



The Oregonian OREGONLIVE
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TOXIC ARMORIES



PART 1 | December 4, 2016

National Guard armories expose soldiers, children to lead dust

By ROB DAVIS

The Oregonian/OregonLive

In a former Montana National Guard armory where more than 20 workers got sick, lead-laced dust bunnies the size of tangerines clogged the ventilation system.

In two Oregon armories where parents unwittingly let infants crawl, the neurotoxin blanketed floors at levels as high as 10 times the federal safety standard.

In a Wisconsin armory classroom where pregnant women and mothers with infants learned about nutrition, the poisonous powder coated a desktop.

Hundreds of armories across the United States have been contaminated by dangerous amounts of lead dust, an 18-month investigation by The Oregonian/OregonLive has found.

The Defense Department and state National Guard officials knew about these toxic armories for nearly two decades but moved slowly to address the problem, leaving soldiers, civilian employees and children exposed, records and interviews show.

In Oregon alone, tens of thousands of people have spent time in armories covered in lead.

Armories in big cities and small towns have housed tearful deployments, joyful reunions and thousands of community events. They're civic landmarks, where part-time soldiers drilled one weekend a month and fired weapons at indoor shooting ranges.

But the firearms emitted an insidious form of lead every time a bullet left the chamber. The National Guard's neglect allowed the dust to spread beyond the ranges, into common areas used by the public, including small children most at risk.

The National Guard's indoor firing ranges were supposed to be well-ventilated, cleaned regularly and equipped with air filters to prevent lead from escaping. But in armories from Washington state to Vermont, people tracked dust outside the ranges by foot. Ventilation systems sucked in lead, spreading it to public areas and offices, sometimes as far as roofs, sidewalks and the soil outside, according to inspection records.

The scope of the contamination is staggering.



NATIONAL GUARD INSPECTION REPORT

A worker prepares to examine the Coos Bay National Guard armory. Lead dust from indoor shooting ranges was found in 424 armories nationally, or nearly 90 percent of the places for which results are available.

Inspectors have found lead dust at alarming levels in armory gyms, drill halls, conference rooms, hallways, stairwells, kitchens, pantries, offices, bathrooms and a day care center, records and interviews show.

The neurotoxin contaminated coffee makers, ice makers, refrigerators, dishes, soldiers' uniforms, children's toys, medical supplies, water bottles, carpets, soda machines, bookshelves, fans, furniture, heaters, basketball backboards and a boxing bag.

Even a deli meat slicer.

The National Guard was put on notice about the lead problem in the 1990s. Guard officials pledged to identify which of their roughly 1,800 firing ranges were polluted, but

they never followed through.

The Oregonian/OregonLive did what the Guard failed to do, obtaining more than 23,000 pages of public records from 41 states and building a database from scratch. The database of 1,304 current and former sites offers the nation's most comprehensive accounting of toxic armories.

Inspectors found lead in 424 armories over the past four years, or nearly 90 percent of the places for which recent results are available. In 192 of those contaminated buildings, inspectors found the toxic material outside the firing range.

More than 700 other armories were not inspected in the last four years, despite require-



ments that officials test former ranges annually and active ranges every two years.

Most of the firing ranges are now closed. But the danger remains. The Guard converted hundreds of ranges into offices, locker rooms, storage, gymnasiums, classrooms and other uses. When inspectors checked later, they typically found lead in the rooms, records show.

The extent of the contamination has largely been hidden from the public until now.

Just as alarming is the failure of federal and state officials to fix it when problems were first discovered.

Consider:

- The National Guard knew its armories had a significant lead problem but allowed it to fester. Time after time, inspectors found lead hotspots at armories and urged the Guard to do something. And time after time, state military officials disregarded the advice.

- The Pentagon's top watchdog pushed almost 20 years ago for a nationwide cleanup that didn't happen. The Defense Department inspector general documented lead spreading outside firing ranges in a dozen facilities in 1998. But the problem only got worse.

- Even when states found dangerous levels of lead in armories, the National Guard didn't look further. In Montana, after the former Helena armory tested high, the Guard didn't bother to check its other buildings for three more years. Later inspections found lead in five other armories that once housed firing ranges.

- The Guard botched cleanups. In places where lead was found, cleaning crews failed to ensure lead dust was completely removed. Contamination turned up years later in places that were purportedly lead-free.

- Lead persisted in buildings long after their gun ranges fell silent. Laboratory testing commissioned by The Oregonian/OregonLive found problems at old Oregon armories that the state transferred to new owners more than 15 years ago.

- The number of toxic armories is likely much higher than inspection records show. Eight states didn't release inspection results. And in states such as South Carolina, where inspectors found lead in 36 armories, the Guard took samples only from the firing range itself – not public areas.

Some action, few answers

The National Guard Bureau declined to answer questions for this story, saying for six months that a response was in the works.

But it did take action. In response to inquiries from the newsroom, the National Guard's central office directed states to inspect every armory for lead and clean the contaminated ones. More than 1,000 armories nationally are undergoing testing as a result. Two states offered voluntary blood testing to their soldiers. Armories in seven states temporarily closed their doors to the public.

The current round of cleaning follows decades of sporadic and poorly executed initiatives to keep lead contamination at bay. All the while, children – whose developing bodies are the most vulnerable to lead's brain-damaging effects – were placed in harm's way.

Take the armory in Coos Bay, Oregon. Inspections there in 2006 and 2010 uncovered lead in the building's drill hall. Inspectors warned that children shouldn't be allowed near the toxic dust.

But the Oregon National Guard didn't keep kids out.

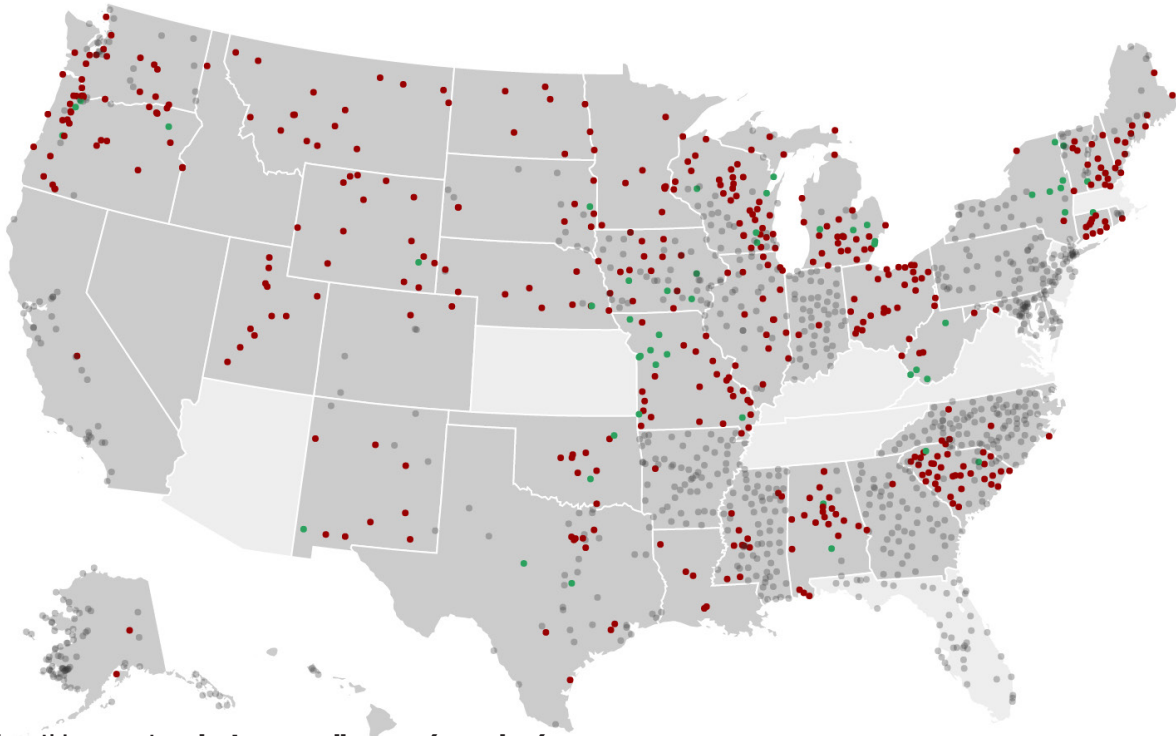
Dozens of Roseburg fifth-graders each year spread their sleeping bags on the floor in the same room where inspectors in 2006 found lead dust 650 times above the federal safety threshold.

Teacher Darin Lomica, who led the 10-year-olds from Roseburg's Melrose Elementary on annual field trips to study tide pools, said he had no idea his students had stayed in contami-



Nationwide: 1,304 armories

Lead found: **424** No lead: **55** Not inspected or not reported: **827**



Explore this map at projects.oregonlive.com/armories/map.

nated rooms until contacted by The Oregonian/OregonLive.

Lomica and his students attended a final sleepover at the Coos Bay facility in May 2015. Emails show Oregon's top Guard leader at the time, Lt. Gen. Daniel Hokanson, had been notified a month earlier that the armory was one of the state's most toxic.

Inspectors found lead on every surface they checked.

"That is shocking," said Lomica, who also slept on the polluted floors. "They go home and put the pillow back on their bed. And they're going to be sleeping with those day-in and day-out."

