

AFFIDAVIT

14-07-10 A08:41 IN

COUNTY OF WASHINGTON )  
COMMONWEALTH OF PENNSYLVANIA )

in connection with my Special Exposure Cohort Petition, being duly sworn,  
hereby swear and affirm that the following statements are true and correct:

1. I was employed as a \_\_\_\_\_ at the Vitro Manufacturing facility in Canonsburg, Pennsylvania from 1957 through 1960.
2. During my employment at the Vitro Manufacturing facility after 1958 (the AWE residual period), through 1960, the radiation exposures and radiation doses incurred by me at the facility were not monitored, either through personal monitoring or through area monitoring.

This the 6<sup>th</sup> day of July, 2010.

Sworn and subscribed before me this

6<sup>th</sup> day of July, 2010.

*Wallace A. McCarrell*  
Notary Public

My commission expires: **COMMONWEALTH OF PENNSYLVANIA**  
 Notarial Seal  
 Wallace A. McCarrell, Notary Public  
 City of Washington, Washington County  
 My Commission Expires Feb. 2, 2014  
 Member, Pennsylvania Association of Notaries

**Special Exposure Cohort Petition — Form B**

Use of this form and disclosure of Social Security Number are voluntary. Failure to use this form or disclose this number will not result in the denial of any right, benefit, or privilege to which you may be entitled.

**General Instructions on Completing this Form** (complete instructions are available in a separate packet):

Except for signatures, please **PRINT** all information clearly and neatly on the form.

Please read each of Parts A — G in this form and complete the parts appropriate to you. If there is more than one petitioner, then each petitioner should complete those sections of parts A — C of the form that apply to them. Additional copies of the first two pages of this form are provided at the end of the form for this purpose. A maximum of three petitioners is allowed.

If you need more space to provide additional information, use the continuation page provided at the end of the form and attach the completed continuation page(s) to Form B.

If you have questions about the use of this form, please call the following NIOSH toll-free phone number and request to speak to someone in the Office of Compensation Analysis and Support about an SEC petition: 1-877-222-8570.

<b>If you are:</b>	<input type="checkbox"/> A Labor Organization,	Start at D	on Page 3
	<input checked="" type="checkbox"/> An Energy Employee (current or former),	Start at C	on Page 2
	<input type="checkbox"/> A Survivor (of a former Energy Employee),	Start at B	on Page 2
	<input type="checkbox"/> A Representative (of a current or former Energy Employee),	Start at A	on Page 1

**A Representative Information** — Complete Section A if you are authorized by an Employee or Survivor(s) to petition on behalf of a class.

A.1 **Are you a contact person for an organization?**  Yes (Go to A.2)  No (Go to A.3)

A.2 **Organization Information:**

Name of Organization \_\_\_\_\_

Position of Contact Person \_\_\_\_\_

A.3 **Name of Petition Representative:**

Mr./Mrs./Ms. First Name \_\_\_\_\_

Middle Initial \_\_\_\_\_

Last Name \_\_\_\_\_

A.4 **Address:**

Street \_\_\_\_\_

Apt # \_\_\_\_\_

P.O. Box \_\_\_\_\_

City \_\_\_\_\_

State \_\_\_\_\_

Zip Code \_\_\_\_\_

A.5 **Telephone Number:** ( ) \_\_\_\_\_

A.6 **Email Address:** \_\_\_\_\_

A.7  Check the box at left to indicate you have attached to the back of this form written authorization to petition by the survivor(s) or employee(s) indicated in Parts B or C of this form. An authorization

**If you are representing a Survivor, go to Part B; if you are representing an Employee, go to Part C.**

Name or Social Security Number of First Petitioner \_\_\_\_\_

Special Exposure Cohort Petition — Form B

**B Survivor Information — Complete Section B if you are a Survivor or representing a Survivor.**

**B.1 Name of Survivor:**

Mr./Mrs./Ms. First Name Middle Initial Last Name

**B.2 Social Security Number of Survivor:**

**B.3 Address of Survivor:**

Street Apt # P.O. Box

City State Zip Code

**B.4 Telephone Number of Survivor:** ( ) - -

**B.5 Email Address of Survivor:**

**B.6 Relationship to Employee:**  Spouse  Son/Daughter  Parent  
 Grandparent  Grandchild

Go to Part C.

