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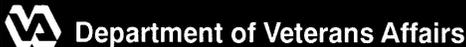
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STATEMENT IN SUPPORT OF CLAIM

PRIVACY ACT INFORMATION: The VA will not disclose information collected on this form to any source other than what has been authorized under the Privacy Act of 1974 or Title 38, Code of Federal Regulations 1.576 for routine uses (i.e., civil or criminal law enforcement, congressional communications, epidemiological or research studies, the collection of money owed to the United States, litigation in which the United States is a party or has an interest, the administration of VA Programs and delivery of VA benefits, verification of identity and status, and personnel administration) as identified in the VA system of records, 58VA21/22/28, Compensation, Pension, Education, and Vocational Rehabilitation and Employment Records - VA, published in the Federal Register. Your obligation to respond is required to obtain or retain benefits. VA uses your SSN to identify your claim file. Providing your SSN will help ensure that your records are properly associated with your claim file. Giving us your SSN account information is voluntary. Refusal to provide your SSN by itself will not result in the denial of benefits. The VA will not deny an individual benefits for refusing to provide his or her SSN unless the disclosure of the SSN is required by Federal Statute of law in effect prior to January 1, 1975, and still in effect. The requested information is considered relevant and necessary to determine maximum benefits under the law. The responses you submit are considered confidential (38 U.S.C. 5701). Information submitted is subject to verification through computer matching programs with other agencies.

RESPONDENT BURDEN: We need this information to obtain evidence in support of your claim for benefits (38 U.S.C. 501(a) and (b)). Title 38, United States Code, allows us to ask for this information. We estimate that you will need an average of 15 minutes to review the instructions, find the information, and complete this form. VA cannot conduct or sponsor a collection of information unless a valid OMB control number is displayed. You are not required to respond to a collection of information if this number is not displayed. Valid OMB control numbers can be located on the OMB Internet Page at www.reginfo.gov/public/do/PRAMain. If desired, you can call 1-800-827-1000 to get information on where to send comments or suggestions about this form.

FIRST NAME - MIDDLE NAME - LAST NAME OF VETERAN <i>(Type or print)</i> Wesley Todd Carter	SOCIAL SECURITY NO.	VA FILE NO. C/CSS -
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The following statement is made in connection with a claim for benefits in the case of the above-named veteran:

CONTRADICTION IN VA PERSPECTIVES ON TCDD DETERIORATION OVER TIME:

This Air Force document, among the many not submitted by VA to the Committee, details the decision process for contaminated C-123s. Of particular note are paragraphs 10-12.

This Air Force document from 2009 shows the AF and contractor's claim that desert storage reduced the TCDD contamination level of the Davis-Monthan stored C-123s ... that position is in start contrast to current VA papers submitted to the committee in which VA states the low levels of TCDD shown in 2009 testing are indicated of what would have been results had the plance been tested when we first started flying.

Two official positions: the airplanes' dioxin degraded so the planes are safe for their final destruction in 2009. And their second,opposite conclusion that the planes were safe for us to fly 2972-1982 because low level tests in 2009 can be used to determine crew exposure levels because the airplanes' dioxin doesn't degrade.

In VA #63 submitted by the VA to the committee, claims are made that there was little degrading in the dssert-stored C-123s, and thus their 2009 testing should be viewed as what a similar test (never taken) would show if completed in 1972 when we started fllying these planes. The 2009 tests showed lower levels of contamination because, in truth, and as confirmed in this memo which contradicts the reports prepared for this IOM committee, the contamination degraded over time, and 2009 tests were actually indicated of far higher levels of contamination which would have been established had the C-123s been tested 37 years earlier when we first went out and started flying them.

It can't be both ways. (1)Either the C-123 contamination deteriorated between the last spray missions in 1971, through the decade we flew the airplanes, through the 27 years which then passed in harsh desert storage to then show low levels of toxicity, thus permitting a thesis that contamination in 1972-1982 was worse than 2009 tests.

Or (2) the aircraft TCDD was somehow stable after Vietnam, defined all aging, depot maintenance, periodic maintenance, parts replacement, spot painting, desert sun, after-mission cleaning, and intensive efforts to scrape Agent Orange crud from our airplanes'.

It cannot have been (1) -the planes many mangnitudes cleaner AFTER we spent 10 years cleaning and scraping. The planes were less contaminated after ten more years of flying and after 17 years of desert storage. 2009 tests should be seen to show 1972 hazards!

I CERTIFY THAT the statements on this form are true and correct to the best of my knowledge and belief.

SIGNATURE 	DATE SIGNED 8 June 2009
ADDRESS 1233 Town Center Drive, Fort Collins CO 80524	TELEPHONE NUMBERS <i>(Include Area Code)</i>
	DAYTIME 971 241-9322

PENALTY: The law provides severe penalties which include fine or imprisonment, or both, for the willful submission of any statement or evidence of a material fact, knowing it to be false.