The Oregon Military Department said in a written statement that "mistakes have been

made" in its dealings with lead dust but that no one intentionally did anything wrong. The agency said it notified the school's principal after The Oregonian/OregonLive raised questions about the Coos Bay sleepover.

"We take the health and welfare of our personnel and our community very seriously," the statement said.

Across the country, other children have wrestled, danced, played volleyball and learned taekwondo in lead-contaminated rooms. States have rented out armories for baptisms, baby showers and wedding receptions that attracted thousands of children. Cub Scout groups brought the same kids in for meeting after meeting.

When announcing armory closures, states have downplayed the dangers.



“It’s nothing crazy. It’s nothing new,” a Michigan National Guard spokeswoman told a local TV station when contaminated armories closed there in early 2016. “It’s not an immediate risk.”

No amount of lead is safe in a child’s body, according to the federal Centers for Disease Control and Prevention. Children age 6 and younger are the most vulnerable because their bodies are still developing.

Dr. Bruce Lanphear, a researcher at Simon Fraser University in Vancouver, B.C., said it’s difficult to quantify the precise risk to a child who visits a contaminated armory just once. But frequent visits to a polluted armory could leave substantial levels of lead in the blood, he said. Parents who worked in the buildings might take lead home on clothing and expose their children.

They might never know it because lead can hurt kids without causing overt symptoms. Studies have found that children with even small amounts of lead in their blood permanently lose IQ points and face greater risks of behavioral and attention problems.

“These are hazardous environments for children and adults to be working in or doing other kinds of activities,” Lanphear said. “They had extraordinarily high levels of lead that are not safe. Period.”

The issue of lead dust in gun ranges gained attention in 2014 when The Seattle Times published an investigation about the dangers. The Times focused on privately owned commercial ranges. The Oregonian/OregonLive’s reporting is the first to examine the nation’s armories.

The problems in National Guard firing ranges stand out because armories have routinely doubled as community event centers that brought in countless young children.

And while The Times found federal workplace safety oversight lacking at private ranges, military facilities are largely exempt from that oversight. The federal Occupational Safety



NATIONAL GUARD INSPECTION REPORT

Inspectors believed this household vacuum was used to clean lead dust from the firing range in the Forest Grove armory. Guidelines called for a specialized vacuum to trap lead. The armory closed in early 2015.

and Health Administration has no authority to investigate when soldiers are poisoned by lead.

The Guard’s failures also put civilian workers at risk. Elevated lead levels have been detected in workers such as Mary Ann Dunwell.

Samples of her blood were still above normal a year after the Montana Department of Environmental Quality evacuated its employees from a former armory in Helena after discovering the toxic metal inside.

Dunwell said that while she worked in the building as the agency’s spokeswoman, an itchy, crusty rash broke out around her eyes at least twice a year. She developed sinus headaches. She became irritable and nervous – “keyed up,” she said – a condition that worsened the longer she spent in the building.

A cleaning crew peered inside the heating system and saw dust fly up when the work-



BETH NAKAMURA/STAFF

The former armory in Helena, Montana, was converted into office space. State workers in the building were evacuated in 2013 after inspectors discovered lead dust in the ventilation system.

ers tapped on the ductwork. Dunwell sat so close to a vent that she could feel the heat come on above her desk, where she ate lunch from home each day.

“I think I was eating lead dust,” Dunwell said.

She said Guard officials gave the state “a polluted lemon” when the armory changed hands.

“How could they?” Dunwell said. “It was silently making people sick. It is negligence. We’re paying dearly for it.”

Put on notice

The National Guard traces its origins to the

first organized colonial militia in Massachusetts in 1636. But the volunteer units generally weren’t based in armories until the late 19th century, when social unrest demanded a standing force to keep peace. Portland got its first armory in 1888 after anti-Chinese riots swept the Pacific Northwest.

The Defense Department helped pay for upkeep and construction, but states were responsible for maintaining and overseeing the buildings.

Because the Guard needed a place for citizen-soldiers to qualify to shoot weapons, rain or shine, nearly every armory was equipped with an indoor firing range.

Whenever a soldier pulled the trigger, tiny



bits of lead escaped. Lead in the bullet's explosive primer, which ignites gunpowder, vaporized with each strike of the hammer. More lead flaked off as the slug careened down the barrel and hit its target.

Guard officials became aware in the 1980s that firing ranges, often built in unventilated basements, posed lead hazards.

But it wasn't until 1998 that the Guard was given written notice that it needed to change.

The Defense Department's inspector general that year published an unprecedented look at the condition of National Guard armories and Army Reserve centers across the country. A team of investigators spent six months conducting interviews, reviewing safety inspections and personally visiting 21 indoor firing ranges.

Lorretta Swanson, one of the investigators, recalls quickly growing worried by what the

team found: Soldiers and their families were being unnecessarily exposed to lead.

They concluded that senior National Guard leaders knew states were failing to clean contaminated ranges before repurposing them as kitchens, gyms and classrooms. In 12 facilities, lead had spread outside the firing ranges.

"I saw people tracking stuff all over," Swanson said in a recent interview. "I thought it was serious. I thought they'd pay attention to it. But in reality, they weren't."

Guard leaders didn't even know how many shooting ranges they had, much less which ones were contaminated. (The Guard's best guess, 15 years later, was more than 700 of its 1,800 ranges were polluted.)

Swanson heard horror stories from armories around the country.

Children had repeatedly played in sand in the back of firing ranges where lead bullets drop after hitting their targets. The sand is typically so contaminated that it is treated as hazardous waste.

Outside Baltimore, inspectors found exercise equipment and lockers inside a firing range that shooters still used. The inspectors designated the heavily contaminated room unsafe. Despite the warning, soldiers routinely unlocked the door to store personal belongings and to use the exercise equipment, which was covered in lead.

In Schenectady, New York, chemical defense masks were kept in a contaminated room. Lead spread to the kitchen.

In Cottage Grove, Minnesota, medical supplies were stored on lead-covered shelves.

The scathing audit from Swanson's team drew a definitive commitment from the Guard. Its leaders set a Feb. 28, 2010, deadline for states to clean up the buildings and report back to the inspector general.

The problem, it seemed, would be solved.



BETH NAKAMURA/STAFF

Workers tour the indoor firing range at the Forest Grove armory. The armory was closed in 2015 after inspectors found lead dust had engulfed the building.

Tracing lead dust through a National Guard armory

1 SPREAD THROUGH VENTILATION

SYSTEM: Lead dust spread from the firing range and was sucked into the ventilation system, where it was circulated around the building. In some cases, lead was expelled onto the roof and was picked up by air intake vents.

2 PEOPLE TRACKED LEAD

WORKERS, SOLDIERS OR MEMBERS OF THE PUBLIC picked up lead on their shoes and carried it to other parts of the building or even outside.

3 POLLUTED KITCHEN:

Armories had lead spread to their kitchens. Lead was found on refrigerators, freezers, a coffee maker, an ice maker and a deli meat slicer.