**C Employee Information — Complete Section C UNLESS you are a labor organization.**

**C.1 Name of**

First Name Middle Initial Last Name

**C.2 Former Name of Employee (e.g., maiden name/legal name change/other):**

Mr./Mrs./Ms. First Name Middle Initial Last Name

**C.3 Social Security Number of Employee:**

**C.4 Address of Employee (if living):**

Street Apt # P.O. Box

City State Zip Code

**C.5 Telephone Number of Employee:** - - - - -

**C.6 Email Address of Employee:**

**C.7 Employment Information Related to Petition:**

**C.7a Employee Number (if known):** - - - - -

**C.7b Dates of Employment:** Start 1957 End 1960

**C.7c Employer Name:** VITRO MANUFACTURING

**C.7d Work Site Location:** CANONSBURG, PENNSYLVANIA  
FRONT LAB

**C.7e Supervisor's Name:** - - - - -

Go to Part E.

**Special Exposure Cohort Petition — Form B**

**D Labor Organization Information — Complete Section D ONLY if you are a labor organization.**

**D.1 Labor Organization Information:**

\_\_\_\_\_  
Name of Organization

\_\_\_\_\_  
Position of Contact Person

**D.2 Name of Petition Representative:**

\_\_\_\_\_

**D.3 Address of Petition Representative:**

\_\_\_\_\_  
Street

\_\_\_\_\_  
Apt #

\_\_\_\_\_  
P.O. Box

\_\_\_\_\_  
City

\_\_\_\_\_  
State

\_\_\_\_\_  
Zip Code

**D.4 Telephone Number of Petition Representative:** (\_\_\_\_\_) \_\_\_\_\_ - \_\_\_\_\_

**D.5 Email Address of Petition Representative:** \_\_\_\_\_

**D.6 Period during which labor organization represented employees covered by this petition**  
(please attach documentation): Start \_\_\_\_\_ End \_\_\_\_\_

**D.7 Identity of other labor organizations that may represent or have represented this class of**  
**employees (if known):**

\_\_\_\_\_

**Go to Part E.**

Name or Social Security Number of First Petitioner



Special Exposure Cohort Petition — Form B

F Basis for Proposing that Records and Information are Inadequate for Individual Dose —  
Complete Section F.

Complete at least one of the following entries in this section by checking the appropriate box and providing the required information related to the selection. You are not required to complete more than one entry.

- F.1  I/We have attached either documents or statements provided by affidavit that indicate that radiation exposures and radiation doses potentially incurred by members of the proposed class, that relate to this petition, were not monitored, either through personal monitoring or through area monitoring.

(Attach documents and/or affidavits to the back of the petition form.)

Describe as completely as possible, to the extent it might be unclear, how the attached documentation and/or affidavit(s) indicate that potential radiation exposures were not monitored.

THERE IS NO EXTERNAL OR INTERNAL MONITORING  
DATA FOR THE DESIGNATED RESIDUAL PERIOD  
(01/01/58 to 04/30/60) AT VITRO MANUFACTURING.  
I PERSONALLY WAS NEVER MONITORED,  
NOR WERE ANY OF MY CO-WORKERS. WE  
DID NOT WEAR ANY TYPE OF PROTECTION.

- F.2  I/ We have attached either documents or statements provided by affidavit that indicate that radiation monitoring records for members of the proposed class have been lost, falsified, or destroyed; or that there is no information regarding monitoring, source, source term, or process from the site where the employees worked.

(Attach documents and/or affidavits to the back of the petition form.)

Describe as completely as possible, to the extent it might be unclear, how the attached documentation and/or affidavit(s) indicate that radiation monitoring records for members of the proposed class have been lost, altered illegally, or destroyed.

Part F is continued on the following page.

**Special Exposure Cohort Petition — Form B**

F.3  I/We have attached a report from a health physicist or other individual with expertise in radiation dose reconstruction documenting the limitations of existing DOE or AWE records on radiation exposures at the facility, as relevant to the petition. The report specifies the basis for believing these documented limitations might prevent the completion of dose reconstructions for members of the class under 42 CFR Part 82 and related NIOSH technical implementation guidelines.

(Attach report to the back of the petition form.)

F.4  I/We have attached a scientific or technical report, issued by a government agency of the Executive Branch of Government or the General Accounting Office, the Nuclear Regulatory Commission, or the Defense Nuclear Facilities Safety Board, or published in a peer-reviewed journal, that identifies dosimetry and related information that are unavailable (due to either a lack of monitoring or the destruction or loss of records) for estimating the radiation doses of employees covered by the petition.

(Attach report to the back of the petition form.)

**Go to Part G.**

**G Signature of Person(s) Submitting this Petition — Complete Section G.**

All Peti

m of three persons may sign the petition.

