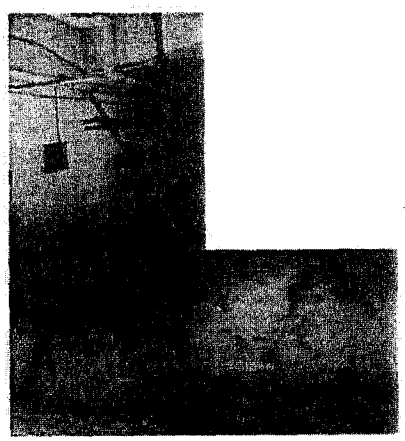

**Figure 3**

Location: Banister Complex Building 1 – Mall Level West Hallway – Fire Exit

Description: ACM (thermal system insulation) is in poor condition and not being properly maintained. The ACM has not been properly labeled as required by OSHA regulations. This ACM is in a frequently used hallway. This ACM is not listed in the current facility asbestos inventory, but is listed in the archived inventory.

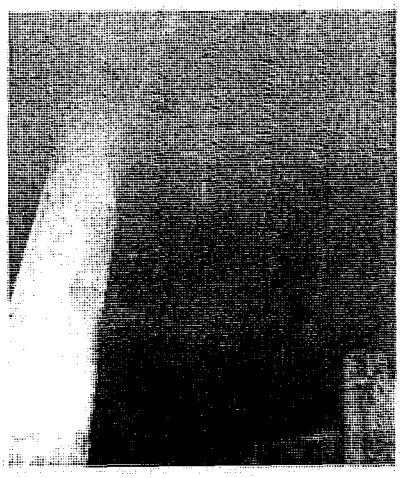

**Figure 4**

Location: Banister Complex Building 1 - Pit Area in Mechanical Room

Description: The ACM has not been properly labeled as required by OSHA regulations, and the entrance to the room has not been properly posted as required. The material is not listed on the current facility asbestos survey but is listed in the archived inventory.

**Figure 5**

Location: Banister Complex Building 1 – Mall Level Fan Room 2B

Description: This material is presumed asbestos containing material (PACM) according to OSHA regulations. The PACM (thermal system insulation) is in poor condition and not being properly maintained. The PACM has not been properly labeled as required by OSHA regulations, and the entrance to the room has not been properly posted as required. This material is not listed on the current facility asbestos inventory but appears to be listed on the archived inventory.

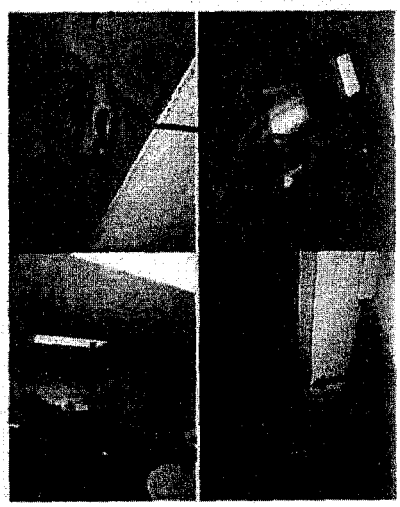

**Figure 6**

Location: Banister Complex Building 2 – BOE 26.5

Description: According to a Kansas City South Field Office Facilities Operations Specialist, the leaking pipe was recently repaired. The pipe was wrapped in ACM (thermal system insulation). The ACM has not been properly labeled as required by OSHA regulations, and the entrance to the room has not been properly posted as required. This material is listed on the current facility asbestos inventory. The repair area was not properly cleaned up according to OSHA regulations and PACM was left laying on the floor and the dehumidifier.

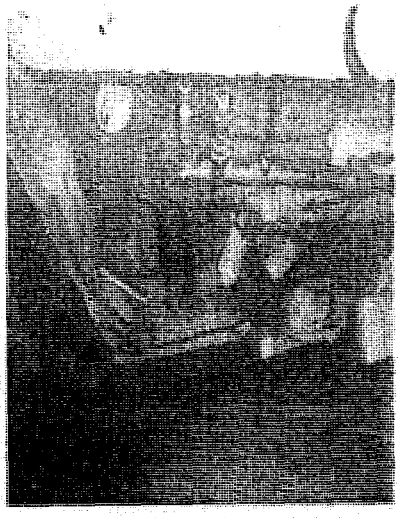

**Figure 7**

Location: Banister Complex Building 2 - Stairway

Description: This material is presumed asbestos containing material (PACM) according to OSHA regulations. The PACM (thermal system insulation) is in poor condition and not being properly maintained. The PACM has not been properly labeled as required by OSHA regulations, and the entrance to this area has not been properly posted as required. This material is not listed on the current facility asbestos inventory or archived inventory. The repair area was not properly cleaned up according to OSHA requirements and PACM was left laying on the floor.