4 WIDESPREAD CONTAMINATION:

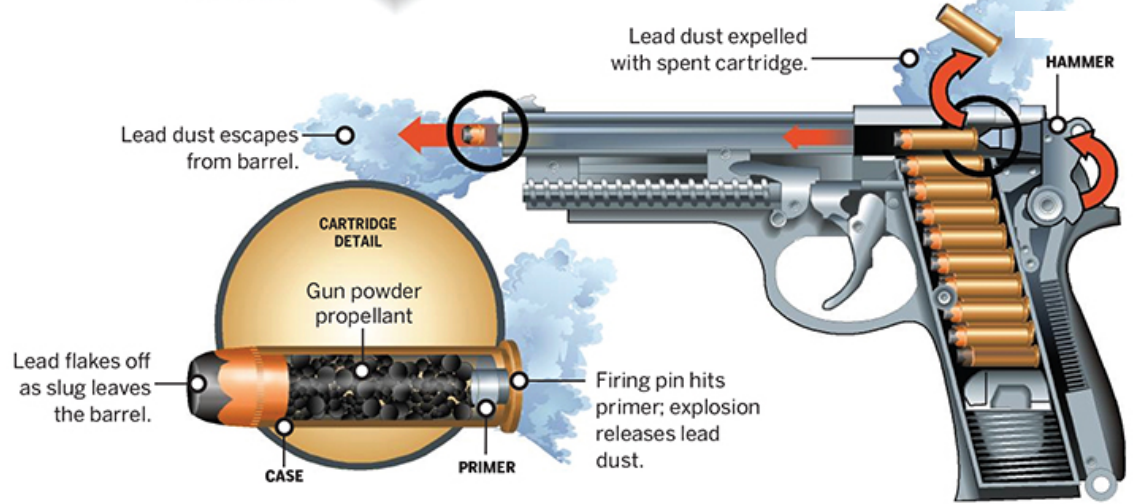
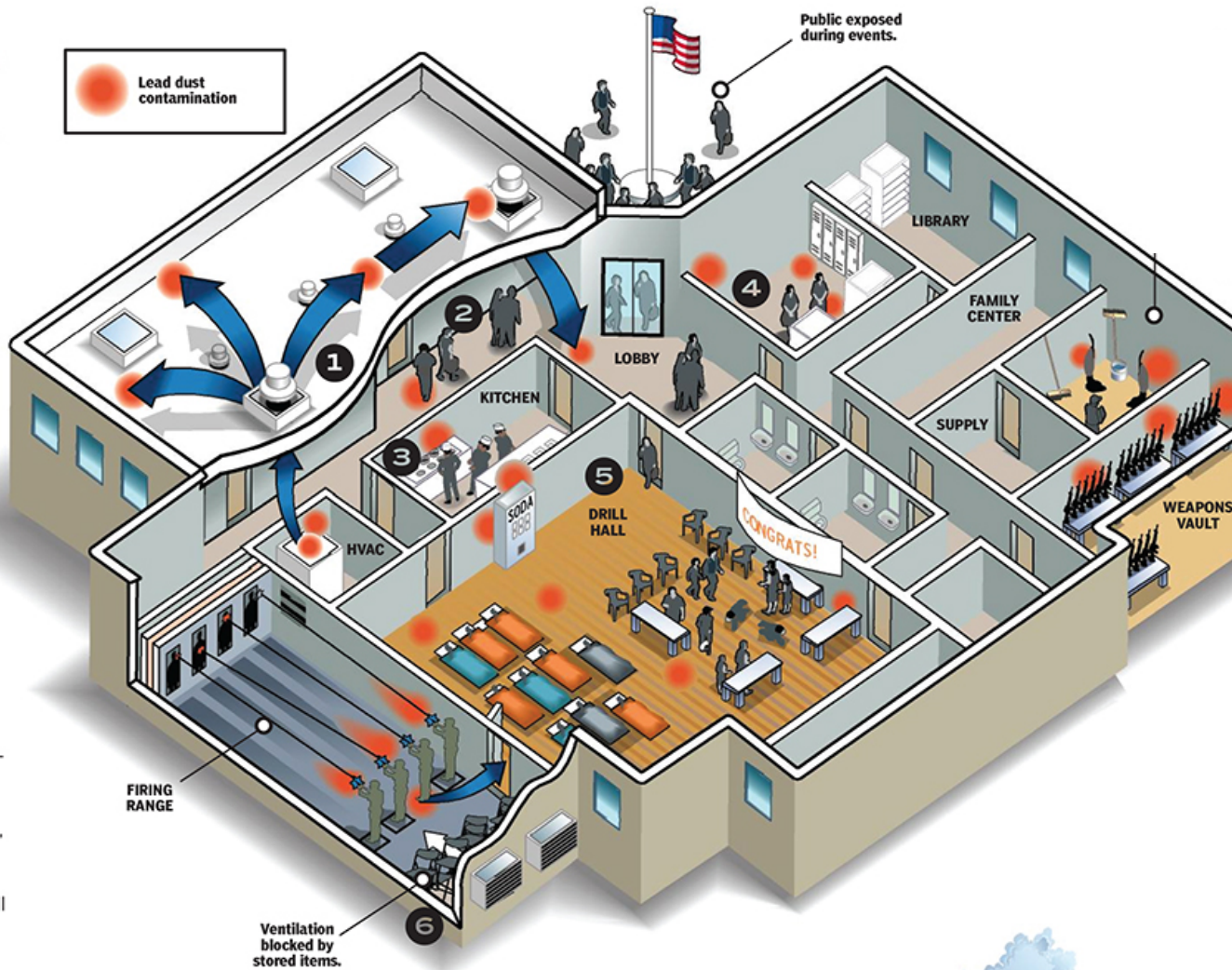
Lead dust spread extensively through armories. Inspectors found toxic levels on vending machines, a desk used by pregnant women, shelves, fans, medical supplies, basketball hoops, boxing bags, water bottles and around toys.

5 PUBLIC EXPOSED IN DRILL HALL:

It can be rented by the public for functions such as receptions and parties. Armories were used by schoolchildren and Boy Scouts for sleepovers. Kids and adults spread sleeping bags on floors where alarming lead levels were found.

6 CARELESS STORAGE:

In several armories, modern ventilation systems failed because tables and chairs were stacked in front of fans meant to push the lead in the air away from shooters.



Reporting by Rob Davis / The Oregonian/OregonLive. Sources: National Guard inspection reports, Small Arms Encyclopedia

SCOTT BROWN/FOR THE OREGONIAN/OREGONLIVE



STAFF AND WIRE

National Guard armories across the country host a variety of events attended by troops, their families and members of the general public. Some armories host family gatherings, children’s classes, athletic events and concerts.

Inexplicable shortcomings

The Guard failed to achieve the simplest of goals after the 1998 audit.

Guard leaders responding to the inspector general’s report vowed to inventory every firing range by 2003. Yet as of 2015, the Guard still couldn’t say where they all were. A spokesman, Maj. Earl Brown, sent *The Oregonian/OregonLive* a list that accounted for the locations of just 201 ranges. That’s barely 10 percent of the firing ranges Guard officials say they owned.

The Guard didn’t heed the audit’s warn-

ing about lead spreading. In the years that followed, documents show, ranges weren’t cleaned as often as they were supposed to be. Soldiers swept up lead dust, sending it airborne, rather than vacuuming it with specialized equipment as they’d been instructed. Studies found that soldiers who cleaned the gun ranges and fired weapons in them had been exposed to more airborne lead than federal safety rules allow.

The sloppy maintenance had consequences.

Lead moved far beyond firing ranges, per-



meating ventilation systems and coating nearly every room in some armories, inspection reports show. The failure to contain the hazard wasn't limited to just a handful of locations. Similar lapses happened from Oregon to Maine.

National Guard guidelines called for every armory with a former firing range to be inspected annually. But hundreds went years without being tested for lead because the Guard didn't set aside enough money.

Firing ranges weren't the only factor. Deteriorating lead paint, residue from weapons cleaning and the use of leaded fuel also left the toxic metal behind. But inspections show that the ranges were the most common source. When lead was found, Guard officials responded slowly.

In Michigan, Gov. Rick Snyder this year deployed the National Guard to deliver clean water to residents of Flint, where public officials allowed dangerous levels of lead in the water system.

Yet Michigan National Guard officers let months pass while residents continued to use armories where 2015 inspection reports showed dangerous volumes of lead dust. One report explicitly warned the Michigan Guard to keep the public out.

Not until January, after *The Oregonian*/*OregonLive* started asking questions, did the Michigan Guard order 26 of its armories closed for cleaning.

Michigan was not unique in leaving armories open after the discovery of widespread contamination. The Oregon National Guard also failed to close facilities as soon as lead was found. Neither state has an explanation for why officials allowed the public into contaminated buildings.

"I can't tell you why the previous personnel didn't stop that," said Capt. Corissa Barton, a Michigan Guard spokeswoman.

"I'm not sure I can really provide you much of an answer in terms of why it took the time



NATIONAL GUARD INSPECTION REPORT

Sampling found lead around toys in National Guard armories in three states. In Forest Grove, the Oregon National Guard discovered lead dust on a shelf where children's toys were stored.

that it did," said Roy Swafford, the Salem official in charge of maintaining Oregon's armories.

But inspection records show that top Guard officers repeatedly were warned to shut buildings to the public.

One inspector, who asked not to be identified because he was not authorized to speak to the news media, said he knew lead was being tracked throughout the buildings but was powerless to do anything except sound repeated alarms.

"I wouldn't take my kid out to an armory," the inspector said.

Exposing children across the country

Guard officials in 2013 estimated the problem rendered 2 million square feet of building space unusable. That's roughly 35 football fields. Much of the contaminated space was used anyway.

The Guard's central office determined in 2006 that 399 armories, spread around 26 states, had brought in kids for events. Guard



officials didn't identify which buildings were polluted, but told states to make sure children weren't exposed.

The potential for harm was worrisome. The Guard found that children under 7 years old used 44 of the armories at least twice a week for three hours a day. Children of all ages routinely used 200 armories.

The Guard had to warn states not to keep infant formula and children's toys in areas possibly contaminated by lead. Later inspections in Oregon, Ohio and South Dakota found toys stored on polluted shelves and floors, records show. Tricycles and balls for a daycare were kept in a polluted former range in Thermopolis, Wyoming. In Milbank, South Dakota, the Guard didn't fully decontaminate the armory's firing range before converting it to storage for the adjoining high school's gym equipment.

In the last 30 years, state Guard units converted at least 200 firing ranges into rooms

where inspectors later found lead, records show.

In at least nine states, old ranges became locker rooms with lead-contaminated lockers.

Civilian workers moved into one decommissioned facility, spending day after day in offices that turned out to be polluted.

More than one got sick.

Montana's "sick building"

Some days, David Bowers arrived home after work, weight of the world on his shoulders, took more pills for the sinus infections that never went away and sighed a question to his wife.

Why do I feel so tired all the time?

Every workday, his eyes hurt. His head ached. By afternoon, unrelenting fatigue set in. The environmental scientist couldn't figure out why.



BETH NAKAMURA/STAFF

David Bowers, an environmental scientist with the Montana Department of Environmental Quality, is overseeing reclamation of the Upper Blackfoot Mining Complex in western Montana, a former mine and current state superfund site. Bowers developed chronic health problems while working in the DEQ's offices in the former Helena armory.



Bowers wasn't alone.

Coworkers at the Montana Department of Environmental Quality developed similar health problems after the agency moved into Helena's old art deco armory in 2003.

