



ADVISORY BOARD ON RADIATION AND WORKER HEALTH

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March 5, 2010

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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 SEC Petition-00084 concerning workers at the Nevada Test Site (NTS) under the statutory requirements established by EEOICPA and incorporated into 42 CFR Sec. 83.13. The Board respectfully recommends Special Exposure Cohort (SEC) status be accorded to all employees of the Department of Energy, its predecessor agencies, and its contractors or subcontractors who worked at the Nevada Test Site, from January 1, 1963 through December 31, 1992, 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 in the SEC.

This recommendation is based on the following factors:

- These workers were employed during the underground testing of atomic weapons and other work involving radiation exposure at NTS.
- There are significant limitations to the available monitoring data collected at NTS during this time period, particularly data needed for the accurate reconstruction of internal doses associated with the inhalation of radionuclides at the site. NIOSH concluded that the available monitoring, process, and source term information is not sufficient to complete individual dose reconstructions for internal doses for workers at NTS during the time period from January 1, 1963 through December 31, 1992. The Board concurs with this conclusion.
- The Board has reviewed information which confirms that radiation exposures at NTS during the time period in question could have endangered the health of members of this class.

The Board notes that some of the people who were employed at NTS during the time period in question lived onsite during their work periods. This should be considered during the evaluation of their work duration.

Based on these considerations and the discussions held at our February 9-11, 2010 Advisory Board meeting in Manhattan Beach, California, the Board recommends that this SEC petition be granted.

Enclosed is the documentation from the Board meeting(s) where this SEC class was discussed. The documentation includes transcripts of the deliberations, 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