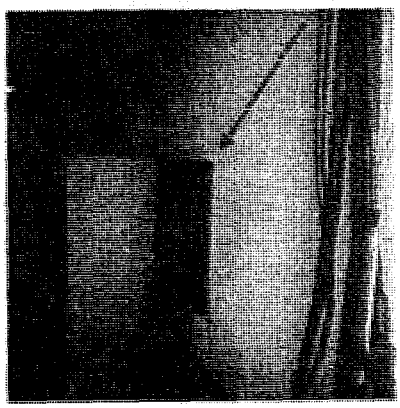

**Figure 8**

Location: Neil Smith Federal Building – Penthouse Mechanical Room

Description: Approximately 8900 square feet of ACM is not listed on the current facility asbestos inventory, but is listed in the archived inventory. The ACM has not been properly labeled as required by OSHA regulations, and the entrance to the room has not been properly posted as required.

According to the Facility Operations Specialist, the asbestos material was disturbed by the tenant installing radio equipment. It is not known if the tenant knew the mounting surface contained asbestos or not because they did not communicate with Facility Operations Specialist prior to installing the equipment.

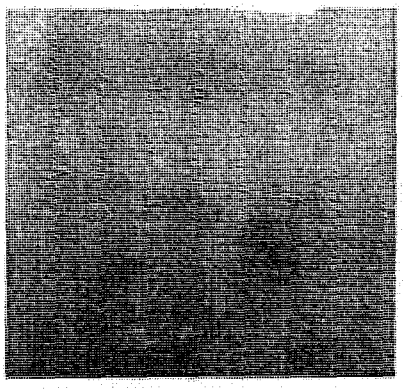

Figure 9

Location: RAY Federal Building -Tower

Description: Asbestos floor tile was being pulverized by contractors who were moving pallets of concrete mortar over it during the RAY ARRA Envelope Improvement Project. The issue was discovered on March 3, 2011, during a regional safety investigation into an unrelated electrical shock issue plaguing construction workers performing tuck pointing on the tower. Work was halted and the regional industrial hygienist was dispatched to perform sampling to ensure the entire building was not contaminated. The project contract was modified, and the asbestos floor tile was abated before construction work was allowed to continue. Swipe tests and air monitoring confirmed the building tenants on the floors below were not exposed to asbestos. However, the pulverized material present in the tower means there was a significant possibility that anyone who visited the tower was exposed. Had the GSA PBS Asbestos Policy been followed, the asbestos would have been accounted for and this would not have been an issue. The asbestos floor tile was on the facility asbestos inventory at the time.

## Conclusions/Recommendations

1. The 2008 GSA PBS Asbestos Policy is well written and if followed, the region would have been in compliance with OSHA and EPA requirements. The draft regional safety program has incorporated this policy but has not been implemented yet. The GSA PBS Asbestos Policy should be implemented immediately until the draft GSA Region 6 Safety Program is endorsed and executed.

2. There are significant indications that GSA Region 6 has exposed some or all PBS regional and field office facility management and contractor employees in facilities where asbestos containing materials/presumed asbestos containing materials are present by virtue of the negligent manner in which the region has managed the asbestos program over the past 10-15 years. It would be extremely difficult, expensive, and time consuming to determine how many employees were exposed to asbestos and to what extent they have been exposed. It is also possible, but unlikely, tenant employees may have been exposed as well. Due diligence requires that GSA Region 6 draft a letter explaining the situation and notify employees and contractors that they may have been exposed to asbestos. In addition, an offer should be extended to provide an asbestos medical examination now, and again when the employee terminates their employment with GSA, to those GSA employees who want it.

According to OSHA, "There is no "safe" level of asbestos exposure for any type of asbestos fiber. Asbestos exposures as short in duration as a few days have caused mesothelioma in humans." See Attachment 6. This letter will provide the necessary documentation for employees to make a claim should they contract an asbestos related illness due to their exposure while working for GSA. The decision to include past GSA regional, contractor, and tenant employees should also be addressed.

3. Some or all of the current facility asbestos surveys are inaccurate. Every Region 6 facility containing asbestos and/or presumed asbestos containing material should be resurveyed. A QA/QC verification (preferably by a third party inspector) should be incorporated to ensure survey accuracy. The surveys should incorporate OSHA labeling and posting requirements

4. The current regional medical surveillance program should be immediately terminated. A new regional policy that incorporates current hazard assessments (required by OSHA regulation 29 CFR 1910.132) to determine employee exposure to asbestos, hazardous materials/chemicals, noise, PCB's and lead that would put them in an OSHA required medical surveillance program should be developed and implemented as soon as possible.