Steve Opp, an abandoned mines cleanup specialist, couldn't shake the exhaustion that dogged him for years. "I basically felt sick, except when I was in the field at abandoned mine sites," Opp said. His hands tingled inexplicably, bad enough that he got two surgeries.

When employees went home at night or were on vacation, they started feeling normal again. Then they returned to the World War II-era armory on a street named Last Chance Gulch, and the mysterious symptoms flared up.

Managers told them they just needed to get outside and take walks during the workday.

But medical screenings revealed deeper concerns behind the men's symptoms.

Opp and Bowers received annual workplace blood tests because their jobs required them to spend time at hazardous waste sites.

Tests showed the volume of lead in their blood, an indicator of recent exposure, increased to slightly above average as they spent more time in the building. Blood samples also showed high levels of a compound that can indicate chronic exposure.

Bowers spent hours researching potential causes of his health problems. Something finally clicked: The old indoor firing range. The space was now used as storage.

The Guard had cleaned the range in 1994, about six years before handing the armory over to the state.

But documents detailing the cleaning, obtained by The Oregonian/OregonLive through a state records request, show the Guard didn't ensure its own procedures were followed. Guard guidelines prohibited power-washing because the jet of water could drive lead deeper into the walls and floors. The range was power-washed anyway. The range was

deemed clean without all the required tests.

The initial tenant to occupy the Helena armory after the military moved out, the Montana Revenue Department, reported workers suffering severe fatigue, dizziness, rashes, headaches, depression and chronic sinus infections. An inspector recommended a top-to-bottom cleaning of the dusty ventilation system.

Bowers had read the 1998 inspector general's report flagging the Guard's failures to control lead dust. He also knew his workplace did not seem clean. Dust used to hang so thick in the armory that it sparkled in the morning light. "Like walking into a barn," he said.

He asked state officials to test for lead. They were reluctant, saying the old range wasn't a likely source of problems.

"I don't really think there is anything involved with the shooting range," a state facilities manager told the Helena Independent Record newspaper in October 2012. "We have these kinds of indoor air quality concerns in quite a few of our buildings. It just so happened to be a shooting range in there."

Dust in the dungeon

The testing Bowers sought finally occurred in October 2013. Inspectors found so much lead throughout the building's ventilation system that 98 workers, including Bowers, were immediately evacuated. The highest lead level was 64 times above Montana's safety goal.

When the state brought in Michael Kosnett, a University of Colorado Denver doctor with expertise in lead exposure, he concluded most workers weren't at risk. But people who used two rooms where lead dust was found may have sustained more exposure, he wrote.

The areas that Kosnett identified included Room 121A, in the dank basement people called the dungeon, where Opp frequently researched the histories of abandoned mines. Bowers sporadically visited the other room identified as



BETH NAKAMURA/STAFF

Mary Ann Dunwell, a state legislator in Helena, Montana, formerly worked for the Montana Department of Environmental Quality. Dunwell was among DEQ employees at the state's former armory in Helena who experienced health problems while working in the building.

hazardous, part of the converted shooting range.

Dana Headapohl, a Missoula occupational health doctor who examined Opp and other armory occupants, said she didn't see evidence of irreversible harm. She said lead wasn't the building's only problem.

Some symptoms workers described could have been caused by other contaminants inside, including mold. But the lead exposure could've been prevented.

"What happened was avoidable," Headapohl said. "The DEQ knew what the building had been used for previously and could've assured it was properly evaluated and cleaned up."

An unending obligation

The nation's legacy of toxic armories will linger as long as the buildings stand.

Cleanings continue across the country. The National Guard in September 2015 again ordered states to inventory their armories with firing ranges. The Guard instructed states to inspect every armory for lead and keep the public out of buildings that tested high. But the Guard did not set a deadline or announce any financial commitment to ensure the order was followed.

It's unclear how much a one-time cleaning would cost. Ohio spent \$3 million to clean its armories last year. Oregon estimates that cleaning and converting its indoor gun ranges will cost \$21.6 million.

Even if they can find the money to pay for all the work, Guard officials everywhere will need to recheck the armories – every year, unless the buildings are torn down – to ensure lead doesn't re-emerge, as it has in cleaning after cleaning.

In Montana, David Bowers has recovered



from his fatigue and other ailments since leaving the contaminated armory in 2013. But he remains frustrated about the experience.

“Our air was a toxic soup,” Bowers said. “It had mold in it, it had metals in it. We were in a sick building. That building was never meant to be an office building.”

The Montana Guard, even when presented with clear evidence that the Helena armory still had lead, failed to inspect other armories with firing ranges that the Guard said it had cleaned the same year.

The buildings were finally tested in November 2015, in response to The Oregonian/OregonLive’s inquiries.

Sure enough, five turned up contaminated, despite the earlier scrubbing: Butte, Sidney, Glasgow, Hamilton and Lewistown.

Montana Guard Maj. Christopher Lende said his agency is currently looking for money

to pay for a new cleanup.

Mary Ann Dunwell, the former Montana environmental worker who got sick, went on to win election to the Montana Legislature.

Her lead level, the highest measured at the Helena armory, was still at 8 micrograms per deciliter a year after leaving. That’s enough to decrease kidney function, raise blood pressure and create tremors in the hand, according to a sweeping federal review of lead research. A child with that much bloodborne lead would lose an average of six IQ points, studies have found.

Dunwell still worries about the long-term health effects from her lead exposure. She has pushed a bill that would require government agencies to test new buildings for contamination before allowing workers to occupy them. The bill hasn’t gotten out of committee.

Lorretta Swanson, the Defense Department investigator who identified widespread problems at Guard armories in 1998, moved to another federal agency after finishing the audit. She didn’t know what became of its recommendations.

Neither the inspector general nor U.S. Army officials could produce a single page of documents when The Oregonian/OregonLive asked to see how the recommendations were addressed.

Bridget Serchak, a spokeswoman for the inspector general, said the report had been closed. Contacted by The Oregonian/OregonLive, Swanson was flabbergasted.

“I’ve never in my life heard of someone closing a report until they had proof it was accomplished,” she said.

Swanson was seven years into her career in federal service when the report was released. She retired in September without anyone heeding her team’s call to make the nation’s armories safe.

— *Samantha Swindler contributed to this report.*



NATIONAL GUARD INSPECTION REPORT

In the Ashland armory, inspectors found a broom used to clean up lead dust. Guard protocols prohibit sweeping lead because it sends the toxic metal airborne.



PART 2 | December 4, 2016

Oregon armories earn millions, endanger thousands

By ROB DAVIS

The Oregonian/OregonLive

Oregon reaped millions of dollars renting out armories for baby showers, baptisms and bazaars, even though its military leaders knew for more than a decade that lead was contaminating rooms used by young children.

Inspectors sounded continuous alarms, telling the Oregon National Guard that its inaction endangered kids and risked a major lawsuit.

Yet the Guard failed to ensure the safety of thousands of soldiers, civilian employees and Oregonians who used armories for community events. And when the contamination became public, military leaders tried to cover up how long they'd known about it, records show.

The Oregonian/OregonLive spent 18 months investigating how hundreds of National Guard armories across the country became toxic. The armories in Oregon serve as a case study of a manageable problem spiraled out of control as lead dust routinely spread from indoor firing ranges to other parts of the buildings.

In the last decade, inspectors discovered lead dust in all 36 of the 37 armories they checked in Oregon.

Laboratory testing commissioned by The Oregonian/OregonLive found that Guard officials passed off the problems to new owners, selling armories where lead contamination persisted decades later.

Oregon military leaders deny that anyone misled the public. They say the Guard was highly concerned about lead.

“That concern transmitted down to the field because it came up so often to the highest level of command,” said Col. Todd Farmer, the Oregon Guard’s joint logistics director. “Are we 100 percent perfect? Absolutely not. But we were all over this issue for a long period of time.”

The Oregon Military Department, in a written statement, denied that anyone misled the public about the severity of the problem. Top officials “have been completely transparent” and ensured “everyone involved was appropriately informed,” the statement said.



BETH NAKAMURA/STAFF

For many who descend on the Pendleton Round-Up each year, the social events held at the Pendleton Convention Center are part of the fun. Testing in April showed lead dust remains in the convention center, a former National Guard armory.

Oregon Guard officials temporarily closed some armory firing ranges to shooting practice in 2010 and 2011.

But inspectors' pleas for decisive improvements frequently were ignored, according to a review of more than 10,000 pages of previously undisclosed inspection records and internal emails.

Cleanings inside Oregon armories often were left to untrained soldiers who used the wrong equipment, scattering dust rather than containing it.

The Oregon National Guard's armory in Forest Grove — a sprawling beige building defined by little more than its sloping teal roof — exemplifies what went wrong.

By the time the building was eventually evacuated in early 2015, it had become one of the most contaminated armories in the country.

It took a first-of-its-kind, in-depth inspection to turn what had been a problem lurking beneath the surface into something that could no longer be ignored.

Lead in Forest Grove

The first sign of trouble in Forest Grove popped up in 2002.

Oregon's corps of citizen soldiers used the armory for training activities, but it was also rented out routinely for events like



BETH NAKAMURA/STAFF

National Guard equipment remains scattered throughout the Forest Grove armory, which was closed in 2015, more than a decade after inspectors began finding lead dust contaminating the firing range and other parts of the building.

quinceañeras and wedding receptions. The building contained an indoor firing range for target practice.

