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J. GOEPPNER & ASSOCIATES
SCIENTIFIC AND ENVIRONMENTAL CONSULTANTS
263 Horseshoe Road
Central, South Carolina 29630

Monday, December 19, 2011

Major Wesley T. Carter, USAF (Retired)
2349 NW Nut Tree Lane
McMinnville, OR 97128

Dear Major Carter,

I am in receipt of the voluminous notebook containing many source documents and correspondence items relating to the establishment of disabilities due to Agent Orange exposure incurred by Air Force veterans during the period from l972 until l982.

As a Doctor of Science, trained in the biological and chemical sciences, I submit that my long and comprehensive experience in the field of agricultural chemistry and specifically those chemicals, referred to as "Agent Orange" in these documents, qualifies me as an expert witness regarding this circumstance.

I have reviewed every document in this assemblage of data, facts and assumptions, regarding the subject. I have generated an evaluation and concluding assessment of the Veterans Administration conclusion regarding the validity of the claimants' position that these veterans did in fact develop health problems and physical disabilities as a consequence of exposure to Agent Orange chemical residues (namely dioxin) in operating Agent Orange contaminated aircraft in the performance of their duties as members of the Armed Forces of the United States.

In order to further qualify myself as an expert in these scientific investigations, I have taken the liberty of attaching a detailed resume of my extensive formal scientific education, details of my extensive exposure to the body of scientific literature dealing with chemical herbicides, and broad professional knowledge, coupled with considerable practical hands-on physical involvement and experience in the various uses and applications of agricultural chemical herbicides, specifically Agent Orange.

Delving more specifically into the details of my experience and qualifications with regard to specific experience in the handling and utilization of countless varied preparations of solutions and suspensions of these compounds in academia, industrial, agricultural and military operations, the following is submitted.

I was initially involved with a host of chemical herbicides as a Student Research Assistant at the Georgia Coastal Plain Experiment Station, Tifton Georgia during the period, l951 to 1953, while Attending Baldwin Agricultural College. In this position, I physically prepared and applied many solutions and suspensions of herbicides (including the 2.4-d and 2, 4, 5- T ester compounds),

to experimental test plots in order to evaluate the effectiveness of various concentrations, mixtures suspensions, petroleum diluents and water solutions.

Following graduation from Baldwin College, and completion of my work at the Experiment Station, I continued studies in plant and agricultural sciences at the University of Florida and the University of Arkansas, earning a Bachelor of Science Degree in this field in l955. The Dow Chemical Company. a basic manufacturer of 2,4 D and 2,4,5-T herbicides had monitored my work with herbicides at Tifton, and immediately following my graduation from the University of Aransas in 1955, employed me as an Agricultural Chemical Development Specialist at their Midland, Michigan, laboratories and manufacturing facilities. After several months of training and in-depth familiarization with the synthesis and manufacture of Agent Orange herbicides, for several years, I was assigned to field operations in a large geographical area of the country where I conducted field trials, demonstrations. And commercial applications of all types in agricultural, forestry, industrial, municipal and governmental situations. In this employment I became involved with every practical method and every type of equipment utilized in the spraying and distribution of these chemicals on all types of vegetation soils, crops and properties. I worked in direct physical contact with these chemicals on a daily basis, transporting, preparing spray solutions and suspensions of varying concentrations, along with the mechanical preparation and loading of spraying and application equipment and vehicles. Additionally, my duties required detailed inspections and evaluations of the results achieved on sprayed areas and vegetative areas sprayed, as well as the overall detailed management and supervision of the total spraying operations.

During the Vietnam conflict, in l966, I was ordered to Active Duty with the US Army Chemical Corps, assigned to the Army Research and Development Command as a Research and Development Coordinator, and detailed as a Project Manager of the Military Defoliant program – namely the Agent Orange project. In this position, I developed many spray missions operations, at many military sites nationwide. These were comprehensive studies of the effects and efficacy of aerial sprays of Agent Orange materials, utilizing various types of aircraft, and spraying of various types of terrain and vegetation.

Details of the years of my personal physical involvement with these chemicals in question are presented herein to set the stage for a reasoned discussion of the case in point. Throughout my lengthy and broad experience in working with all aspects of Agent Orange type herbicides, and the many varieties of application equipment (including various types of aircraft) employed in spraying these chemically militarily, I religiously practiced personal protective measures including masks, protective clothing, gloves and footwear; never deliberately permitting myself to become contaminated with these materials if at all possible I had developed a healthy respect for the potential for bodily physical harm from these chemicals to humans. Notwithstanding all these efforts on my part, I cannot help but feel that I did in fact suffer some degree of physical contamination, to an indeterminate extent, at some points in time. I submit that, at age 89, I have developed symptoms which are similar in many respects with those of the claimants in this case, i.e., Type II diabetes, neuropathy, heart problems.

