

MAJOR GENERAL EUGENE G. PAYNE, JR, ASSISTANT DEPUTY COMMANDANT,
INSTALLATIONS AND LOGISTICS (FACILITIES)

STATEMENT

OF

MAJOR GENERAL EUGENE G. PAYNE, JR

ASSISTANT DEPUTY COMMANDANT

FOR

INSTALLATIONS AND LOGISTICS (FACILITIES)

BEFORE THE

SENATE VETERANS' AFFAIRS COMMITTEE

ON

WATER CONTAMINATION AT CAMP LEJEUNE

8 OCTOBER 2009

Senator Akaka, Senator Burr, distinguished Members of the Committee; thank you for the opportunity to appear before you and participate in this hearing regarding past drinking water exposures at Marine Corps Base Camp Lejeune. My name is Major General Gray Payne and I am the Assistant Deputy Commandant for Installations and Logistics for Facilities. I am responsible for Marine Corps facilities and services issues on our installations, to include environmental protection.

The health and welfare of our Marines, Sailors, their families, and civilian workers are a top priority for the Marine Corps. The Marine Corps is and always has been a large family, and we all know people, including myself, who were stationed or worked at Marine Corps Base, Camp Lejeune during their military careers. The Marine Corps is deeply concerned with all the military and civilian families who are experiencing or have experienced any health issues and we understand that there are those who believe their health concerns may be a result of time spent at Camp Lejeune. The Marine Corps consists of war-fighters, and those who directly support war-fighters. We have no epidemiological experts, and accordingly we rely on the expertise of scientific organizations like the Agency for Toxic Substances and Disease Registry (ATSDR) and the National Academies, National Research Council (NRC) to inform our understanding of this issue. We have provided over \$14.5 million in funding and have exhausted countless man-hours

in direct support of research initiatives. We will continue to support and cooperate with the Veterans Administration, the ATSDR and the NRC in an effort to get answers for those of our Marine Corps family who may have been exposed to volatile organic compounds (VOC) in drinking water at Camp Lejeune.

HISTORY OF DISCOVERY

It is important to keep in mind that the events surrounding this situation occurred over 25 years ago. Environmental standards and regulations have changed dramatically over the intervening years as a result of advances in scientific knowledge and increased public awareness. The events at Camp Lejeune must be considered in light of the scientific knowledge, regulatory framework, and accepted industry practices that existed at the time, rather than in the context of today's standards.

Trichloroethylene [TCE] and tetrachloroethylene [PCE] were discovered in the Camp Lejeune drinking water in the early 1980's. The circumstances that led up to the discovery are as follows. In 1981, Camp Lejeune officials became aware that VOCs were interfering with the analysis of potable water samples that were being collected in preparation for the implementation of future drinking water standards for Total Trihalomethanes (TTHM). Sampling conducted by a Navy contractor revealed that another chemical present in the water sample was interfering with the analysis; however, the type of chemical and source were unknown. Base personnel continued to sample the water for TTHMs over the next several years using various laboratories with varying results. Through targeted sampling in 1982, two of Camp Lejeune's eight public drinking water systems were determined to be contaminated by two chemicals – TCE and PCE. TCE and PCE are chemicals commonly found in degreasing agents and dry cleaning solvents respectively. It is important to note that there were no drinking water regulations in place for TCE, PCE, benzene, or vinyl chloride at the time of discovery. In the early 1980's, the Naval Assessment and Control of Installation Pollutants (NACIP) program, a precursor to the Department of the Navy (DON) Installation Restoration Program, was already in the process of identifying contaminated sites on Base for further sampling and investigation. Plans were in place to sample potable wells near the identified contaminated sites. It was these sampling events that identified, between late 1984 and early 1985, individual wells that contained groundwater impacted with TCE and PCE and other VOC's such as benzene. As the Base received sampling data on impacted wells, the wells were promptly removed from service. A separate investigation by the State of North Carolina in 1985 revealed leaks from an off-base dry cleaner had contaminated the wells near the Tarawa Terrace housing area. The Hadnot Point water system was contaminated by on-base sources. As referenced above, no drinking water standards for TCE or PCE were in place at the time of discovery, and all impacted wells were voluntarily removed from service promptly by Base direction in late 1984/early 1985. Initial regulation of these volatile organic compounds under the Safe Drinking Water Act did not begin until 1987. Final regulations on the chemicals were in force in 1989 and 1992 respectively.