The firing range posed a major lead hazard. Whenever a soldier fired a weapon, lead inside the cartridge's explosive primer would vaporize and then move around as easily inhalable dust. Tiny shreds of the lead slug would shear off as each bullet left a gun's barrel. Then those slugs had to be cleaned up after smashing into a barrier at the end of the range.

Inspectors in 2002 took a handful of surface samples, finding lead dust heavily contaminated the firing range even after a cleaning. Lead had spread to two nearby rooms. But inspectors didn't check the adja-

cent drill hall, the main gathering area where kids attended community events. The inspection report deemed the range safe, as long as a custodian thoroughly cleaned it every time a group shot weapons.

Two years passed. A safety team returned in January 2004. Lead was spreading outside the range, the team noted. This time, lead had been found in three rooms that children used, including the drill hall. The Guard needed to thoroughly examine the building, inspectors wrote, to figure out how the dangerous dust was spreading.

Inspectors warned the Guard: *Children visit the building. Keep your firing range clean.*

Six years went by. Inspectors were back



in 2010 and found the Forest Grove armory looking worse. The range had “serious safety issues,” inspectors wrote. What’s more, inspectors said the range was putting shooters from outside agencies at risk. Law enforcement and private security guards frequently used the Oregon Guard’s indoor ranges.

The range’s ventilation system didn’t work correctly. It was supposed to pull lead vapor away from shooters, so they wouldn’t breathe in the toxic metal. But tables, chairs and cabinets stored behind the firing line blocked the airflow, the inspection report said, allowing lead to hang around shooters’ faces.

Basic maintenance was also lacking. Custodians who cleaned the range should have been using a specialized vacuum capable of trapping tiny lead particles. Instead, inspectors suspected the cleaners employed a household vacuum. When inspectors asked the range custodian what the routine cleaning procedures were, the person couldn’t explain them.

Inspectors warned that the problems they had identified could “increase safety risks to NG employees and range visitors.” They urged the Guard to suspend use of the range.

Engulfing the armory

Records show the Guard did so, temporarily. But an inspection in 2012 found that while problems such as the blocked air vents had been fixed, lead contaminated the drill hall floor and the hallway outside the firing range.

The drill hall was visibly dusty during an active shooter exercise held in April 2014. Photographs showed bodies of simulated victims leaving trails in the dust as first responders dragged them to safety.

Finally, that July, the Guard conducted the in-depth lead inspection that safety advisers had urged a decade earlier.

A team of inspectors for the first time took hundreds of samples from surfaces in every

room, rather than a small scattering. The results were stunning.

Lead had engulfed the armory. Inspectors discovered as much as 1,400 times more poisonous dust than there should have been outside the firing range.

The ventilation system had sucked in lead and spread it throughout the building. The brain-damaging material filled vents, covered floors and coated the roof. It polluted a room where infants crawled. Inspectors found a toy on one lead-contaminated shelf and an Elmo doll on the shelf below.

This time, the evidence seemed impossible to ignore. The inspectors told the Guard on Dec. 19, 2014, to immediately close the facility to the general public. The report quickly went up the chain of command.

“This looks pretty bad to me,” Lt. Col. Tim Deckert, the deputy state surgeon, told his superiors in an email. “Sorry to be bearer of bad news.”

Yet even then, officials at the Oregon Military Department hesitated. The lead levels were so high that armory maintenance director Roy Swafford didn’t believe the inspection report, he said in a later interview. He hired inspectors to sample twice more, finding high lead levels both times.

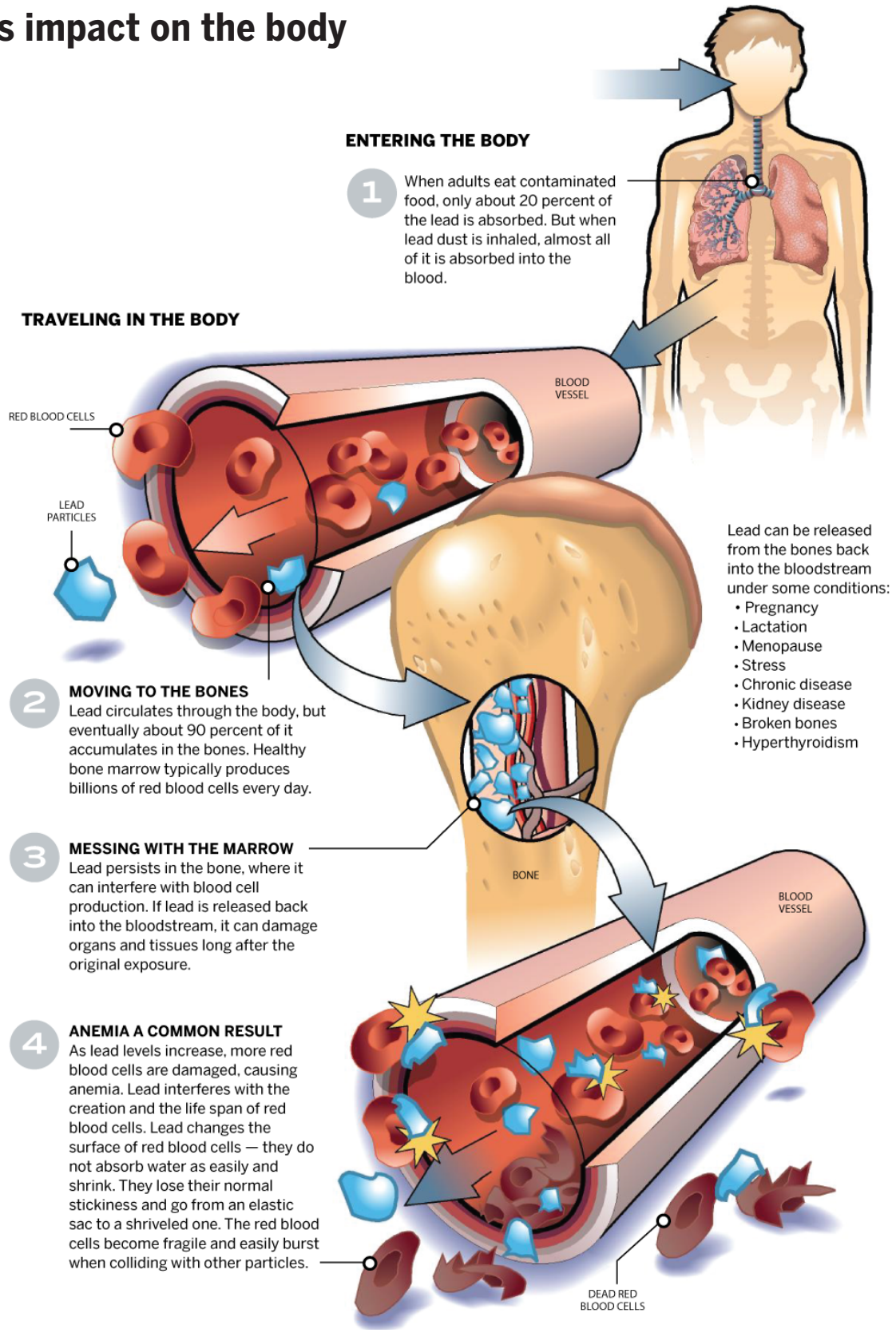
The armory at last closed to the public in late January 2015, more than a month after inspectors presented the Guard exhaustive evidence that the building posed an immediate danger. Children, those most vulnerable to lead’s irreversible harms, were allowed into the armory in the meantime.

As Oregon military leaders met to discuss next steps in February 2015, they decided to downplay the problem and conceal how long they had evidence of it, documents show.

The Guard’s inspectors had found lead on half of the surfaces tested. Yet at a private meeting to hash out the Forest Grove response, Lt. Col. Verl Miller urged leaders in their public



Lead's impact on the body



SCOTT BROWN/FOR THE OREGONIAN/OREGONLIVE



comments to avoid the word “contaminated.” (Miller explained in a recent statement to The Oregonian/OregonLive that he didn’t want to “create unnecessary panic.”)

Meeting minutes show officers prepared a timeline to indicate how long the agency had known about lead problems in Forest Grove. First Lt. Naomi Shantz, a workplace safety nurse, pegged the initial date in 2002. But Swafford said the group should start the chronology recently, in 2012.

The minutes say Swafford warned that the problem had “political attributes,” and that the Guard needed to look like it was acting appropriately.

The Guard’s subsequent public statements about lead in Forest Grove and in armories statewide closely followed Swafford’s suggested timeline.

One community event planner, when provided with details of the closed-door planning session, was not pleased.

“I’m not happy that they knew about it – who would be?” said Linda Frenette, who organized the Mt. Hood Rock Club’s shows at Northeast Portland’s Kliever Memorial Armory. “When they say they’re cleaning it up and it’s not bad anymore, I’d like to believe them.”

The Oregon Military Department, in a written statement, said that officials “have been completely transparent” about lead contamination and that the agency ensured “everyone involved was appropriately informed.”

Swafford, when asked in September why he proposed asserting only a recent awareness of lead, said the older inspections in Oregon were simply snapshots of issues that got fixed.