POSITION PAPER
ON
IMMEDIATE DISPOSAL/RECYCLE OF 18 UC-123K “AGENT ORANGE” AIRCRAFT

1. BLUF. Recommend immediate disposal/recycle of 18 UC-123K “Agent Orange” aircraft stored at Aircraft Maintenance and Regeneration Group (AMARG), Davis-Monthan AFB. Trace and low levels of contamination found in sampling of four aircraft justify disposal/recycle of all the aircraft immediately, rather than spending additional time and money to sample the remaining 14 aircraft.
2. Background. 18 UC-123K “Agent Orange” aircraft are quarantined at AMARG/Davis-Monthan AFB in Tucson, AZ. Most or all of the aircraft were used in “Operation Ranch Hand” in Vietnam between 1962 and 1971. They were inducted into AMARG between 1980 and 1986. Initial sampling of all 18 aircraft in 1996 confirmed the low level presence of residual herbicides, dioxins and furans from operations in Vietnam and subsequent Aerial Spray Flight operations. These low levels are safe to handle in recycle operations in accordance with (IAW) EPA risk based screening standards and support Phase 1 sampling results from four aircraft in February 2009.
3. In February 2009, Hill AFB 75th Civil Engineering Group/Environmental Compliance Branch (75 CEG/CEVC), sampled four of 18 UC-123K aircraft in Phase 1, at Davis-Monthan AFB and found trace levels and low levels of contamination in the interior of the aircraft. They also sampled inside one of the 15 Agent Orange spray tanks stored with the aircraft and found higher concentrations of contaminants, but they are still considered safe to recycle because exposure to personnel is minimal.
4. In April 2009, 505 ACSS requested \$70K of BA01 center funds to execute a contract for Phase 2, sampling the remaining 14 aircraft. The Phase 2 UC-123K Contamination Testing is currently Priority 9 on the center “yes list”. Phase 2 sampling and the requested funding is no longer considered necessary if immediate disposal of the aircraft is approved.
5. In July 2009 Phase 1 Sampling Final Report was published. The results indicate the four aircraft are safe for personnel involved in short term recycling operations, which means workers can work in the aircraft all day for a year, IAW EPA risk-based screening standards. Also, Phase 1 results are consistent with 1996 initial sampling which confirm the presence of residual low levels of Agent Orange herbicides, dioxins and furans.
6. On 20-22 July 2009, Dr. Wayne Downs, Hazardous Waste Program Manager, 75 CEG/CEVC Hill AFB, and Mr. Jim Malmgren, 505th Aircraft Sustainment Squadron (505 ACSS) went to Davis-Monthan AFB to discuss details of disposal/recycle of 18 UC-123K “Agent Orange” aircraft. Dr. Downs and Mr. Malmgren also observed actual aircraft disposal/recycle activities at Huron Valley Fritz-West (HVF-West), the contractor used most frequently by AMARG and Defense Reutilization and Marketing Service (DRMS) at Davis-Monthan AFB. No workers handled any parts or pieces of the disposal aircraft. Disposal is accomplished by machinery and equipment operated remotely by the workers at the recycle plant. Consequently, after observing aircraft being dismantled, crushed and shredded into piles of cell-phone size pieces, both Dr. Downs and Mr. Malmgren concluded that there would be no

harmful contamination hazard to workers involved in disposal/recycling of the UC-123K aircraft or of the 15 spray tanks and associated equipment in and around the quarantined aircraft. Additionally, disposal can be done at no cost to the US Air Force. The recycle contractor purchases the aircraft from DRMS as scrap metal and the money goes into the US Treasury.

7. Supporting this document is a Memo For The Record, dated 27 July 2009, from Alvin L. Young, Ph.D. Dr. Young serves as Consultant to the Under Secretary of the Air Force for Installations and Environment and as Consultant on Agent Orange to the Office of the Secretary of Defense. The memo explains why the Air Force should dispose of/recycle the 18 UC-123K "Agent Orange" aircraft as soon as possible to avoid further risk from media publicity, litigation, and liability for presumptive compensation.

8. After careful study of Phase 1 sampling data from four aircraft and observing the actual recycle of aircraft by remote equipment, Dr. Wayne Downs, Dr. Karl Nieman (75 CEG/CEVC), and Dr. Young recommend immediate disposal/recycle of all 18 UC-123K "Agent Orange" aircraft with no further sampling of the remaining 14 aircraft.

9. Phase 2 sampling of the remaining 14 aircraft could be beneficial because it would provide complete scientific data for all 18 aircraft, and substantiate future Air Force decisions. However, Dr. Young points out that there are no reasons to suspect that the data would vary significantly if additional samples are collected beyond the first four aircraft. He concludes that the analytical data from Phase 1 is a sufficient statistical representation of all 18 aircraft. Also, there is continued public awareness risk from waiting six to eight more months to receive funding, complete Phase 2 sampling, receive the final sampling results, and await Air Force decision to recycle the 18 aircraft.

10. Dr. Young also pointed out that the storage of UC-123Ks in the Arizona sun for over 20 years has further degraded the contamination. Chopping up the aircraft will also reduce any concentrated dioxin residues to negligible levels.

11. Conclusion. Data from Phase 1 sampling of the first four aircraft, combined with 1996 initial sampling, is sufficient statistical representation for the remaining 14 aircraft to justify immediate disposal/recycling of all 18 aircraft without additional sampling.

12. Recommendation. Recommend no additional sampling of the remaining 14 aircraft. Further recommend immediate disposal/recycling of all 18 UC-123K "Agent Orange" aircraft, and smelting of the entire scrap metal from the aircraft to ensure complete destruction of all dioxins, furans, and herbicides. Recommend personnel from 505 ACSS/GFLA and Hill AFB 75 CEG/CEVC personally observe, witness, and certify recycling of the 18 aircraft at the contractor site in Arizona and also the smelting of the scrap at the smelting facility (location TBD). In response to Dr. Young's recommendation, 75th Air Base Wing Environmental Public Affairs has prepared news releases in preparation for media inquiries at the time of disposal and smelting.

Mr. Buddy Boor/505 ACSS/586-1206/jm/5 Aug 09