NOTIFICATION

Camp Lejeune first notified military personnel and family members about the impacted drinking water on December 13, 1984, through an article appearing in Camp Lejeune's newspaper, The Globe. Camp Lejeune also distributed a public notice to residents of Tarawa Terrace on April 30, 1985. In May 1985, Camp Lejeune issued a press release announcing the water contamination

problem and explaining the steps being taken to restore water services to the affected base residents. Jacksonville Daily News and Wilmington Morning Star printed stories on the situation on May 11 and 12, 1985.

In 2000, ATSDR requested assistance from the Marine Corps to reach additional participants for a survey they were conducting. At the time, the number of participants was approximately 6,500. ATSDR needed over 12,000 for a statistically valid study. The Marine Corps played an active role in assisting ATSDR in identifying participants eligible for the survey through both targeted and global notifications. In January 2000, Camp Lejeune held an “open house” with base residents and the Jacksonville community to discuss issues about the drinking water previously discovered to contain VOCs. In August 2000, Headquarters Marine Corps sent a message to all Marines worldwide in an effort to reach potential ATSDR survey participants. In addition, articles were published in numerous base newspapers including the Quantico Sentry, Camp Lejeune Globe, and Camp Pendleton Scout, which have a large readership of both active duty and retired military members. Camp Lejeune also solicited participants for the ATSDR survey by sending a press release to other military base publications. In November 2000, Headquarters Marine Corps held a press brief at the Pentagon asking media to assist in helping to reach survey participants. On January 25, 2001, Headquarters Marine Corps sent a second message to all Marines worldwide in an effort to reach potential ATSDR survey participants. In February 2001, regional media outreach efforts began, and outlets reached included:

- (A) TV Stations - 1027 outlets
 - (B) Daily Newspapers - 1373 outlets
 - (C) Weekly Newspapers - 1171 outlets
- Total: 3571 media outlets contacted.

In 2001, Headquarters Marine Corps requested approval from the Department of Defense to release to the ATSDR the Social Security numbers of potential survey participants. In July 2001, Headquarters Marine Corps received approval from DoD for a limited release of Social Security Number information covered by the Privacy Act to the ATSDR in order to support the ATSDR’s survey participant location efforts. Based on extensive data searches by Headquarters Marine Corps, contact information for the names of potential survey participants was identified and forwarded to the ATSDR.

The FY08 National Defense Authorization Act mandated that the Secretary of the Navy attempt to directly notify former residents of Camp Lejeune of their potential exposure to the chemicals. The Act also required that ATSDR develop a health survey to be included with the notification letter. On Sept. 14, 2007, the Marine Corps posted a link to the registration database on its website (www.marines.mil/clsurvey) so that former Camp Lejeune residents and workers as well as interested parties can be placed on a contact list to receive notification and information regarding this important issue. The call center became operational September 17, 2007 and is used as another tool to locate former residents and workers and register them to receive additional updates to the ongoing studies. In addition to direct notifications, the Marine Corps continues to use various general communication venues to reach former base residents and workers to encourage them to register. This general notification has included articles and/or advertisements in newspapers such as USA Today, periodicals such as Time and Newsweek, internet advertisements on general consumer websites such as WebMD and Weather.com.,

military related websites such as the Leatherneck, U. S. Navy Institute, and the Vietnam Veterans Association, internet search engines such as Yahoo and Google, and radio broadcasts. As of September 28, 2009, more than 140,000 individuals have been registered with the Marine Corps.

ATSDR HEALTH INITIATIVES

All military installations on the National Priorities List of hazardous waste sites, including Camp Lejeune which was listed in 1989, undergo a Public Health Assessment conducted by the ATSDR to determine if there are any current or past health concerns resulting from past practices.

