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**GW LAW PROFESSOR JONATHAN TURLEY FILES AGAINST THE DEPARTMENT OF
DEFENSE, NATIONAL SECURITY ADVISER AND AIR FORCE
FOR VIOLATION OF FEDERAL ENVIRONMENTAL LAWS
AT TOP SECRET AIR FORCE BASE**

Washington, D.C. -- The George Washington University National Law Center Professor of Environmental Law Jonathan Turley, following an action filed against the EPA earlier this month, filed suit today against the Department of Defense, the National Security Advisor and the United States Air Force for violations of federal environmental laws at a top-secret Air Force base in Nevada. This is the second in a series of legal actions planned by Professor Turley. Turley received assistance in conducting the field investigation from the Project on Government Oversight, a nonprofit watchdog organization located in Washington, D.C.

Turley is representing current and former workers at Area 51, a secret Air Force base in Nevada -- also known as Dreamland or Groom Lake. The suit alleges serious injuries, and at least one death, to employees due to the burning of hazardous and toxic wastes at the facility. Turley's suit further alleges that workers were denied requests for protective clothing -- including gloves -- in handling hazardous wastes. Turley is seeking to represent the workers, who signed secrecy agreements upon employment at the base, as "John and Jane Does" to prevent possible retaliation -- including physical threats.

This case is the first of its kind. Area 51 is generally considered the most secret, classified base in the U.S. military network. "By forcing compliance at Area 51, we hope to establish a precedent whereby the military will be forced to acknowledge its responsibilities in every base and facility," says Turley. "Ultimately, this case is a direct confrontation between national security laws and environmental and criminal laws."

Specifically, Turley will be asking the United States District Court in Nevada to address eleven charges against the defendants, William Perry, Secretary of Defense; Anthony Lake, National Security Advisor to President Clinton; and Sheila Widnall, secretary of the Air Force. The charges include: violation of the federal facility reporting and inventory requirements; violations of the ban on open burning of hazardous waste; and illegal land disposal of hazardous wastes. He will

argue that the federal hazardous waste law does not give any exception for secret bases in its provisions.

"We want to establish that workers at secret bases should not be forced to rely on the arbitrary protection of the military, but should be able to go to court to receive remedies for violations," says Turley. He also intends to establish that secrecy agreements do not preempt environmental protection. Eventually, Turley plans to draft a new law on the judicial review of such cases and on issues ranging from anonymous legal action to standing questions to citizen suit actions against the EPA.

In his complaint to the District Court of Nevada, Turley alleges that the activities conducted at the Groom Lake base have involved the use of hazardous waste and material producing hazardous wastes when burned -- including hardeners, plastics, solvents, sealants and paint wastes -- and that these wastes are stored on site at the base. Plaintiffs allege that these hazardous wastes -- including wastes releasing dioxins, and methyl ethyl ketone, trichloroethylene and dibenzofurans -- were thrown into open, unlined trenches at Groom Lake base, doused with jet fuel or other inflammable substances and then ignited.

The plaintiffs claim they were required to be in close proximity to the burning wastes and that some workers had to enter the trenches to ignite the wastes; stand around the trench to secure the area during incineration; or work next to or down wind from the trenches. After incineration, defendants or their agents allegedly instructed workers to enter the trenches and sort through the residue to guarantee complete destruction of classified materials. The plaintiffs complain of a number of symptoms -- blackouts, skin rashes, headaches, respiratory problems and eye irritations. They allege that requests for protective clothing, respirators and gloves were denied.

Turley also alleges that hazardous wastes were intentionally trucked in by a California-based defense contractor in order to be disposed at the site. "We have compelling evidence that the government and its contractors have used the secrecy of Groom Lake not to protect national security but to shield the illegal disposal of hazardous waste," said Turley.