

Navy denies claims linked to contaminated water

January 25, 2019 - 6:46 am

The U.S. Navy is denying thousands of claims from service members and their families who were exposed to contaminated drinking water decades ago at Camp Lejeune in North Carolina.

Navy Secretary Richard Spencer told reporters Thursday that at least 4,400 claims totaling \$963 billion are being denied because there is no legal basis for paying them. He said it was a difficult decision but suggested that claimants could go to Capitol Hill to seek legislation providing restitution.

The Department of Veterans Affairs has estimated that as many as 900,000 service members were potentially exposed to tainted water at the Marine base between 1953 and 1987.

Spencer said the first civil claims came in around December 1999 and new claims are submitted “virtually every week.” He said the legal reasons the Navy can’t pay out the claims are rooted in three separate laws. He said there is a North Carolina law that puts a 10-year statute of limitations on such cases, a federal law that limits government liability unless actual negligence is found, and a Supreme Court decision that said the U.S. is not liable for injuries to military members injured while on duty.

“There’s no legal basis nor ability for the Department of Navy to pay these claims,” said Spencer. “I am perfectly cognizant of the fact this will be disappointing to the claimants.”

The VA decided in 2017 that eligible veterans stationed at the Marine base for at least 30 cumulative days between Aug. 1, 1953, and Dec. 31, 1987, could get government disability benefits. The agency estimated it would cost about \$2.2 billion over five years.

The Veterans Affairs secretary at the time, Bob McDonald, determined there was “sufficient scientific and medical evidence” to establish a connection between exposure to the contaminated water and eight medical conditions for purposes of awarding disability compensation.

The decision covered active duty, Reserve and National Guard members who developed one of eight diseases: adult leukemia, aplastic anemia, bladder cancer, kidney cancer, liver cancer, multiple myeloma, non-Hodgkin’s lymphoma and Parkinson’s disease.

Documents uncovered by veterans groups over the years suggest Marine leaders were slow to respond when tests first found evidence of contaminated groundwater at Camp Lejeune in the early 1980s. Some drinking water wells were closed in 1984 and 1985, after further testing confirmed contamination from leaking fuel tanks and an off-base dry cleaner.

The Marine Corps has said the contamination was unintentional, occurring when federal law didn’t limit toxins in drinking water.

© Copyright 2018 The Associated Press. All Rights Reserved. This material may not be published, broadcast, rewritten or redistributed.