



ADVISORY BOARD ON RADIATION AND WORKER HEALTH

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November 16, 2009

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

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Dear Madam Secretary:

The Advisory Board on Radiation and Worker Health (The Board) has evaluated Special Exposure Cohort (SEC) Petition 00137 concerning workers at the Oak Ridge Hospital in Oak Ridge, Tennessee, under the statutory requirements established by the Energy Employees Occupational Illness Compensation Program Act (EEOICPA) and incorporated into 42 CFR Sec. 83.13 (c)(1) and 42CFR Sec. 83.13 (c)(3). The Board respectfully recommends Special Exposure Cohort (SEC) designation be accorded to all employees of the Department of Energy (DOE), its predecessor agencies, and its contractors and subcontractors who worked in any location at the Oak Ridge Hospital in Oak Ridge, Tennessee, from May 15, 1950 through December 31, 1959, for a number of work days aggregating at least 250 work days 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:

- The Oak Ridge Hospital is a DOE covered facility from January 1, 1943 to December 31, 1959, and documents available indicate the potential for cross-staffing and cross-patient care activity as well as other operational activities with the on-campus DOE covered Oak Ridge Institute for Nuclear Studies Cancer Research Hospital.
- NIOSH found that there were insufficient monitoring data, workplace monitoring records, and source-term information at the Oak Ridge Hospital facility to complete with sufficient accuracy individual dose reconstructions involving internal and external radiation exposures during the time period in question from May 15, 1950 through December 31, 1959. The Board concurs with this conclusion.
- NIOSH determined that health may have been endangered for the workers exposed to radiation during the time period in question. The Board concurs with this determination.

The Secretary

November 16, 2009

Based on these considerations and the discussions held at our October 20 to 22, 2009, Advisory Board meeting in Port Jefferson, New York the Board recommends that Special Exposure Cohort status be granted.

Enclosed is the documentation from the Board meeting(s) where this special exposure cohort 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]

Paul L. Ziemer, Ph.D.
Chairman, ABRWH

Enclosure