7-7-2010

Date

Signature

Date

Signature

Date

**Notice:** Any person who knowingly makes any false statement, misrepresentation, concealment of fact or any other act of fraud to obtain compensation as provided under EEOICPA or who knowingly accepts compensation to which that person is not entitled is subject to civil or administrative remedies as well as felony criminal prosecution and may, under appropriate criminal provisions, be punished by a fine or imprisonment or both. I affirm that the information provided on this form is accurate and true.

Send this form to: SEC Petition  
Office of Compensation Analysis and Support  
NIOSH  
4676 Columbia Parkway, MS-C-47  
Cincinnati, OH 45226

**If there are additional petitioners, they must complete the Appendix Forms for additional petitioners. The Appendix forms are located at the end of this document.**

Name or Social Security Number of First Petitioner \_\_\_\_\_

### Public Burden Statement

Public reporting burden for this collection of information is estimated to average 300 minutes per response, including time for reviewing instructions, gathering the information needed, and completing the form. If you have any comments regarding the burden estimate or any other aspect of this collection of information, including suggestions for reducing this burden, send them to CDC Reports Clearance Officer, 1600 Clifton Road, MS-E-11, Atlanta GA, 30333; ATTN:PRA 0920-0639. Do not send the completed petition form to this address. Completed petitions are to be submitted to NIOSH at the address provided in these instructions. Persons are not required to respond to the information collected on this form unless it displays a currently valid OMB number.

### Privacy Act Advisement

In accordance with the Privacy Act of 1974, as amended (5 U.S.C. § 552a), you are hereby notified of the following:

The Energy Employees Occupational Illness Compensation Program Act (42 U.S.C. §§ 7384-7385) (EEOICPA) authorizes the President to designate additional classes of employees to be included in the Special Exposure Cohort (SEC). EEOICPA authorizes HHS to implement its responsibilities with the assistance of the National Institute for Occupational Safety (NIOSH), an Institute of the Centers for Disease Control and Prevention. Information obtained by NIOSH in connection with petitions for including additional classes of employees in the SEC will be used to evaluate the petition and report findings to the Advisory Board on Radiation and Worker Health and HHS.

Records containing identifiable information become part of an existing NIOSH system of records under the Privacy Act, 09-20-147 "Occupational Health Epidemiological Studies and EEOICPA Program Records. HHS/CDC/NIOSH." These records are treated in a confidential manner, unless otherwise compelled by law. Disclosures that NIOSH may need to make for the processing of your petition or other purposes are listed below.

NIOSH may need to disclose personal identifying information to: (a) the Department of Energy, other federal agencies, other government or private entities and to private sector employers to permit these entities to retrieve records required by NIOSH; (b) identified witnesses as designated by NIOSH so that these individuals can provide information to assist with the evaluation of SEC petitions; (c) contractors assisting NIOSH; (d) collaborating researchers, under certain limited circumstances to conduct further investigations; (e) Federal, state and local agencies for law enforcement purposes; and (f) a Member of Congress or a Congressional staff member in response to a verified inquiry.

This notice applies to all forms and informational requests that you may receive from NIOSH in connection with the evaluation of an SEC petition.

Use of the NIOSH petition forms (A and B) is voluntary but your provision of information required by these forms is mandatory for the consideration of a petition, as specified under 42 CFR Part 83. Petitions that fail to provide required information may not be considered by HHS.

Special Exposure Cohort Petition — Form B

Appendix — Continuation Page

Continuation Page — Photocopy and complete as necessary.

ALL OF MY CO-WORKERS WHOM I WORKED  
WITH \_\_\_\_\_ HAVE DIED, EXCEPT FOR  
WHO IS A  
CANCER SURVIVOR AND A MEMBER OF THE  
CURRENT SEC CLASS.

I WAS THE LAST EMPLOYEE HIRED IN  
AT VITRO MANUFACTURING AND  
WORKED UNTIL THE PLANT CLOSED IN 1960.  
FOR THE CURRENT  
SEC CLASS BECAUSE OF THE 250 DAY  
CRITERIA.

REMEDICATION OF VITRO MANUFACTURING  
WAS COMPLETED IN 1985. ALL THE  
CONTAMINATION THAT WAS THERE  
IS BURIED IN A 6 ACRE DISPOSAL  
CELL, COVERED WITH GRASS, SURROUNDED  
BY A CHAIN LINK FENCE WITH  
RADIOACTIVE SIGNS POSTED.

Attach to Form B if necessary.

