

U.S. Navy Sailors Sue TEPCO over Cluster-Fukushima Snafu

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"Why has this not made national headlines??? The Aircraft Carrier Ronald Reagan is nuclear powered. Radiation detection equipment did not pick up on this?? Why have these sailors and marines medical records been removed from permanent tracking. Criminal implications galore. This should be all over mainstream media. Someone please forward all these ene reports to the media.... Tepco is the lowest of snakes. Hari Kari for the lot of em!!"

Fukushima lawsuit of 2012 comes as news to too much of the public

The story referred to in the [enenews.com](#) comment above has had some coverage by Energy News, Tuner Radio Network, Stars and Stripes and a few others, but coverage, if any, by mainstream media is scant to none. All the same, it's a real story, with real villains (TEPCO, Japanese government, U.S. Navy for starters), and real victims (a growing number of American service personnel put in harm's way and abandoned by their government when things got tough).

The core of this story is the [lawsuit filed December 21, 2012](#), by attorney Paul C, Garner of Brooks & Associates of Encinatas, California, on behalf of nine plaintiffs (including a one-year-old), all of whom "were among the members of the U.S. Navy crew and attached to the U.S.S. Ronald Reagan (CVN-76), whose home port was San Diego, California, when they were exposed to radiation off the coast at Fukushima prefecture, Japan, whereat the Fukushima Nuclear Power Plant is located, on and after March 11, 2011, during the mission known as 'Operation Tomodachi.'"

The plaintiffs are seeking \$40 million each in damages as well as a fund of more than a billion dollars to be used for their future medical expenses, and requested a jury trial. On November 26, federal judge Janis Sammartino [dismissed the complaint](#) on narrow jurisdictional grounds and plaintiffs plan to re-file in January within the judge's stated parameters.

The U.S.S. Reagan is a nuclear-powered aircraft carrier with a crew of about 5,000 that arrived off the coast of Fukushima the day after the tsunami with other ships as part of Operation Tomodachi, or "friend" in Japanese.

On March 11, 2011, an earthquake near Fukushima caused a tsunami that killed an estimated 19,000 people and swamped the Fukushima nuclear power plant. In the aftermath of the tsunami, three of the six reactors at Fukushima melted down, releasing radiation into the air, ground, and water. The precise sequence of events remains unclear, but the Japanese government and TEPCO (the Tokyo Electric Power Company, a wholly

owned public benefit subsidiary of the government of Japan) were not being fully forthcoming about the danger as the disaster developed.

Japanese officials apparently lied to everyone about the damage

Although the potential seriousness of the Fukushima accident was widely apparent, Japanese officials publicly and privately minimized the danger for as long as they could, lying to their own people and rescue personnel from other countries alike. At the time, the first meltdown was thought to have happened on March 12. But on December 12, 2013, Naoto Kan, the former prime minister who was in office at the time, told a meeting of the Japan Press Club that his government had known that “the first meltdown occurred five hours after the earthquake” which hit at 14:46 on March 11.

The U.S.S. Reagan and accompanying ships were coming into an environment where radiation levels in the air and water were far higher than the Navy was being told officially. That lying is at the heart of the lawsuit against TEPCO, which was exposing its own workers to even greater risks than U.S. Sailors. The lawsuit argues that TEPCO’s lies led the U.S. Navy to sail unknowingly into intensely and dangerously radioactive waters.

True as that may be, it fails to explain why the Navy would be so trusting and negligent in the first place. The Reagan is a nuclear-powered aircraft carrier. Its officers and crew are or should be more sensitive than most to radioactive risk under all conditions, but especially when approaching a damaged nuclear power plant, and operating downwind of Fukushima.

For days (it’s not clear how many), U.S. sailors were going into the radioactive ocean to save people swept out to sea by the tsunami. Sailors were drinking and bathing in desalinated ocean water until someone figured out it was radioactive. Sailors washed planes and surfaces of the ship that were radioactive. How do the people in charge of the Reagan not know they’re in a radioactive environment without being negligent?

U.S. Seventh Fleet Public Affairs issues incredible press release

On March 14, 2011, without explaining what woke them up to the danger, which they minimized anyway, Navy officials issued a [press release](#) that began:

“The U.S. 7th Fleet has temporarily repositioned its ships and aircraft away from the Fukushima Dai-Ichi Nuclear Power Plant after detecting low level contamination in the air and on its aircraft operating in the area. The source of this airborne radioactivity is a radioactive plume released from the Fukushima Dai-Ichi Nuclear Power Plant.

“For perspective, the maximum potential radiation dose received by any ship’s force personnel aboard the ship when it passed through the area was less than the radiation exposure received from about one month of exposure to natural background radiation from sources such as rocks, soil, and the sun.”

Why would anyone believe that, having failed to detect (they say) the radioactive plume, the Navy has any credible way of knowing what exposure any sailor may have received? The Navy also claimed the Reagan was 100 miles away from Fukushima “at the time,” not specified. The Navy further claimed that only 17 crew members in three helicopter crews were exposed, that the “low level radioactivity was easily removed... by washing with soap and water,” and “no further contamination was detected.”

This impossible-to-believe narrative was then effectively contradicted by the next paragraph of the press release:

“As a precautionary measure, USS Ronald Reagan and other U.S. 7th Fleet ships conducting disaster response operations in the area have moved out of the downwind direction from the site to assess the situation and determine what appropriate mitigating actions are necessary.”