“You may have lead dust today, it’s being



KRISTYNA WENTZ-GRAFF/2014

More than 500 people took part in the 2014 Thanksgiving Festival at the Kliever armory in Portland. Fees charged for community events were a key revenue source for armory maintenance statewide.



cleaned, and then a couple years later it's there again," Swafford said. "That doesn't mean you have an ongoing problem."

How dust spread

The Oregonian/OregonLive first reported about problems in the Forest Grove armory after it closed to the public. The disclosure prompted the news organization to launch a search for inspection records that turned up more than 400 toxic armories nationwide.

The Oregon Guard's failure in Forest Grove played out time after time over the past decade, from Coos Bay to Ontario.

Inspections in 2004 and 2005 found lead contamination in the frequently rented drill halls of 15 armories. Inspectors called it a "major concern" because kids visited.

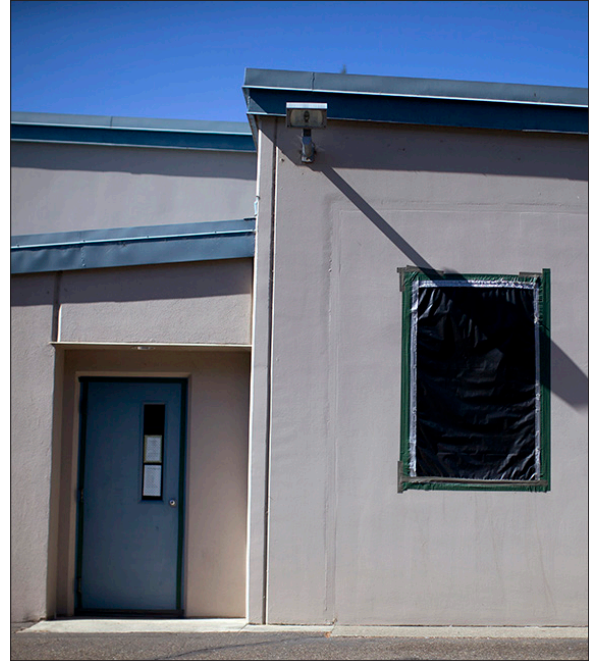
But no one ensured range cleaners always knew what they were doing.

Lead cleaning protocols advise soldiers to wear full-body coveralls, masks and respirators. Cleaning crews are supposed to use a high-efficiency vacuum or to mop surfaces down with Spic and Span. Rags, gloves and contaminated wash water are supposed to be treated as hazardous waste.

Range cleaners didn't consistently follow these crucial steps. Shortcuts made it worse.

Soldiers sometimes mopped up lead dust, then washed the mop head in the laundry, potentially cross-contaminating clothing. In Coos Bay, soldiers cleaned the range once every two years by scooping up bullet fragments with a garden shovel. In several ranges, soldiers used brooms to sweep up lead dust. Dry sweeping, as it's called, poses a major health risk because it re-suspends the metal in the air, making it easy for people to inhale.

In Bend, inspectors had to tell Guard officials three times – in 2006, 2009 and 2011 – to throw away a lead-tainted broom. Lead dust was spreading beyond the range, they wrote.



BETH NAKAMURA/STAFF

Baffles on the back side of the Coos Bay armory are covered with heavy plastic and sealed with duct tape. The armory is closed to the public, but it still retains staffing that rotates into the building about once a month.

Parts of the Bend and McMinnville firing ranges, which inspectors found covered in spent casings and lead residue in 2006, were still visibly contaminated when inspectors returned three years later.

Inspectors arrived at McMinnville's armory in 2009 to discover it had just hosted a child's birthday party inside the firing range, even though the room was covered in lead bullet fragments and didn't have a trained custodian. The inspectors warned that allowing kids into the range exposed the state to the risk of a lawsuit from "uncontrolled exposures." What's more, testing showed contamination escaping to other parts of the armory.

"The persistency of these issues demonstrates a lax safety atmosphere," inspectors wrote after examining the McMinnville armory in 2009. Guard leaders and range operators



needed tighter controls “to prevent a catastrophic injury.”

The Guard didn’t begin to solve the problem until 2014, when it ordered firing ranges closed while its armories were thoroughly tested.

Even after the discovery in Forest Grove, the public continued using armories for months in 2015 while the Guard awaited results from inspections in Ashland, Pendleton, Portland, Bend, Ontario, Coos Bay, Springfield, Salem and Baker City.

Closing the armories as a precaution, Swafford said at the time, “would be pretty drastic.”

The Guard began to shutter them only after test results came back positive. In every case, lead dust was found outside the firing range.

The income stream

Oregon National Guard officials considered keeping the public out of their contaminated armories years ago, despite the potential loss of rental income. But nothing came of their discussion.

In public, Oregon military staffers advertised the buildings as spotless destinations for large weddings and birthday parties. “Kliever Armory is expertly run and maintained!” a staffer said on Facebook in 2014, giving the Northeast Portland armory a five-star review.

The reality: Inspectors found lead spreading beyond the firing range every time they visited the building between 2002 and 2014.

Top Guard officials as far back as 2010 weighed whether to halt rentals in toxic armories, according to minutes from a meeting that year.

Farmer, the Oregon Guard’s logistics director, said in an interview that Guard officials discussed only whether to stop renting out the firing ranges themselves – not the armories that housed them.

But the minutes don’t make that distinc-



BETH NAKAMURA/STAFF

National Guard soldiers from Southern Oregon participate in weapons qualifications practice and testing at the Umatilla Army Depot in Hermiston, Oregon, in November 2016. The Oregon Guard, which has closed its indoor gun ranges following discoveries of lead contamination, now conducts weapons training outdoors.

tion. They say inspectors recommended that facilities with indoor firing ranges “should be removed from rental program because they are difficult to keep clean.”

Community groups continued holding events in armories after the 2010 meeting, and law enforcement agencies continued using the gun ranges, rental contracts and range logs show.

States rely on income from armory rentals to pay for their upkeep. Rentals have brought in tens of millions nationwide, a review of state budget documents shows.

Oregon has earned \$4.8 million from rentals since 2009. Washington took in \$1.1 million during the same period.

In Oregon, lawmakers directed the state



military department to make as much money as possible from armory rentals, saying the buildings should be rented 60 percent of the time. The department, which owns and operates the facilities, repeatedly told the Legislature it couldn't meet the goal because the armories were in "appalling" condition.

The decision to continue renting toxic armories did little to offset the cost of their maintenance. The military already had a \$79 million list of needs in armories. The agency now estimates removing lead and converting firing ranges could cost an additional \$21.6 million.

The state has closed some armories to the public in the past year to clean up the contamination. But it continues to allow children to use one building where lead was detected and left in place, records show.

Hotshots Gymnastics pays \$1,020 a month to rent the Ontario armory, where a November 2015 inspection found the old firing range highly contaminated.

Traces of lead were also found outside the range: on floors in the kitchen, birthday room, craft room and drill hall floor, where Hotshots holds tumbling classes for children ages 3 to 13.

The state military department didn't share the results with the gymnastics company until The Oregonian/OregonLive contacted the owner, prompting her to ask officials for the inspection report.

Lead levels in the areas children use, as high as 9.5 micrograms per square foot, were below the Oregon Guard's cleanup threshold of 40 micrograms. But scientists and public health officials say that threshold, adopted by the U.S. Environmental Protection Agency in 2001, is outdated and should be far lower.

Perry Cabot, a Multnomah County Health Department lead risk assessor, said the 40 microgram threshold creates a false sense of security.

"Lead is bad," Cabot said, "and when it's in dust, it's in a nasty form that's especially easy for kids to ingest."

The old firing range has been sealed off, and the Guard cleaned a door that had 56 micrograms of lead on it. But Anna Avera, Hotshots' owner, said in September that the military department hadn't cleaned areas where inspectors found smaller traces of lead nine months earlier.

"They said there was no concern, so I'm not concerned," Avera said. "They said it was super low and I shouldn't worry about it."

Our lead tests

To test for lead in two former Oregon National Guard armories, reporter Rob Davis followed the U.S. Environmental Protection agency's protocols. Wearing latex gloves, he collected dust samples using a wet wipe on surface areas both inside and outside former firing ranges. We checked with two independent experts who said our collection methods were sound. Samples were sent to an accredited laboratory in Virginia, Environmental Hazards Services. The lab uses a technique called flame atomic absorption to test for lead. Results came to us within a week and were shared immediately with the owners of the armories.

A persisting threat

Lead also lingers in armories that the Oregon National Guard decommissioned and sold years ago, The Oregonian/OregonLive found.

The Guard ostensibly made sure most facilities with indoor firing ranges were clean after temporarily closing the ranges in 1984, responding to concerns the rooms were poorly ventilated and threatened soldiers' health. Ranges got power-washed and painted. Lead-contaminated sand was mixed with concrete and turned into flooring.

The cleanings wouldn't have met the



BETH NAKAMURA/STAFF

The Pendleton Convention Center is a converted National Guard armory where six of 13 samples taken in recently conducted tests revealed traces of lead dust in the now-public building including on the main floor. Community events, such as those during the Pendleton Round-up take place at the center each year.

Guard's current standards, records show. No one tested the walls to see whether they'd been contaminated by lead. No one looked outside the ranges to see whether lead escaped. The Guard's later testing in some ranges found they hadn't been properly cleaned before being converted to other uses.