**July 2 2002**

**To Whom It May Concern:**

**This to inform you that I ,** **was employed at Vitro**  
**Manufacturing Co. from 1952 to 1959.** **was a co-worker of mine**  
**in the** **at Vitro Manufacturing Co. from 1956 to 1959.**

*Sworn before me  
this 2nd, July 2002*

*Wallace A. McCarrell*

Notarial Seal  
Wallace A. McCarrell, Notary Public  
City Of Washington, Washington County  
My Commission Expires Jan. 7, 2006

Member Pennsylvania Association Of Notaries



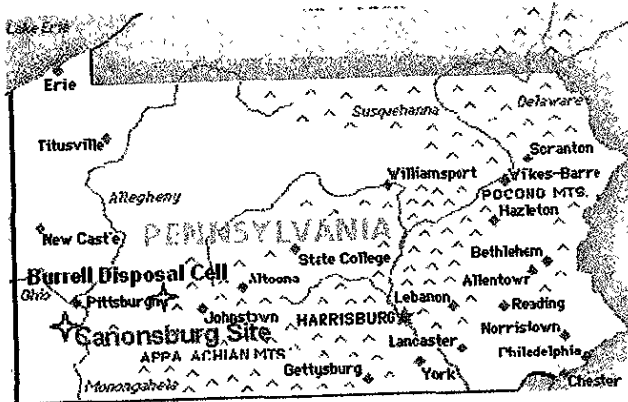
## Canonsburg Mill Site

### Canonsburg Mill Site Washington County, Pennsylvania

Years of Operation			Status of Mill or Plant Site	Uranium Ore Processed (Million Short Tons)	Production (Million Pounds U <sub>3</sub> O <sub>8</sub> )
1911-1922, 1930-1942, 1942-1957			Decommissioned	—	—
Mill/Plant Area (Acres)	Disposal Cell Area (Acres)	Disposal Cell Radioactive Waste Volume (Million Cubic Yards)	Disposal Cell Total Radioactivity (Ci, <sup>226</sup> Ra)	Disposal Cell Average Tailings Radioactivity (pCi/g, <sup>226</sup> Ra)	UMTRA Project Final Cost (Million Dollars)
34	6	0.19	100	2,315	47.59

— = The quantity of uranium- and radium-bearing materials processed at the Canonsburg mill site is not available.  
 Notes: Radioactivity from radium-226 in the stabilized mill tailings is stated as total curies (Ci) and as average picocuries per gram (pCi/g) of tailings. A picocurie is 0.037 radioactive disintegrations per second. Radium-226 (1620 year half-life) is a decay product in the uranium-238 series. It undergoes radioactive decay to produce radon-222 (3.8 days half-life), a gas and the longest-lived isotope of radon. UMTRA Project Final Cost includes the costs for the Canonsburg Mill Site and the Burrell Disposal Cell Site.

**UMTRA Surface Remediation:** Remedial action began in October 1983 and was completed in December 1985. The expanded Canonsburg (Vitro) mill site, located in a residential area, includes a 34-acre tract that incorporates the former property used by the Vitro mill and also several adjacent private properties. Detailed radiological surveying of the site revealed that large quantities of radioactive wastes generated during radium and uranium recovery operations remained on the site. Contamination by radium materials extended locally to more than 16 feet below the surface. In response to local public concern, most of the site's radioactively contaminated materials were stabilized in place. Remediation work at the Vitro mill site included stabilizing about 192,000 cubic yards of onsite radioactive materials and the decontamination and cleanup of nearby vicinity properties including several residences. In all, 163 vicinity properties were identified and cleaned up; radioactively contaminated soil was excavated and clean backfill material was used in grading the properties for proper drainage. Contaminated material removed from vicinity properties was returned to the Vitro mill site and stabilized there along with the in situ residual material.



**Location:** The Canonsburg mill site is located in the Borough of Canonsburg, Washington County, Pennsylvania.

**Background:** From 1911 to 1922, the Standard Chemical Company operated a radium extraction plant on a 19-acre site in Canonsburg. Between 1930-1942, uranium and radium salts were extracted at the Canonsburg plant from residues and uranium ore. From 1942 to 1957, Vitro Manufacturing Company (later the Vitro Corporation of America) operated a mill at the site to recover uranium and rare metals from various ores and onsite residues, government-owned uranium ore, process concentrates, and scrap materials. The uranium concentrates produced by Vitro were sold to the U.S. Government. The waste products that accumulated at the site over its long history include residues generated by the incomplete extraction of radium, uranium, and other metals

**Disposal Area:** At the Vitro site, the residual radioactive materials were consolidated into a 6-acre disposal cell in 1985. The cell is lined with a one-foot thick clay layer designed to minimize percolation of water through the cell and thereby protect local groundwater reservoirs. The engineered, multilayered cap of the disposal cell is six-feet thick and consists of: a three-foot-thick soil and clay barrier designed to prevent the escape of radon gas; a riprap layer up to two feet thick covers the radon barrier and serves as erosion protection; and a one-foot-thick soil layer planted with native grass species covers the cell.

