

DEPARTMENT OF VETERANS AFFAIRS

Establishment of the Airborne Hazards and Open Burn Pit Registry

ACTION: Notice.

SUMMARY:

The Department of Veterans Affairs (VA) announces the establishment of the Airborne Hazards and Open Burn Pit Registry (AH&OBPR). The AH&OBPR is open to eligible veterans who may have been exposed to airborne hazards by serving as a member of the Armed Forces in one or more of the locations in the Southwest Asia theater of operations (as defined in 38 CFR 3.317(e)(2)) on or after August 2, 1990, and on or after September 11, 2001 in Afghanistan or Djibouti. The AH&OBPR will support efforts to ascertain and monitor the health effects in eligible veterans who were potentially exposed to toxic airborne chemicals and fumes, including those emanating from open burn pits and other airborne hazards, such as levels of particulate matter (PM) above Environmental Protection Agency (EPA) standards. Eligible veterans do not have to be enrolled for VA health care in order to participate in this registry.

FOR FURTHER INFORMATION CONTACT: Dr. Paul Ciminera, Department of Veterans Affairs, 810 Vermont Avenue, NW, Washington, DC 20420, telephone (202) 461-1020. (This is not a toll-free number.)

SUPPLEMENTARY INFORMATION:

VA announces the establishment of the Airborne Hazards and Open Burn Pit Registry (AH&OBPR) for eligible veterans who may have been exposed to toxic

airborne chemicals and fumes and other airborne hazards while serving as a member of the Armed Forces in one or more of the locations in the Southwest Asia theater (as defined in 38 CFR 3.317(e)(2)) of operations on or after August 2, 1990 (as defined in 38 CFR 3.317(e)(2)), or after September 11, 2001 in Afghanistan or Djibouti. VA is mandated by Section 201 of the Dignified Burial and Other Veterans' Benefits Improvement Act of 2012, Public Law (PL) 112-260, to establish and maintain an open burn pit registry for eligible individuals who may have been exposed to toxic airborne chemicals and fumes caused by open burn pits in Iraq and Afghanistan on or after September 11, 2001. VA has exercised its authority under Section 703(b) of Public Law 102-585 to expand eligibility for inclusion into the registry to veterans who served in the Southwest Asia theater of operations on or after August 2, 1990 (e.g. the Persian Gulf War), and Djibouti on or after September 11, 2001. VA chose to expand geographic, temporal (time), and exposure eligibility to ensure veterans with plausible exposures to adverse airborne hazards receive a standardized assessment, enhanced outreach and health risk communication, and an optional in-person clinical evaluation.

The inclusion of exposures to environmental hazards other than open burn pits in the registry is supported by findings in the VA sponsored 2011 Institute of Medicine (IOM) report titled, "Long-Term Health Consequences of Exposure to Burn Pits in Iraq and Afghanistan". The report states that, "military personnel were exposed to a mixture of combustion products from the burn pit and to other air pollutants from local and regional sources" (IOM, page 110). These mixtures of combustion products from burn pits and other air pollutants from local and regional sources are also present in the Southwest Asia theater of operations beyond Iraq and in Djibouti.

Veterans who deployed in support of the Persian Gulf War (GW) are also eligible to participate in the VA Gulf War Registry. GW veterans are encouraged to participate in both registries, as the AH&OBPR includes additional data related to airborne hazards.

The AH&OBPR was created to help address the concerns of veterans who were stationed at or near bases where open air burn pits were used to dispose of waste, including potentially hazardous material. The uncontrolled open burning of waste in pits was the primary waste disposal solution for military units that were deployed after September 11, 2001 in the locations mentioned above. Besides open air burn pits, independent scientific reviews of the available scientific data indicate other potential airborne hazards may exist. As a result of uncertainty in the location and type of potentially harmful exposure sources, VA has expanded eligibility for the registry to ensure that Veterans potentially exposed to environmental hazards have access to the registry. VA is interested in collecting registry data for veterans exposed to environmental hazards in places other than Iraq and Afghanistan for the purpose of gaining a more complete understanding of the short and long term health effects of being exposed to environmental hazards while deployed. The scientific utility of the registry to ascertain the health effects due to specific reported exposures will be determined to a large extent by which veterans choose to participate in the registry. Demographic, genetic, exposure, and outcomes differences between the self-selected registry participants and the entire population of veterans who deployed may limit the ability of the registry to provide unbiased risk estimates. The AH&OBPR may help support research studies investigating long-term health effects of potential exposures through the development of a standardized post-deployment exposure self-assessment,

standardized collection of clinical evaluation data, and the generation of hypotheses regarding self-reported exposures, self-reported conditions and clinically determined conditions (for participants who choose to participate in a VHA in-person clinical evaluation).

VA recently announced preliminary plans to conduct a longitudinal cohort study of the adverse health effects related to military deployment to Iraq and Afghanistan, to include potential exposure to airborne hazards and burn pits, and to take related actions to promote the effective monitoring and assessment of deployment-related exposures and potential health effects of deployments. 78 FR 7860 (February 4, 2013). VA indicated that a longitudinal cohort study will likely involve a population-based prospective study that includes baseline and repeated clinical examinations with sufficient follow up to address the potential long-term health effects of deployment to Iraq and Afghanistan. Exposures of interest include PM from many sources, including burn pit exposure. Unlike the AH&OBPR, the longitudinal cohort study will require a randomized approach for the selection of study participants; veterans cannot ask to participate. By capturing information from these studies and the AH&OBPR, VA will increase its ability to understand important information about the potential long term health consequences of environmental exposures.

VA plans to conduct extensive outreach to veterans for the purposes of raising awareness about the registry and to provide veterans with information regarding the benefits of participating in the registry and other VA benefits. Information on how to participate in the registry will be posted on the VA Office of Public Health website, and will be available through fact sheets and postcards, through Veteran Service

Organizations, and through other social media outlets such as Facebook and Twitter in the coming months.

After completing the AH&OBPR self-assessment questionnaire, veterans can request an in-person and no-cost medical evaluation for health concerns and conditions that may be related to environmental hazards. Veterans who choose to participate in the registry do not have to be enrolled in VA healthcare. Veterans who participate in the registry will receive a participation letter following the completion of the self-assessment questionnaire. An electronic copy of the participation letter will be available at the registry web-site and a copy will be mailed to participants. The participation letter summarizes whether a veteran indicates that they have, or do not have, health concerns related to potential exposures based on the self-assessment questionnaire responses provided by the veteran. Veterans enrolled in the VA healthcare system who want to receive a medical evaluation after they complete the AH&OBPR self-assessment questionnaire are advised to contact their primary care provider or Patient Aligned Care Team (PACT). Veterans not enrolled in the VA healthcare system who have completed the AH&OBPR self-assessment questionnaire are advised to contact an Environmental Health Coordinator in their area to schedule a VA medical evaluation. A directory of Environmental Health Coordinators is available at the VA website: <http://www.publichealth.va.gov/exposures/coordinators.asp>

Participation in the AH&OBPR does not constitute a claim for disability compensation through VA. Additionally, it is not necessary to participate in the registry to file a claim for disability compensation.

Signing Authority

The Secretary of Veterans Affairs, or designee, approved this document and authorized the undersigned to sign and submit the document to the Office of the Federal Register for publication electronically as an official document of the Department of Veterans Affairs. Jose D. Riojas, Chief of Staff, Department of Veterans Affairs, approved this document on _____, 2013, for publication.

Approved / Disapproved

_____ Date: _____
Robert A. Petzel, M.D.
Under Secretary for Health