The Oregonian/OregonLive offered free lead testing to the current owners of armories that the Guard once operated in Lake Oswego, Eugene, Ashland, Pendleton, Klamath Falls and Portland.

Owners accepted the offer to test for lead in two buildings: the Pendleton Convention Center, which the city owns, and the Historic Ashland Armory, a privately owned office and concert venue.

The results? More lead.

In Pendleton, the city bought the armory

in 1990 and converted its old firing range to storage. City officials now use the sprawling, musty basement to keep an old Phoenix Suns parquet basketball floor for state tournaments, piles of removable arena seating and a few fake houseplants.

Six of 13 samples at the Pendleton facility tested positive for lead, including one taken on the main convention center floor. Thousands of people use the floor for community events such as preschool graduations and children's dances.

The testing registered five hits inside the former firing range and on the stairs leading to it. The highest result, 470 micrograms per square foot, was nearly 12 times more than the federal safety threshold for areas used by children. It was found in the part of the range where bullets once struck their targets. Signs



NATIONAL GUARD INSPECTION REPORT

The empty firing range at the National Guard armory in Springfield. The National Guard has an estimated 1,800 armories with current or former firing ranges but still does not know how many are contaminated with lead dust.

in the adjacent bathroom warn rodeo clowns in the annual Pendleton Round-Up: “NO Face Painting in the Building.”

Glenn Graham, Pendleton’s facilities manager, had thought the range was clean before the test results came back.

“I figured we’d find trace amounts down there, but not heavy lead contamination,” he said.

Graham promised to have the building cleaned in April. Seven months later, the city still had not cleaned the armory. Residents were allowed to attend events inside the contaminated drill hall in the meantime.

At the former Guard armory in Ashland, crews have renovated the old firing range. One

wall remains pockmarked from bullets 17 years after new owner Alan DeBoer converted the armory into a concert venue.

Among 10 samples The Oregonian/OregonLive took in the building, one contained lead. It was inside a basement storage room that’s near the bullet trap of the old firing range. The floor had 180 micrograms of lead per square foot, or 4.5 times higher than the Guard’s cleanup target.

DeBoer said he hired specialists to clean the room and repaint the area after receiving the test results.

Lane County, which owns the old Eugene armory, didn’t allow The Oregonian/OregonLive to test. But county officials col-



lected samples in the building, now the Martin Luther King Jr. Education Center. They provided test results showing no lead in eight samples.

In Lake Oswego, low levels of lead had been found in the armory before it was sold, remodeled and turned into a private school called the Park Academy. School officials didn't allow the newsroom to test, instead hiring an environmental consultant to do it.

The company took nine samples and found no lead.

The state's first armory, located in Portland's Pearl District, has become the home of Portland Center Stage. The theater company declined to have its building tested. A spokeswoman said crews completely excavated the armory's former basement firing range 10 years ago during a \$36 million renovation. Accessing what remains of the basement, she said, would require someone to tunnel through concrete.

The Klamath Falls Police Department, which moved into a renovated armory there, did not respond to calls.

Reaction to scrutiny

In the year since the discoveries in Forest Grove, Oregon military officials have remained in denial about the risks lead contamination has posed to the thousands of people who've used armories.

David Stuckey, deputy director of the Oregon Military Department, acknowledged that his agency was "inconsistent" in its management of firing ranges "for a great deal of time." He said he didn't know until late 2014 that armory common areas were being contaminated, even though statewide surveys showed widespread lead as far back as 2006.

Stuckey's agency fought to stop The Oregonian/OregonLive from obtaining emails written by Swafford, the official in charge of armory maintenance. The correspondence, which

the Oregon Department of Justice ordered released, shows how Swafford reacted to scrutiny.

One email to Stuckey, dated July 23, 2015, showed Swafford spent time poring over minutes of safety meetings in which Shantz, the Guard's workplace safety nurse, urged officers to close indoor gun ranges. They were contaminated, and soldiers responsible for cleaning them weren't being tested for lead exposure. The same warning showed up in meeting minutes from September 2013 and January 2014.

In March 2014, Col. Thomas Lingle ordered all Oregon armory operators to stop using indoor firing ranges. Yet in the months after that order, at least three firing ranges remained open, according to the Guard's own logs. And Shantz continued to urge their closure, meeting minutes say.

Swafford told Stuckey the minutes would look bad for the Guard when they became public.

"We will definitely be open to criticism," Swafford told Stuckey in the email. "It appears that for at least 10 months we did nothing."

The emails also show Swafford knew at least as early as 2013 that inspections routinely found problems with indoor ranges. He told a military leader that using the indoor ranges "has become more problematic than beneficial" because the ranges needed upgrades "which we can't afford."

Yet in an interview last year, Swafford told The Oregonian/OregonLive he was unaware of any significant issues in Oregon armories until the Forest Grove report landed in late 2014.

Even then, he said, he hesitated to call the contamination in Forest Grove a problem. "I struggle with saying 'problem,'" he said.

The Oregon Guard declined repeated requests from The Oregonian/OregonLive to interview Shantz, who appeared to be the first person to sound the alarm. She had pushed her bosses to stop using what she described



BETH NAKAMURA/STAFF

National Guard soldiers from southern Oregon participate in outdoor weapons qualifications practice and testing at the Umatilla Army Depot in November. In the last decade, inspectors discovered lead dust in 36 of the 37 indoor armories they checked in Oregon.

as “consistently unsafe” firing ranges in 2013 records show.

The Oregon Guard’s indoor firing ranges were among the last in the country to shut down in early 2014. Last May, the National Guard estimated it only had 20 that remained open nationwide. Even more have closed since then.

Oregon military leaders initially hoped to resume using some firing ranges for target practice once lead was removed. They no longer plan to do so. Annual weapons qualification has moved to outdoor ranges on military bases, where casual armory visitors can’t be exposed to lead dust and soldiers can fire a wider range of weapons.

In 2015, the Oregon Military Department sent a letter to groups that recently rented 12 armories with indoor firing ranges. “Elevated levels of residual lead dust were found in some occupied

and unoccupied areas in some of the Armories,” the letter said. The results weren’t included. They’re on file in Salem, the letter said.

Most Oregon armories have reopened to the public, but Forest Grove has remained closed for almost two years to undergo a major decontamination. And repeated cleanings in Coos Bay still haven’t removed all the lead.

In an email to Oregon’s workplace safety nurse in early 2015, the Guard’s top safety inspector ruminated about the ranges’ legacy.

“I understand that cleaning and conversion of ranges is costly,” wrote industrial hygiene chief Ken Forsythe. The Guard, he said, “invited this problem” because of its reliance on indoor firing ranges to train its troops.

“Now we are left to fix it.”

— *Samantha Swindler contributed to this report.*



December 4, 2016

The long road to records

By ROB DAVIS

The Oregonian/OregonLive

After discovering in 2015 that the Oregon National Guard ignored inspectors' explicit warnings to keep children out of the contaminated Forest Grove armory, we wanted to know whether the same thing was happening across the country.

Finding the answer took The Oregonian/OregonLive 18 months and dozens of formal requests for information. Eight states didn't release records. Oregon and others hid documents behind exorbitant fees and lengthy delays.

The work still isn't done. If the National Guard sticks to its estimated timelines, we won't know where every polluted armory is until September 2017.

Our search began with the National Guard Bureau, the federal agency that oversees state Guard units. The bureau's inspectors have visited hundreds of armories nationwide to investigate lead hazards.

In June 2015, we sent the agency a Freedom of Information Act request for reports covering every inspection since 2012. The National

Guard said we'd have the records in 13 months: by July 31, 2016. As of November 2016, they hadn't delivered a single page.

We didn't want to wait, so we used state and federal public records laws to request inspection reports from every state's National Guard.

We sent 110 formal records requests during our 18-month investigation and petitioned the attorneys general of Oregon and Ohio to compel disclosure. This is how states responded as of Dec. 1:

- 41 states provided records.
- Eight states (Arizona, Florida, Kansas, Kentucky, Massachusetts, New Jersey, Tennessee and Virginia) and the District of Columbia either referred our request to the National Guard Bureau, failed to release inspection records or simply didn't respond.
- One state, Nevada, said it had no records because it didn't have any indoor ranges.

Most states provided inspection reports for free, with the exception of Alabama (\$141), West Virginia (\$20.75), California (\$43.05), Ver-



BETH NAKAMURA/STAFF

Portland's Kliever Armory, 10000 N.E. 33rd Drive, remained open to the public and available for rentals even though inspectors found lead dust spreading beyond the firing range every time they inspected the building between 2002 and 2014.

mont (\$2) and Oregon (\$128).

Ohio's attorney general denied our petition, but the state released its records soon after.

A handful of states were especially uncooperative.

When the Kansas National Guard received our request in September 2015, its records custodian, Staff Sgt. David Coleman, said we were No. 2 in its queue and should have inspection reports in two weeks. A year later, we still don't have any.

In Oregon, we filed nine records requests for documents including officials' emails, safety meeting minutes, armory rental contracts and inspections dating to 1995.

Of particular interest were emails to and

from the state employee in charge of armory maintenance, Roy Swafford. The Oregon Military Department initially refused to provide these, saying the correspondence wouldn't be released because it was on a federal server. We appealed to Attorney General Ellen Rosenblum, whose office ordered the agency to release the emails.