Corrected Copy: Several typos (misspellings, etc.) were discovered in the original copy and corrected in the copy. This copy is Dated January

Jeffry Cushing - 6PMX <jeffry.cushing@gsa.gov>

# Asbestos Hazard Assessment

2 messages

**Jeffry Cushing - 6PMX** <jeffry.cushing@gsa.gov> Fri, Feb 21, 2014 at 8:31 AM
To: Eric Gibbs - 6PMX <eric.gibbs@gsa.gov>

Jim Daniels approached me and asked me for a copy of our the Asbestos Hazard Report we just did. He was one of the people who complained about the medical surveillance program that got this going in the first place. Is it OK to give it to him?

---

**Eric Gibbs - 6PMX** <eric.gibbs@gsa.gov> Mon, Feb 24, 2014 at 8:45 AM
To: Jeffry Cushing - 6PMX <jeffry.cushing@gsa.gov>
Cc: Brian McDevitt <brian.mcdevitt@gsa.gov>

Jeff - It would be best to hold off on further distribution at this point. We need to ensure that our regional message is in line with the National Office response to OSC, especially since Jim was involved with that complaint as well. I hope to have more information on that shortly. Will keep you posted.

Thanks,
-Eric

Eric B. Gibbs
Chief - Building Operations (6PMX)
Facilities Management Division
GSA Heartland Region
816.926.7574 Direct
816.806.6826 Mobile
eric.gibbs@gsa.gov

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Jeffry Cushing - 6PMX <jeffry.cushing@gsa.gov>

# Asbestos Hazard Assessment

2 messages

Exemption 5 U.S.C. 552(b)(6)

**Jeffry Cushing - 6PMX <jeffry.cushing@gsa.gov>** Fri, Feb 21, 2014 at 8:31 AM
To: Eric Gibbs - 6PMX <eric.gibbs@gsa.gov>

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-Eric

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Exemption 5 U.S.C. 552(b)(6)

Jeffry Cushing - 6PMX <jeffry.cushing@gsa.gov>

# Asbestos Hazard Assessment for OSC Case

1 message

**Jeffry Cushing - 6PMX** <jeffry.cushing@gsa.gov> Wed, Jan 22, 2014 at 2:56 PM
To: Mark Warnick - LD6 <mark.warnick@gsa.gov>
Cc: Dennis O'Connell - LD6 <dennis.oconnell@gsa.gov>

**8 attachments**

- **2013 Asbestos Hazard Report 3.pdf**
  1499K
- **Attachment 1 - Medical Surveillance Program History.pdf**
  85K
- **Attachment 3 - Medical Exams Procedures.pdf**
  41K
- **Attachment 4 - GSA OSH Handbook.pdf**
  4809K
- **Attachment 2 - Medical Exam Inclusion - Exclusion Statment.pdf**
  72K
- **Attachment 5 - PBS_Asbestos_Policy_2008.pdf**
  833K
- **Attachment 6 - OSHA Asbestos Information Attachment.pdf**
  153K
- **Asbestos Attachment Notes.pdf**
  43K

# Eric Gibbs is out of the office Re: Asbestos Hazard Assessment

**Eric Gibbs - 6PMX** <eric.gibbs@gsa.gov> Fri, Feb 21, 2014 at 9:52 PM
To: christopher.powers@gsa.gov

I will be out of the office until February 24.

I will respond to your message as soon as I can.

Thanks,
-Eric

--

Eric B. Gibbs
Chief - Building Operations (6PMX)
Facilities Management Division
GSA Heartland Region
816.926.7574 Direct
816.806.6826 Mobile
eric.gibbs@gsa.gov

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# Asbestos Hazard Assessment

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**Eric Gibbs - 6PMX** <eric.gibbs@gsa.gov> Fri, Feb 21, 2014 at 9:02 AM
To: Brian McDevitt <brian.mcdevitt@gsa.gov>, Christopher Powers <christopher.powers@gsa.gov>

Please see below. Thoughts?

Eric B. Gibbs
Chief - Building Operations (6PMX)
Facilities Management Division
GSA Heartland Region
816.926.7574 Direct
816.806.6826 Mobile
eric.gibbs@gsa.gov

[Quoted text hidden]

---

**Brian McDevitt - 6PM** <brian.mcdevitt@gsa.gov> Fri, Feb 21, 2014 at 9:27 AM
To: Eric Gibbs - 6PMX <eric.gibbs@gsa.gov>
Cc: Christopher Powers <christopher.powers@gsa.gov>

I am ok with it. Is there any legal reason we shouldn't? Chris?