To my knowledge, no practical medical, scientific procedure or analytical device(s) (or equipment) exist, whereby the precise extent to which I, or any other individual has incurred harmful herbicidal residual contamination of this nature (thru contact or direct association with either sprays and/or application equipment or vehicles) can be determined. It remains that the degree and extent of such contamination (and/or injury,) may only be incompletely extrapolated from related comparable material data generated insitu (Vietnam), thru evaluations of injured personnel directly engaged in spray operations.

I have summarized below, some physical, mechanical and chemical events, along with operational characteristics, inherent to, and pertaining to spraying actions, reactions, which I have witnessed and documented in, spray applications involving herbicides:

In extensive laboratory and widespread field operations, effective military sprays involving dilute suspensions of Agent Orange compounds, varying quantities of surfactants (detergent materials), and petroleum derivatives (diesel fuels) were incorporated into water solutions of such herbicides. o e Suspensions of these compounds exhibited greatly improved penetrative properties and extended persistency, vastly and dramatically enhancing the efficacy of such sprays. This led to the greater and more intense contamination of personnel exposed to the dried dioxin residues and/or vapors and liquids issuing from these deposited dried sprays. These actions greatly contributed to a greater and more persistent deposition of residues on containers, equipment and vehicles employed in these operations.

It was determined in laboratory and field spray operations involving sprays of 2,4-D and 2,4,5-T compounds (referred to as Agent Orange compounds), contaminated laboratory glassware, containers of all types, spray equipment vehicles, tools etc., could not be positively decontaminated, regardless of the type of chemical or physical means employed. It was necessary that all such contaminated equipment be positively identified. and prominently tagged as "2, 4-D Contaminated" and retired from all further operational use except in projects involving those chemicals. The specific concentration of the residual materials, and the extent of the permanent contamination of these items could not be determined.

It was further developed that the claimants performed their assigned duties for extended periods of time literally sealed inside the closed contaminated interiors of these aircraft, and were in constant physical contact with much of the contaminated exterior of the aircraft.

Based on the above factors, along with the data, depositions, testimonies and conclusions advanced throughout the various documents presented in the source documents provided, it can be positively confirmed that these aircraft, specifically designated by tail number in this investigation, were indeed contaminated with an in determinant amount of dried herbicidal residues containing dioxin and other organic spray materials. These adsorbed and/or absorbed materials could be released or emitted into the interior, as well as to the exterior surfaces, of these aircraft into the atmosphere, after which they could be deposited upon, ingested or inhaled, by the claimants in the course of the performance of their

duties in the aforementioned aircraft. Unfortunately the specific degree and extent of such contamination incurred by the claimants cannot be quantified. In view of that fact, the stated conclusion advanced by VA representatives and other legal authorities which agrees that the claimants did in fact become contaminated with some degree of dried dioxin residues during the performance of their duties in and about these aircraft, but did not incur a sufficient amount of such contamination to cause injury, disease or disability is not scientifically credible.

Volumes of data regarding the toxicity of dioxin residues exist in the literature, generated in studies relating to persons contaminated in Vietnam, as a consequence of direct contact with active spray operations. Conversely no quantitative data exists regarding extent of human contamination with dried residual dioxin residues, emanating or emitting from the surfaces of application equipment or aircraft. post operationally.

In closing, it is my professional judgment that the above conclusion presented by the Veterans Administration officials involved with this claim in no wise represents a scientifically accurate and credible ajudication of the claimants petition in which they maintain that they became diseased and disabled as a consequence of exposure to dioxin residues of Agent Orange sprays remaining on aircraftwhich had been used in spray operations in Vietnam.

I am returning the resource documents furnished me by you under separate cover.

Sincerely,

Dr Joe Goeppner

LTC, USA(Ret)

To: Department of the Air Force

9 Jan 2012

Attn: School of Aerospace Medicine

It has been requested that I provide a list of activities that may have caused direct exposure to the dioxins contained in Agent Orange while a crew member flying C-123k aircraft.

I performed duties in C-123k aircraft for more than six years as a student, medical technician and aeromedical flight instructor during actual flights and ground training scenarios. Many of those same aircraft were formerly used in Vietnam to spray chemical defoliants including Agent Orange and the aircraft continued to contain the dioxins found in Agent Orange long after the aircraft were decommissioned. . It is important to remember that the C-123k was an unpressurized aircraft that was completely exposed to the elements both inside and outside the aircraft. When it rained or there was dense fog or clouds the moisture would permeate throughout the aircraft. When it was cold and the heat was turned on it would vent only in certain locations. When it was hot the aircraft would sweat inside. Crew members would either be sweating profusely with minimal clothing or trying to keep warm depending on the situation, many times alternating during the same flight mission.

