

Military exposed to toxic metal

Defense agency fails to screen for beryllium disease

By Sam Roe

Tribune staff reporter

U.S. military personnel have been exposed to the highly toxic metal beryllium at dozens of Army, Air Force, Navy and Marine Corps facilities, with some levels exceeding legal safety limits, a Tribune investigation has found.

Despite the serious risks, the Department of Defense has ignored federal health guidelines by failing to provide simple blood tests to determine if workers have been harmed.

The Defense Department's inaction is in sharp contrast to steps taken by the Department of Energy, which has tested thousands of its weapons workers and discovered that hundreds of people have been harmed by beryllium, a lightweight metal whose dust can cause an often fatal lung disease.

The screening is highly recommended by federal health agencies, including the Occupational Safety and Health Administration and the National Institute for Occupational Safety and Health, as well as by independent scientists and physicians. Early detection is important because it allows treatments that can attempt to limit lung damage.

Beryllium disease has been found in virtually every industry in which the metal has been used. Experts said that if the Defense Department were to provide the blood tests to its servi-

BERYLLIUM: Defense says it protects its workers

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men and women and civilian employees, many illnesses would be found.

"There are going to be cases of beryllium disease," said Dr. Milton Rossman, a University of Pennsylvania medical professor and a leading beryllium researcher. "There's no question about it."

The Defense Department said that it has employed numerous safeguards, such as respirators and exhaust ventilation, to protect workers and that the decision to screen employees rests with doctors at each of its facilities. But military officials said they were unaware of any defense facility screening beryllium workers.

Tiny bits of beryllium dust—amounts invisible to the naked eye—can be deadly. Studies show that about 3 percent of those exposed to it develop the disease, an incurable illness that slowly damages the lungs and leaves many victims unable to breathe without the aid of an oxygen tank.

Court and government documents show that beryllium dust has been detected at dozens of current and former military sites in 23 states, with some dust counts exceeding the federal limit.

One Air Force job category—aircraft maintenance—has experienced, on average, dust levels twice the legal limit, a recent Pentagon report shows.

Defense Department officials, who would respond only to written questions, estimated that 9,513 military and civilian personnel might have been exposed to beryllium dust in the past 10 years.

The agency has used the strong, lightweight metal for more than a half-century in a variety of applications, including aircraft brakes, helicopter components and major missile systems, such as the Minuteman, Patriot and Sidewinder.

The department reported it could not estimate how many military and civilian personnel have been exposed over that 50-year period.

Nor could it say how many workers employed at firms under contract with the Defense Department have been exposed, though a 1989 Pentagon document said the number "could be very substantial."

While the agency reported that only one of its workers has contracted beryllium disease since the 1940s, studies have long shown that the illness is often misdiagnosed or goes undetected.

The Energy Department, for instance, reported few cases of beryllium disease until it started screening workers in the early 1990s.

Now, 729 current and former workers at Energy Department sites, including seven at Argonne National Laboratory outside Chicago, have been found to have either the disease or blood abnormalities linked to the disease.

But the Tribune found that the Defense Department—one of the nation's largest beryllium users—has a record of slow response to the beryllium issue that spans more than a decade.

As early as 1989, the Defense Department resisted the idea of notifying workers who might have been exposed to beryllium and offering them medical tests. The agency feared a program could lead to disruptive lawsuits and disrupt supplies of the valuable metal, a 1989 Defense Department document shows.

Many defense facilities are unable to say how much beryllium dust has been produced at their sites or how many workers have been exposed. Several contacted by the Tribune reported rarely testing the air for beryllium. OSHA guidelines recommend regular sampling.

While the Energy Department has created a nationwide program to compensate nuclear weapons workers harmed by beryllium and other substances, the Defense Department has no such program to handle similar claims.

The Energy Department, responsible for maintaining the nation's nuclear arsenal, has compensated hundreds of ailing workers employed by the agency's contractors or its suppliers.

The Energy Department oversees the Army, Air Force and Navy and their weapons programs, including tanks, jets and ships. Even though the Defense Department reports only one beryllium illness over among its employees—a civilian in the 1940s—several defense contractors or suppliers have reported beryllium disease cases, according to physicians and court records disclosed in lawsuits.

A report last year by the General Accounting Office, Congress' investigative arm, lists 73 current and former Defense Department sites where beryllium dust has been detected in the past 40 years. They include Navy shipyards, military hospitals and some of the nation's largest Army bases.

Forty-six sites are run by the Navy; 17 by the Army; five by the Air Force and five by the Marines, part of the Navy.

Some sites reported to the Tribune that they only occasionally handle tiny amounts of beryllium or quit using the metal years ago. Others reported working with the metal frequently and in ways that could create toxic dust.

The precise levels of exposure at each facility are unclear. Officials at some sites would not release data or said they could not easily find it.

Several officials said screening has not been conducted, in part, because beryllium dust levels have been minimal.

But a Pentagon report released last month shows that some levels have been over the legal limit.