In 1992, the Agency for Toxic Substances and Disease Registry (ATSDR) made its first of many site visits to Camp Lejeune as part of its statutory duty to conduct a public health assessment (PHA). In 1997, the ATSDR published its PHA for Camp Lejeune. In the PHA, the ATSDR stated that the Volatile Organic Compound-impacted water would not likely harm adults. (Earlier this year ATSDR withdrew the PHA from their website in part because it believes that the statement was overly reassuring.). The ATSDR recommended, however, an epidemiological study of former Camp Lejeune residents to determine what effect, if any, the VOCs may have had on the health of prenatal children. This population was considered by the ATSDR to be the most susceptible population to health impacts from VOCs. In support of this recommendation, a health study began in 1999 as a survey to determine whether or not a statistically significant study population could be reached for a case control study. In January 2002, the ATSDR closed its survey with 12,598 eligible participants, and began its analysis of survey results. In July 2003, the ATSDR released a progress report of the survey and concluded that a follow-on casecontrol/epidemiological study was warranted. The Marine Corps actively participated in publicizing this report through a press release, a webcast by the Deputy Commandant for Installations and Logistics, and by posting survey information on the Marine Corps Camp Lejeune drinking water web page. ATSDR also determined in 2003 that extensive water modeling would be needed at Camp Lejeune in support of the case control study. That water modeling continues today and is currently projected to be complete in September 2011. The case control study will be completed sometime thereafter.

In 2005, the Marine Corps hired a contractor to perform a comprehensive search of Camp Lejeune to provide a better confidence level that all potentially relevant documents had been found. ATSDR and other interested parties have been provided access to all documents that were found. In addition, we have been working with agencies outside of the Marine Corps to ask them to provide information that may be under their control.

INDEPENDENT REVIEWS AND INVESTIGATIONS

Three independent reviews have been conducted of the actions taken by Marine Corps personnel on this matter: an Independent Drinking Water Fact-Finding Panel chartered by the Commandant of the Marine Corps, an EPA Criminal Investigation Division investigation, and a Government Accountability Office review.

In 2004 the Fact-Finding Panel determined that Camp Lejeune provided drinking water at a level of quality consistent with general water industry practices in light of the evolving regulatory requirements at the time.

In 2005 the EPA concluded that there had been no violations of the Safe Drinking Water Act, no conspiracy to withhold information, falsify data, or conceal evidence.

In 2007 the GAO issued a report that describes efforts to identify and address the past contamination, activities resulting from concerns about possible adverse health effects and government actions related to the past contamination. The report had no findings or recommendations for the Marine Corps.

In accordance with the 2007 National Defense Authorization Act, the Marine Corps contracted with the National Academy of Sciences – NRC to review the evidence regarding potential associations between exposure to contaminated drinking water at Camp Lejeune and adverse health effects in prenatal children, children, and adults. The NRC review report concluded that while former Camp Lejeune residents and workers were exposed to unregulated solvents, there are no conclusive associations between adverse health effects and exposure to the impacted water at the base. The report opined that further study was unlikely to provide definitive information about the health effects of such exposure. The report noted that the highest levels of either TCE or PCE measured in the mixed-water samples at Camp Lejeune were much lower than the lowest dose that caused adverse effects in the most sensitive strains of species of laboratory animals. The review concluded, however, that even though adverse effects were unlikely, they could not be ruled out completely and that the DoN (and other policy makers) should move forward with responses they deem appropriate based on available information.

We are aware of ongoing assessment activities currently being undertaken by the US EPA and remain interested in that process.

COORDINATION WITH DEPARTMENT OF VETERANS AFFAIRS

As part of the Marine Corps robust outreach and notification campaign we have worked extensively with various Veterans Affairs offices. In 2007 and 2008 we sent notification and registry posters to a total of 210 VA centers in all 50 states as well as the US Territories and Washington, DC . We also sent copies of posters in 2007 and 2008 to VFW District Offices and Military Treatment Facilities in all fifty states, US Territories and Washington, DC. In addition, in March of this year, we worked with VA public affairs to alert VA program directors and other executives of new information about the water contamination issue via an email release. In particular, this email release provided information on the pending release of the National Research Council research. VA personnel were asked to directly contact HQ USMC public affairs for additional information and assistance.

CONCLUSION

I have received letters from, and have personally spoken with individuals who feel that they have been harmed by Camp Lejeune water. Their stories are very sad, and my heart goes out to them. The Marine Corps has done and is doing everything it can for them, recognizing that we are not scientists or health care professionals, and neither can we address claims for compensation. What we can do, have done, and commit to continuing to do is to cooperate with the Veterans Administration, the ATSDR, the NAS, and other appropriate agencies and scientific organizations as they address the scientific and medical issues, and keep our Marine family informed of any progress.