There were many functions performed in the course of my duties in the aircraft that could have caused direct exposure to dioxins

Reconfiguration of aircraft from cargo missions to medical missions involved removing /reinstalling rollers requiring getting on hands and knee on the floor of the aircraft. Removing and installing litter stanchions also involved contact with the skin of the aircraft. Same applies to removing and installing/uninstalling canvas seats. Many times we would have to dig out crud and use our bare hands to properly seal the pins required to secure the seats and litter stanchions.

Other activities included removing fire extinguishers to demonstrate safety procedures, stowing litters, plugging in and talking on the intercom system, tying down baggage using tie down straps, replacing tie down rings on the floor, opening and closing the crew doors and ramps and just moving around while in flight and during ground training missions and performing those duties during varying temperatures and extreme weather conditions

Some other examples included retrieving flight jacked that fell on the floor or behind seats, crawling under the seats to get lost pens, taking gloves on and off in order to better perform missions (i.e.: taking a patients pulse) and removing ear protection to hear when someone was talking to you. (Not all crew members and/or patients had intercom capability).

Sanitary conditions aboard the aircraft were primitive. To set up a portable commode required installing a privacy curtain from the top of the inside frame of the aircraft. Urination was accomplished through the use of a relief tube that needed to be pulled out from inside a compartment beside one of the crew doors. This was a difficult maneuver especially during times of air turbulence. Many times members (including myself) would vomit in the aircraft.

We would sleep and eat on the floors of the aircraft and on the ramps when the mission permitted.

We would assist flight crew members with cargo operations and maintenance and repairs as necessary. Vehicles and other cargo would require loading and offloading and securing them on the aircraft with the proper tie down straps. I have assisted in refueling operations and pumping gallons of hydraulic oil. I have assisted in repair operations which involved removing panels from both inside and outside the aircraft. I remember one occasion where I assisted in removing and disconnecting wires during a flight from a UHF radio that was overheating. That required me to crawl and reach the radio which was located in the extreme rear of the aircraft.

During the course of my flying career I was in contact with almost every section of the aircraft from the cockpit to the tail and actually spent time on the wings of the aircraft during static missions and airshows. I am sure that there were many more examples and incidents which could have caused exposure but this would be a representative sampling.

Respectfully

Paul A Bailey

Lt. Col. Paul A. Bailey USAF (Ret)

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December 26, 2011

LT/Col Wes Carter

Subject: A/C 362 C123 (Provider)

In answer to your request, I am sending the following information:

The dates and times might be off, but it's been a long time. I hope this can help the cause.

1972:

I picked up the A/C 583 spray equipment and all and a small amount of odor in Louisiana, along with Captain Charles Cole. A/C 362 was ferried in by other personnel (Patches). A strong odor existed on board of what we did not know, but we all knew that it had to be a spray chemical. I, being a FE/FE, had to fly every day for five days a week, five hours a day, training flight crews. A/C 362 left us with headaches and a dry mouth.

The aircraft was put into the inspection dock and depaneled for inspection and the odor was horrible in the hangar. When the nacell tanks were dropped, you could smell the odor at the main gate at Hanscom Air Force Base. Aircraft was scrubbed down, inspection was complied with and aircraft still smelled of this wicked unfamiliar odor we were smelling since the aircraft arrived.

Moving to Westover, I became the aircraft superintendent and tried to eliminate A/C362 from my cross-country schedule because of the longtime exposure to this odor, but I could not completely take it out of the schedule.

The assigned crew chief was TSGT James Maynard. SGT Maynard prepared and delivered, to Wright Patterson Air Force Base, the aircraft in this smelly condition, (this was now 5 -6 years later).

While being prepared for display at Wright Patterson, I received a call from their depo asking what the aircraft was being used for; reason being, because they found white powder in the flap wells. I advised them not to touch it because of the aircraft history; they I assume at that time, analyze the powder. After they found out about the situation they were in, I believe they isolated the aircraft.

At this time, James Maynard is a very sick man, having everything you have been talking about. James is living in Castine, Maine. Myself? It have had it or I have it.

Added information- aircraft records had a seven -year mystery cloud, with no record of engine time, aircraft time or ownership.

Upon preparing the aircraft for Wright Patterson, we found a Vietnamese emblem on the fuselage, under our Air Force emblem, indicating that the aircraft had been flown by the Vietnamese, for reasons unknown.

If I can help in any way, feel free to call any time.

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