**Responsibility for Remediation:** U.S. Government, 90 percent, and Commonwealth of Pennsylvania, 10 percent.

**Stewardship:** The Canonsburg site is being managed under the U.S. Department of Energy's (DOE) Long-Term Surveillance and Monitoring Program (LTSM) in accordance with the approved site specific plan.

**Groundwater Program:** In 1996, the Canonsburg site was placed under the general license issued by NRC for custody and care of residual radioactive disposal sites, and the site was transferred to the LTSM Program. Groundwater covering an area of about 78 acres in the vicinity of the Canonsburg site is contaminated with wastes from ore processing. There are no known human uses of groundwater in the vicinity of the disposal site. Surface water is the major water source used by public water systems in Washington County, Pennsylvania. To evaluate contaminant

during processing of ore, byproduct chemical precipitates such as iron oxides and gypsum, process solutions, raw unprocessed ore materials, and uranium mill tailings. The total quantity of uranium/radium-bearing materials that were processed at the Canonsburg site during the periods of operation is not readily calculated based on the total radioactive waste volumes reported in the literature for the *Canonsburg and Burrell sites*. The uranium mill tailings were initially stored in uncovered piles, and the tailings material became dispersed by wind and water erosion. Some tailings material were also removed from the mill site for use as fill in local and regional construction projects. In 1956 and 1957, about 11,600 tons of mill tailings from the Canonsburg site were relocated to a railroad property near Blairsville in Burrell Township, Pennsylvania. After the Vitro uranium mill was closed down in 1957, the site was used until about 1966 as a storage facility under a contract issued by the Atomic Energy Commission. The land was purchased in 1967 by private interests and eventually became the Canon Industrial Park, a commercial park for light industrial use.

concentration trends within the unconsolidated strata underlying the site, DOE will continue to perform annual limited monitoring of groundwater and surface water through 2003 as a "best management practice." Monitoring of groundwater for uranium is expected to continue in perpetuity, with annual surface water monitoring to be performed at three locations.

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## Appendix A-2 Residual Radioactivity Evaluations for Individual Facilities

**FACILITY NAME:** Vitro Manufacturing (Canonsburg)  
Canonsburg, Pennsylvania

**ALSO KNOWN AS:** Vitro Rare Metals Company

**TIME PERIOD:** 1942-1957; Residual Radiation 1958-1996

### **FACILITY DESCRIPTION:**

#### **DOE Office of Health, Safety and Security Website:**

*Starting in 1948, Vitro was under contract to recover uranium from scrap. In the period from 1954-1956, Vitro had a contract to process production quantities of radioactive material (UF4) for National Lead of Ohio (Fernald). Vitro also received uranium scrap from the Tyson Valley Powder Farm sometime in 1949. After 1957 the site was used only for storage. Canonsburg was a major uranium milling facility and although the EEOICPA definition of an Atomic Weapons Employer excludes mining and milling, this site is covered because of its scrap processing activities performed under contract to the Atomic Energy Commission. A 1948 document indicates that General Electric shipped scrap containing beryllium to the Canonsburg site. The Canonsburg site is one of 24 former uranium mill sites designated for Department of Energy remediation by the Uranium Mill Tailings Radiation Control Act (UMTRA).*

### **DISCUSSION:**

In 1976, an ERDA survey identified "excessive radium contamination" at the facility. The Canonsburg site was designated for DOE remediation by the Uranium Mill Tailings Radiation Control Act

Documentation reviewed indicates that there is significant residual contamination outside of the period in which AWE production occurred. Documentation from the Energy Information Administration reports that surface contamination remediation was completed in December of 1985. Material was disposed of on-site and groundwater monitoring will continue in "perpetuity".

### **INFORMATIONAL SOURCES:**

The sources of information used in this evaluation included:

- DOE Office of Health, Safety and Security
- Energy Information Administration Canonsburg Mill Site, October 9, 2005

### **EVALUATION FINDINGS:**

Documentation reviewed indicates that there is a potential for significant residual contamination outside of the period in which weapons-related production occurred.

### **PERIOD OF POTENTIAL RESIDUAL CONTAMINATION**

1958 -1985