



ADVISORY BOARD ON RADIATION AND WORKER HEALTH

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June 11, 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-00167 concerning workers at the Downey Facility in Los Angeles County, California under the statutory requirements established by EEOICPA and incorporated into 42 CFR Sec. 83.14. The Board respectfully recommends Special Exposure Cohort (SEC) status be accorded to all employees of the Department of Energy (DOE), its predecessor agencies, and their contractors and subcontractors who worked at the Downey Facility in Los Angeles County, California from January 1, 1948 through December 31, 1955, 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:

- The Downey Facility in Los Angeles County, California was involved in research on nuclear power applications.
- NIOSH found that there was insufficient monitoring data or information on radiological operations at this facility in order to be able to complete accurate individual dose reconstructions involving internal radiation exposures for Downey Facility workers during the time period in question. The Board concurs with this conclusion.
- NIOSH determined that health may have been endangered for the workers exposed to radiation at the Downey Facility in Los Angeles County, California during the time period in question. The Board concurs with this determination.

Based on these considerations and the discussions held at our May 19 to 21, 2010, Advisory Board meeting held in Niagara Falls, New York, the Board recommends that this Special Exposure Cohort petition 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]

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

Enclosure