**FMSP - "The home of better building operations expertise"**

Brian T. McDevitt
Director - Facilities Management and Services Programs
GSA Public Buildings Service
Heartland Region
816.806.0743
[Quoted text hidden]

---

**Christopher Powers - 6PMT** <christopher.powers@gsa.gov> Fri, Feb 21, 2014 at 9:51 PM
To: Brian McDevitt - 6PM <brian.mcdevitt@gsa.gov>
Cc: Eric Gibbs - 6PMX <eric.gibbs@gsa.gov>

We'd have to ask Mark if we need an opinion on the legality. From a business perspective, I would suggest

waiting for OSHA's letter -but I don't have a strong gut either way. Did we publish the report somewhere?

Respectfully,

Christopher E. Powers
GSA Public Buildings Service
Heartland Region
1500 E. Bannister Road
Kansas City, MO 64131
Ph: 816-823-5799
BB: 816-506-9433
FX: 816-926-7810
christopher.powers@gsa.gov

[Quoted text hidden]

---

**Eric Gibbs - 6PMX** <eric.gibbs@gsa.gov> Sun, Feb 23, 2014 at 2:29 PM
To: Christopher Powers <christopher.powers@gsa.gov>
Cc: Brian McDevitt <brian.mcdevitt@gsa.gov>

To my knowledge the report has not been published anywhere.

Agree would be nice to have closeout from OSHA.

What is the legal concern? I see this more as an issue of transparency versus validity.

Eric B. Gibbs
Chief - Building Operations (6PMX)
Facilities Management Division
GSA Heartland Region
816.926.7574 Direct
816.806.6826 Mobile
eric.gibbs@gsa.gov

[Quoted text hidden]

---

**Christopher Powers - 6PMT** <christopher.powers@gsa.gov> Sun, Feb 23, 2014 at 3:57 PM
To: "Eric Gibbs, (6PMX)" <eric.gibbs@gsa.gov>
Cc: Brian McDevitt <brian.mcdevitt@gsa.gov>

Not sure. Brian asked the legal piece. Hence my reference to Mark.

Respectfully,

Christopher E. Powers
GSA Public Buildings Service
1500 E. Bannister Road
Kansas City, MO 64131
(816) 506-9433
christopher.powers@gsa.gov

[Quoted text hidden]

---

Brian McDevitt - 6PM <brian.mcdevitt@gsa.gov> Sun, Feb 23, 2014 at 8:42 PM
To: Christopher Powers - 6PMT <christopher.powers@gsa.gov>
Cc: "Eric Gibbs, (6PMX)" <eric.gibbs@gsa.gov>

Not sure it is really a legal issue, so I may have misspoke. Thinking more about the validity of it, since it appears to contradict what OSHA and the national OSC report.

**FMSP - "The home of better building operations expertise"**

Brian T. McDevitt
Director - Facilities Management and Services Programs
GSA Public Buildings Service
Heartland Region
816.806.0743

[Quoted text hidden]

---

**Christopher Powers - 6PMT** <christopher.powers@gsa.gov> Mon, Feb 24, 2014 at 7:13 AM
To: Brian McDevitt - 6PM <brian.mcdevitt@gsa.gov>
Cc: "Eric Gibbs, (6PMX)" <eric.gibbs@gsa.gov>

That's the tough part. Dave Marciniak was reviewing the regional report for consistency at his level. Seem prudent we get his perspective in advance of further distribution?

Respectfully,

Christopher E. Powers
GSA Public Buildings Service
Heartland Region
1500 E. Bannister Road
Kansas City, MO 64131
Ph: 816-823-5799
BB: 816-506-9433
FX: 816-926-7810
christopher.powers@gsa.gov

[Quoted text hidden]

---

**Eric Gibbs - 6PMX** <eric.gibbs@gsa.gov> Mon, Feb 24, 2014 at 7:58 AM
To: Christopher Powers - 6PMT <christopher.powers@gsa.gov>
Cc: Brian McDevitt - 6PM <brian.mcdevitt@gsa.gov>

I think it would be good to have his review first, in order to make sure we have a consistent message with the info that was sent to OSC. I'll ask Jeff to hold off on further distribution for now.

Eric B. Gibbs
Chief - Building Operations (6PMX)

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816.926.7574 Direct
816.806.6826 Mobile
eric.gibbs@gsa.gov

[Quoted text hidden]

---

**Eric Gibbs - 6PMX** <eric.gibbs@gsa.gov> Mon, Feb 24, 2014 at 8:45 AM
To: Jeffry Cushing - 6PMX <jeffry.cushing@gsa.gov>
Cc: Brian McDevitt <brian.mcdevitt@gsa.gov>

Jeff - It would be best to hold off on further distribution at this point. We need to ensure that our regional message is in line with the National Office response to OSC, especially since Jim was involved with that complaint as well. I hope to have more information on that shortly. Will keep you posted.