If no further contamination was detected, then it should be relatively easy to determine what appropriate mitigation actions were necessary.

Navy “supports the troops,” at least until they really need it

According to individual reports, the Navy passed out iodine pills to officers and pilots, but not to most of the crew. The Navy also required crew members, before they could go on shore leave later in Thailand, to sign papers stating that they were healthy and couldn’t sue the Navy. Clearly that would be mitigating for the Navy, even if it meant abandoning people whose potential radiation injuries wouldn’t be showing up for months or years.

That’s exactly what happened to Petty Officer 3rd Class Daniel Hair, as reported in [Stars and Stripes](#) in July 2013. Hair is part of the lawsuit against TEPCO and, like the other plaintiffs, has classic symptoms of low level radiation poisoning. The article also minimizes the possible exposure on the Reagan, quoting a Navy spokesman who uses the exact same language as the 2011 press release to minimize Fukushima radiation levels.

According to Stars and Stripes, Hair was told that the Reagan was just 5-10 miles off the coast of Fukushima. The paper also reported that:

“Sailors were drinking desalinated seawater and bathing in it until the ship’s leadership came over the public address system and told them to stop because it was contaminated, Hair said. They were told the ventilation system was contaminated, and he claims he was pressured into signing a form that said he had been given an iodine pill even though none had been provided. As a low-ranking sailor, he believed he had no choice.

“The Navy has acknowledged that the Reagan passed through a plume of radiation but declined to comment on the details in Hair’s story.”

Most of the sick sailors are in their early twenties

There’s no apparent reason to doubt that there are sick sailors, not all of them part of the lawsuit, but all of them with a common source of exposure from Fukushima. Two other plaintiffs, Maurice Enis and his girlfriend, Jaime Plym, held a press conference on March 11, 2013, that was [part of a symposium](#) at the New York Academy of Medicine dealing with the medical and ecological consequences of Fukushima. Enis and Plym both served on the Reagan, as the [Huffington Post](#) reported:

“The couple had been looking forward to leaving the military and starting a family. Now, Enis said, they don’t know if children will be an option due to health problems they’ve both developed since signing away government liability. They’ve both been honorably discharged from the military and don’t

know how they will pay for medical treatment. Plym has a new diagnosis of asthma and her menstrual cycle is severely out of whack. Enis has lumps on his jaw, between his eyes and on his thigh. He's also developed stomach ulcers and lung problems, and is losing weight and hair."

In all, the Pentagon sent some 70,000 American military personnel to serve in or near Japan in response to Fukushima during the period from March 12 to May 11, 2011. And in 2011, the Dept. of Defense set out to do the right thing for these men and women who may have been exposed to harmful levels of radiation. The Defense Dept. announced plans to establish the [Operation Tomodachi Registry](#) to help these people track their health histories, an initiative pushed by Independent Senator Bernie Sanders of Vermont. According to the Pentagon:

"The DOD may establish an environmental [health surveillance registry](#) when: 1) occupational and environmental health exposures could cause illness, or 2) when the exposure is not expected to cause illness, but individuals need access to exposure data. In either case, these registries will contain the names of all the individuals who were known or believed to have been exposed along with estimates of their exposure."

No radiation level is "safe," and internal radiation is less safe

Since the Pentagon [admitted it was unprepared](#) to deal with radiation risk when the Fukushima crisis began, the creation of a registry was something of an after-the-fact means of making up for that initial unpreparedness. By the end of July 2011, the Pentagon reported that it had "already done 'internal monitoring' of radiation levels inside the bodies of 7,700 personnel who worked in parts of the disaster zone closest to the damaged power plant, including those who flew over the disaster zone...."

But the same report went on to minimize the impact without addressing the timeframe in which the radiation was received:

"The scans revealed that 98 percent of those personnel did not have elevated radiation inside their bodies.... among the 2 percent of service members (about 154 individuals) with elevated internal radiation levels the highest readings were about 25 millirems, equivalent to the dose that they would receive from 2 1/2 chest X-rays."

The lawsuit against TEPCO has 50-75 plaintiffs, as new people continue to join. If the 2 percent with elevated exposure levels found by the Pentagon is relevant, then there would be something like 1,400 potential plaintiffs among the 70,000 service members who were part of Operation Tomodachi. The lawsuit was filed in December 2012, before the radiation exposure registry was completed. In September 2012, the Pentagon put out [another press release](#) touting the usefulness of the registry even though it asserted that "no Defense Department personnel or their families were exposed to radiation causing adverse health conditions following the nuclear accident in Japan last year."

The Defense Dept. promised the registry would be finished in 2012. The suffering veterans filed their lawsuit December 21. Within a month, the Pentagon decided to drop the whole registry thing after an almost two-year effort, saying that it had decided that there was no

serious contamination in the first place.

This decision means, as Roger Witherspoon wrote on his blog at the time, “there will be no way to determine if patterns of health problems emerge among the members of the Marines, Army, Air Force, Corps of Engineers, and Navy stationed at 63 installations in Japan with their families. In addition, it leaves thousands of sailors and Marines in the USS Ronald Reagan Carrier Strike Group 7 on their own when it comes to determining if any of them are developing problems caused by radiation exposure.”

So as far as the government is concerned, officially, it doesn't matter if Operation Tomodachi becomes, for some who served, a mission kamikaze.

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