

VA quietly giving benefits to Marines exposed to toxic water

By Barbara Barrett, McClatchy Newspapers Barbara Barrett, McClatchy Newspapers Sun Jun 20, 11:01 am ET

WASHINGTON — Former Marine Corps Cpl. Peter Devereaux was told about a year ago that he had just two or three years to live.

More than 12 months later, at 48, he still isn't ready to concede that the cancer that's wasting his innards is going to kill him. He swallows his pills and suffers the pain and each afternoon he greets his 12-year-old daughter, Jackie, as she steps off her school bus in North Andover, Mass.

The U.S. Department of the Navy says that more research is needed to connect ailments suffered by Marines such as Devereaux who served at Camp Lejeune and their families who lived there to decades of water contamination at the 156,000-acre base in eastern North Carolina . Meanwhile, however, the Department of Veterans Affairs has quietly begun awarding benefits to a few Marines who were based at Lejeune.

"Right now, I would venture to say that any Camp Lejeune veteran who files a claim now is presumed to have been exposed to the contaminated drinking water," Brad Flohr , the assistant director for policy, compensation and pension service at the VA, told a meeting of affected Marines and family members in April.

It's estimated that as many as a million people were exposed to the water from the 1950s to the 1980s. The water was laced with trichloroethylene, known as TCE; tetrachloroethylene, known as PCE; benzene and other volatile organic chemicals.

Peter Devereaux doesn't expect to be around for Jackie's college years, but he hopes to be able to pay for them. Along with hundreds of other veterans across the country, he's convinced that contaminated water caused his cancer.

"It's like it's criminal, you know?" said Devereaux, who has male breast cancer.

While the Department of the Navy , which oversees the base, is funding continuing research on the issue, in some cases the VA has acknowledged that as likely as not, some Marine veterans' ailments were caused by drinking and bathing in poisonous water.

Despite the exposure, though, there's no presumption that a veteran's disease was caused by the contamination. Each case is judged on hits own merits, Flohr said.

Still, veterans' advocates have hope.

"It matters. That's an admission, right there," said Jerry Ensminger , a Marine veteran in North Carolina who lost his daughter to leukemia in 1985 after living at Camp Lejeune .

James Watters of Lubbock, Texas , was told in 2008 that he had a year to live. In June 2009 , he learned that the VA had linked his cancer to the Lejeune contamination.

"This thing is huge in its ramifications," Watters said. "I think it just opens the floodgates."

More Marine veterans are learning about what happened years ago at Camp Lejeune .

Two years ago, a new law required the Defense Department to contact veterans through the Internal Revenue Service and tell them about their exposure.

Many veterans interviewed by McClatchy said they had no idea that they'd been exposed until they opened the envelopes in the mail.

"You know what went off in my head? A light bulb," said Allen Menard , 47, of Green Bay, Wis. His doctor had told him years before that his form of non-Hodgkin's lymphoma, mycosis fungoides, was chemical-related.

He filed for VA disability in 2008, blaming his cancer on Lejeune's water, and was at first denied before finally he was granted a full service connection, a recognition that his illness is related to his service, this spring.

"I did my research. I had to fight," Menard said. "I had two professors at Boston University write letters for me."

One of those professors, epidemiologist Richard Clapp , said veterans deserve an answer about what effects the water might have had on their health.

"It's a horrific problem," said Clapp, who serves on a community panel that's studying the Lejeune contamination. "There are lots of people exposed, some to very high levels of these chemicals. Some for short periods for time, some for decades."

The public is only now beginning to realize the extent of the contamination.

Stories among the veterans indicate a handful have been given service connections. Each case means the VA has established that there's at least a 50 percent chance that the veteran's military service caused the ailment.

The awards are inconsistent, however. While a veteran in Wisconsin is offered payment, one in Florida with similar symptoms is denied. The VA doesn't keep track, and Flohr said this spring that he'd just learned about many of the successful appeals.

Legislation in the House of Representatives and Senate would establish presumptions between service connection and illnesses associated with the contamination, but those bills are still pending.

Although advocates are energized by recent VA benefits awards, a McClatchy review of some Veterans Affairs decisions shows that connections to the toxic water at Lejeune have been made in the past.

In 2002, for example, the agency granted a service connection to a veteran with cancer of the hard palate. The veteran, whose name is redacted, had served from 1982 to 1987 at Lejeune. His application was denied in 1995 and again in 1999.

After he sent in medical opinions about the contamination, an appeals board granted the service connection.

Another challenge for Veterans Affairs and federal scientists comes in deciding what diseases might have been caused by which chemical in the water.

For now, Flohr said the VA is trying to educate regional offices around the country. Last month, the agency sent a memo to its regional offices describing contamination of TCE and PCE.

The memo says there may be limited association between those chemicals and cancers of the kidney, breast, bladder, lung or esophagus.

The Veteran Affairs memo doesn't mention benzene, even though federal scientists said a year ago that benzene has emerged as a central suspect in the contamination. Benzene is a known carcinogen.

The distinction about which chemicals were present in the water is important, because they're associated with different diseases.

For years, Marine veteran Michael Schooler suspected that Agent Orange he was exposed to in Vietnam was responsible for his acute myeloid leukemia. Then McClatchy and other news outlets reported this year that benzene has had a far greater significance in the contamination than scientists had previously realized.

"I asked my doctor, 'Does benzene cause it?' " recalled Schooler, 61, of Jasper, Ind. "He lit up like a Christmas tree. He said, 'That's what causes it.'"

Schooler filed an appeal this spring. He expects to learn this month whether the VA will grant the service connection for benzene exposure.

In Massachusetts , Peter Devereaux also waits, drawing on the patience he learned while he was in the Marines.

"I'm terminal," he said. "Being a man, I only want to take care of my wife and daughter, like I always have."

FOR VETERANS WHO MIGHT BE AFFECTED

Veterans who think they might have been affected by contaminated water at Camp Lejeune can apply for service connection health benefits from the U.S. Department of Veteran Affairs . You can apply by filling out VA Form 21-526, Veterans Application for Compensation and/or Pension.

The VA recommends that if you have any of the following material, please attach it to your application:

- Discharge or separation papers (DD214 or equivalent)
- Dependency records (marriage & children's birth certificates)
- Medical evidence (doctor & hospital reports)

Veterans who have applied for benefits related to water contamination at Camp Lejeune say they strongly recommend a medical nexus letter from a doctor.

For more information, contact your local VA office or your local veterans service organization, or go online to <http://www.vba.va.gov/VBA/>

The Marine Corps also has a website about the Lejeune contamination, www.ftptf.com