Faced with the order, the military department said it would charge us \$16,110 for the documents. After lengthy negotiations, the department reduced the estimated cost to \$1,340, which we paid. The agency then released the emails and handed us another bill for \$3,464.87.

Why? The military department said it



took a paralegal and an attorney 40.8 hours to review 500 emails for privileged material. They charged rates up to \$175 an hour to redact parts of just 26 emails, 18 of which contained internal discussions about The Oregonian/OregonLive's fight to get records.

We refused to pay.

The military department also tried to charge \$62,888 to provide emails from five employees containing specific keywords, plus \$28.50 for one audio tape. The department said it would take 820 hours – one person working for five months – to produce the records.

The department lowered its estimate when we asked to exclude miscellaneous files such as meeting invitations. But the price tag remained so exorbitant that we gave up on getting three of the five employees' emails. We chose instead to obtain a small subset from the accounts of just two senior Guard leaders.

Many state laws are far more favorable to public disclosure than the federal Freedom of Information Act. Because each state's National Guard has both federal and state employees, some agencies kept records concealed by using delays that federal law allows.

One military environmental official outside

Oregon, speaking on condition of anonymity, said federal Guard officials were keeping some lead inspection reports from state employees so The Oregonian/OregonLive would have to use the lengthy federal process to obtain them. The official didn't want to be identified for fear of being fired.

And in Oregon, an email showed Swafford advising a federal employee that if she was the only person with access to armory inspections, the state could delay its response to our records request by making us deal with the slower, federal records law.

State military officials released the inspection records two months later under state law, without invoking the federal records act.

Oregon military leaders still have not provided all the material we requested.

State officials, asserting that some emails belonged to the Oregon Guard's federal component, took the unusual step of submitting a Freedom of Information Act request to their federal counterparts in 2015.

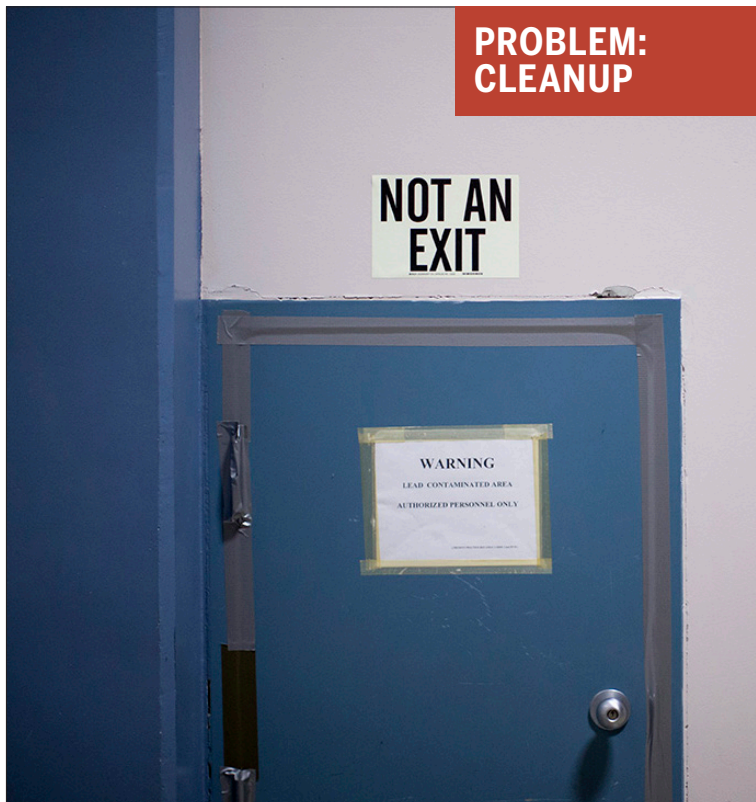
None of those records has been released.



December 4, 2016

Solutions: Fixing the National Guard's toxic armories

The Oregonian/OregonLive interviewed public health officials, industrial hygienists and doctors who say the lead problems in National Guard armories could be fixed. But it will take work. Here are the pressing issues.



BETH NAKAMURA/STAFF

Hundreds of National Guard armories have been contaminated by lead. After The Oregonian/OregonLive filed more than 100 public records requests for inspections in armories nationwide, Guard officials in September 2015 called for a cleanup – something they'd already ordered years ago but didn't pursue.

THE GUARD COULD:

- Set a deadline for states to complete inspections and cleanings.
- Dedicate funding for states to complete the cleanings. Even after armories are cleaned up and their shooting ranges shut down, lead contamination often returns.



PROBLEM: MAINTENANCE



BETH NAKAMURA/STAFF

Even after armories are cleaned up and their shooting ranges shut down, lead contamination often returns.

THE GUARD COULD:

- Dedicate the money needed to ensure former ranges get inspected annually, as Guard regulations require.
- Expand the annual inspection requirement to ensure testing occurs throughout the armories, not just the ranges themselves.
- Ensure all Guard troops receive training in how to prevent lead contamination when handling and cleaning weapons.
- Require that Guard units use certified lead abatement contractors, rather than troops, to clean any contamination.

The amount of lead allowed after cleanings is still higher than what public health researchers say is safe for children.

THE GUARD COULD:

- Permanently prohibit minors and pregnant women from entering any armory.
- Change its cleaning rules to require less than 2.5 micrograms of lead per square foot, not the current standard of 40 micrograms.

PROBLEM: SAFETY REGULATIONS



KRISTYNA WENTZ-GRAFF/2015



PROBLEM: PROTECTING TROOPS

No one has been held accountable for allowing armories to remain contaminated, or for failing to protect troops and the public.

CONGRESS COULD:

- Compel testimony from National Guard Bureau staff to explain how this happened.
- Compel testimony from the Defense Department inspector general's office about why it prematurely closed its 1998 audit without ensuring the lead problem was fixed.



BETH NAKAMURA/STAFF



BETH NAKAMURA/STAFF

People who live in communities with active and former armories have no sure way of knowing whether the buildings have been contaminated.

THE GUARD COULD:

- Post online a comprehensive list of all Guard armories, current and former, that housed firing ranges.
- Post the full inspection results at every armory annually, online and inside the building.
- Post a certification that the building was decontaminated.
- Require certified decontamination or disclosure of contamination when any armory changes hands.
- For armories bought in years past, current owners could post either a certification they are lead-free or display a notice of lead risks inside the buildings.



Who you can contact about Toxic Armories

CONGRESS

Sen. John McCain, R-Ariz., chairs the Senate Armed Services Committee: 202-224-2235, mccain.senate.gov, @SenJohnMcCain

Sen. James Inhofe, R-Okla., is the top returning Republican on the Senate Armed Services Subcommittee on Readiness and Management Support: 202-224-4721, inhofe.senate.gov/contact, @InhofePress

Sen. Joe Donnelly, D-Ind., is the ranking Democrat on the Senate Armed Services Subcommittee on Readiness and Management Support: 202-224-4814, donnelly.senate.gov/contact/email-joe, @SenDonnelly

Rep. Vicky Hartzler, R-Mo., chairs the House Armed Services Subcommittee on Oversight and Investigations: 202-225-2876, hartzler.house.gov/contact/email, @RepHartzler

Rep. Jackie Speier, D-Calif., is the ranking Democrat on the House Armed Services Subcommittee on Oversight and Investigations: 202-225-3531, speier.house.gov/contact/email, @RepSpeier

OREGON

Oregon Gov. Kate Brown oversees the Oregon National Guard and state military department: oregon.gov/gov/Pages/contact.aspx, @OregonGovBrown



STENCEL



CARTER



BROWN

Sen. Ron Wyden, D-Ore. is Oregon's senior representative in D.C.: 202-224-5244, wyden.senate.gov/contact, @RonWyden

Roy Swafford, Oregon Military Department installations director, oversees armory maintenance and rentals: roy.d.swafford.nfg@mail.mil

Maj. Gen. Michael Stencel is the Oregon National Guard's adjutant general: michael.stencel@ang.af.mil

David Stuckey, Oregon Military Department deputy director, is the agency's top civilian employee: Dave.Stuckey@mil.state.or.us

THE PENTAGON

Defense Secretary Ashton Carter is the country's top civilian military leader: asksecdef@mail.mil, @DeptofDefense

Glenn Fine is inspector general of the Defense Department: hotline@dodig.mil, @DoD_IG

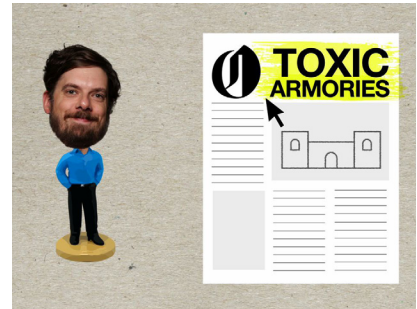
National Guard Gen. Joseph Lengyel is the Guard's top military leader. 703-607-2584; @ChiefNGB

Ken Forsythe, chief of industrial hygiene for the National Guard Bureau, oversees lead inspections: kenneth.a.forsythe.civ@mail.mil

Jennifer Nikolaisen is the National Guard Bureau FOIA officer: 844-573-2939; ngb.foia@mail.mil



Explore the Toxic Armory story in videos



FIND VIDEOS AT [YOUTUBE.COM/OREGONIAN](https://www.youtube.com/oregonian)