Thanks,
-Eric

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-Eric

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Christopher Powers - 6PMT <christopher.powers@gsa.gov>

# Fwd: Asbestos Hazard Assessment

8 messages

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To: Brian McDevitt <brian.mcdevitt@gsa.gov>, Christopher Powers <christopher.powers@gsa.gov>

Please see below. Thoughts?

Eric B. Gibbs
Chief - Building Operations (6PMX)
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eric.gibbs@gsa.gov

——— Forwarded message ———
From: "Jeffry Cushing - 6PMX" <jeffry.cushing@gsa.gov>
Date: Feb 21, 2014 8:31 AM
Subject: Asbestos Hazard Assessment
To: "Eric Gibbs - 6PMX" <eric.gibbs@gsa.gov>
Cc:

Jim Daniels approached me and asked me for a copy of our the Asbestos Hazard Report we just did. He was one of the people who complained about the medical surveillance program that got this going in the first place. Is it OK to give it to him?

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**Brian McDevitt - 6PM** <brian.mcdevitt@gsa.gov> Fri, Feb 21, 2014 at 9:27 AM
To: Eric Gibbs - 6PMX <eric.gibbs@gsa.gov>
Cc: Christopher Powers <christopher.powers@gsa.gov>

I am ok with it. Is there any legal reason we shouldn't? Chris?

**FMSP - "The home of better building operations expertise"**

Brian T. McDevitt
Director - Facilities Management and Services Programs
GSA Public Buildings Service
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816.806.0743
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**Christopher Powers - 6PMT** <christopher.powers@gsa.gov> Fri, Feb 21, 2014 at 9:51 PM
To: Brian McDevitt - 6PM <brian.mcdevitt@gsa.gov>
Cc: Eric Gibbs - 6PMX <eric.gibbs@gsa.gov>

We'd have to ask Mark if we need an opinion on the legality. From a business perspective, I would suggest waiting for OSHA's letter -but I don't have a strong gut either way. Did we publish the report somewhere?

Respectfully,

Christopher E. Powers
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christopher.powers@gsa.gov

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**Eric Gibbs - 6PMX** <eric.gibbs@gsa.gov> Sun, Feb 23, 2014 at 2:29 PM
To: Christopher Powers <christopher.powers@gsa.gov>
Cc: Brian McDevitt <brian.mcdevitt@gsa.gov>

To my knowledge the report has not been published anywhere.

Agree would be nice to have closeout from OSHA.

What is the legal concern? I see this more as an issue of transparency versus validity.

Eric B. Gibbs
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**Christopher Powers - 6PMT** <christopher.powers@gsa.gov> Sun, Feb 23, 2014 at 3:57 PM
To: "Eric Gibbs, (6PMX)" <eric.gibbs@gsa.gov>
Cc: Brian McDevitt <brian.mcdevitt@gsa.gov>

Not sure. Brian asked the legal piece. Hence my reference to Mark.

Respectfully,

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**Brian McDevitt - 6PM** <brian.mcdevitt@gsa.gov> Sun, Feb 23, 2014 at 8:42 PM
To: Christopher Powers - 6PMT <christopher.powers@gsa.gov>
Cc: "Eric Gibbs, (6PMX)" <eric.gibbs@gsa.gov>

Not sure it is really a legal issue, so I may have misspoke. Thinking more about the validity of it, since it appears to contradict what OSHA and the national OSC report.

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**Christopher Powers - 6PMT** <christopher.powers@gsa.gov> Mon, Feb 24, 2014 at 7:13 AM
To: Brian McDevitt - 6PM <brian.mcdevitt@gsa.gov>
Cc: "Eric Gibbs, (6PMX)" <eric.gibbs@gsa.gov>

That's the tough part. Dave Marciniak was reviewing the regional report for consistency at his level. Seem prudent we get his perspective in advance of further distribution?

Respectfully,

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**Eric Gibbs - 6PMX** <eric.gibbs@gsa.gov> Mon, Feb 24, 2014 at 7:58 AM
To: Christopher Powers - 6PMT <christopher.powers@gsa.gov>
Cc: Brian McDevitt - 6PM <brian.mcdevitt@gsa.gov>

I think it would be good to have his review first, in order to make sure we have a consistent message with the info that was sent to OSC. I'll ask Jeff to hold off on further distribution for now.

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