The report shows that four job categories—two in the Navy and two in the Air Force—have had average dust counts above the OSHA standard. The report does not specify the time period studied.

One job involves naval dental lab operations. Beryllium is often mixed with other metals to make crowns and bridges, a common use in the private sector.

The Pentagon report shows 21 additional job categories have caused significant amounts of dust, above levels that federal authorities said should trigger safety precautions. Defense Department officials would not elaborate on the exposure levels or what specific safety precautions were taken.

In addition, court records disclosed in a beryllium-related lawsuit show that dust counts were occasionally over the legal limit at the former Newark Air Force Base in Ohio in the 1970s.

OSHA is responsible for the safety of civilians at military sites, while the armed services oversee uniformed personnel. OSHA said it could not easily determine how often inspectors

man helped develop a blood test to determine whether a worker's immune system was reacting to beryllium exposure. The test didn't show whether someone had the illness, further tests, such as a lung biopsy were needed for that. But for the first time doctors could easily determine who was affected by beryllium before symptoms such as coughing and shortness of breath appeared.

Scientists first used the blood test about 1990 at the Rocky Flats bomb plant, helping uncover additional cases of disease. The Energy Department considered contacting workers at its other facilities and offering them medical tests too.

But Defense Department officials raised several concerns about the idea of nationwide testing. If the Energy Department conducted a notification and testing program, would the Defense Department "be compelled to institute a similar alert" to its hundreds of contractors who have either manufactured or maintained beryllium-containing weapon systems?

A deputy assistant defense secretary wrote to the Office of Management and Budget in 1989.

The defense official wrote that beryllium was currently used in many Defense Department weapons systems and that "past occupational exposure to beryllium occurred among [Defense Department] civilian employees, military members, and contractor personnel."

Furthermore, the official wrote, the Defense Department was concerned that a notification program would result in lawsuits against the government, similar to costly asbestos claims against the Navy.

The Defense Department also was concerned about possible suits against the nation's sole beryllium producer, Brush Wellman, stating that the Energy Department's plan might "adversely impact future supplies of this important material."

In the end, the Energy Department went ahead and tested its workers.

To date, it has screened 27,800 workers at 18 facilities, finding 183 with beryllium disease and 546 more with blood abnormal-

ities.

With cases of the disease mounting and media scrutiny intensifying, Energy Secretary Bill Richardson in 1989 made a historic announcement: He acknowledged that nuclear weapons workers had been harmed by exposure to beryllium—the first time the government had admitted that nuclear workers had become ill in the course of weapons production.

He and several members of Congress hailed the victims as Cold War heroes and unveiled a plan to compensate them.

The proposal, which eventually was expanded to include radiation and silica victims, sailed through Congress and was signed into law in 2000, the first new worker entitlement program in 20 years.

But there was a glaring omission in this groundbreaking effort: Only weapons workers associated with the Energy Department were eligible for compensation; those working for the Defense Department were not.

A former high-level government official who was instrumental in the decision said that the Clinton administration and others pushing the compensation plan had no choice. The Defense Department was adamantly opposed to having its workers covered.

The official, who requested anonymity, said the Defense Department feared that a compensation program could spark lawsuits against its contractors.

Lobbyist Richard Miller said that if supporters had insisted that Defense Department workers be included in the plan, the Pentagon would have used its political muscle to kill the entire proposal.

"The smartest thing we could do in moving this legislation was to stay out of the way of the Defense Department," said Miller, who represented unionized Energy Department contract workers.

Under the Energy Department program, the government has paid \$91 million in compensation to 1,272 people.

The Defense Department said it does not need to create a special injury compensation program because help already exists: Ailing servicemen and women are treated at military hospitals while former members can go to Veterans Affairs facilities.

Workers employed by contractors and suppliers, the agency said, receive aid through state worker's compensation programs.

But this is not always the case. In some states, ailing workers must file claims within a few years of their last known exposure to toxic substances. But beryllium disease can take up to 40 years to appear. So some workers' claims were rejected because the statute of limitations had run out.

Ralph Dean of Nokesville, Va., is one of those. He worked with beryllium in the 1960s and 1970s at Atlantic Research Corporation, a Defense Department contractor in Gainesville, Va.

In 1994, he was diagnosed with beryllium disease. When he applied for worker's compensation with the state of Virginia, his claim was denied because he had not filed within five years of his last known exposure, which was in 1975, court records state.

Dean said he then tried to get compensation from the Energy Department but was turned down because he had worked for a Defense Department contractor and not an Energy firm.

The 67-year-old now has a persistent cough and said he cannot walk a few blocks without stopping to rest. He said he hopes the Defense Department will offer blood tests to all of its workers and compensate those who were harmed.

"It will come eventually," he said. "It's got to. Public opinion is on the side of the people who have been exposed."



Jerry Speva of Plainfield, Ill., fills out paperwork last month in Joliet as part of an Energy Department program to compensate workers harmed in the course of research or weapons production.

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