



ADVISORY BOARD ON RADIATION AND WORKER HEALTH

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April 9, 2012

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The Honorable Kathleen Sebelius
Secretary
Department of Health and Human Services
200 Independence Avenue, S.W.
Washington, D.C. 20201

Dear Madam Secretary:

The Advisory Board on Radiation and Worker Health (The Board) has evaluated Special Exposure Cohort (SEC) Petition 00196 concerning workers at the Brookhaven National Laboratory under the statutory requirements established by the Energy Employees Occupational Illness Compensation Program Act of 2000 (EEOICPA) and incorporated into 42 CFR Sec. 83.13.

The Board respectfully recommends that SEC status be accorded to:

"All employees of the Department of Energy, its predecessor agencies, and their contractors and subcontractors who worked at the Brookhaven National Laboratory in Upton, New York, from January 1, 1980 through December 31, 1993, for a number of work days aggregating at least 250 work days, occurring either solely under this employment, or in combination with work days within the parameters established for one or more other classes of employees included in the Special Exposure Cohort."

This recommendation is based on the following factors:

- Individuals employed at the Brookhaven National Laboratory during the time period in question worked on nuclear research, development, and application.
- The National Institute for Occupational Safety and Health (NIOSH) review of available monitoring data, as well as available process and source term information for this facility found that NIOSH lacked the sufficient information, which includes in vivo and in-vitro monitoring data, to allow it to estimate with sufficient accuracy the potential internal exposures to various radionuclides which employees at this facility may have been subjected. The Board concurs with this determination.
- NIOSH determined that health may have been endangered for these Brookhaven National Laboratory employees during the time period in question. The Board also concurs with this determination.

The Secretary

April 9, 2012

Based on these considerations and the discussion at the February 28-29, 2012, Board meeting held in Oakland, California, the Board recommends that this class be added to the SEC.

Enclosed is the documentation from the Board meeting(s) where this SEC class was discussed. The documentation includes copies of the petition, the NIOSH review thereof, and related materials. If any of these items are unavailable at this time, they will follow shortly.

Sincerely,

[Signature on file]

James M. Melius, M.D., Dr. PH
Chairman, ABRWH

Enclosure