



ADVISORY BOARD ON RADIATION AND WORKER HEALTH

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March 18, 2011

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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 00107 concerning workers at the Linde Ceramics Plant in Tonawanda, New York, under the statutory requirements established by the Energy Employees Occupational Illness Compensation 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 (DOE), its predecessor agencies, and its contractors and subcontractors who worked at the Linde Ceramics Plant from January 1, 1954 through December 31, 1969 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 SEC.

This recommendation is based on the following factors:

- People working at the Linde Ceramics Plant during the time period in question worked the renovation of buildings that previously housed uranium processing activities related to nuclear weapons production.
- The Board reviewed available monitoring data, as well as process and source term information for various production activities at the Linde Ceramics Plant during the time period in question, and concluded that National Institute for Occupational Safety and Health (NIOSH) lacked adequate data necessary to complete individual dose reconstructions with sufficient accuracy for internal doses during the time period in question.
- The Board determined that health may have been endangered for these Linde Ceramics Plant workers during the time period in question.

NIOSH has recommended that dose reconstructions are feasible for workers at the Linde Ceramics Plant for the subsequent residual contamination period from January 1, 1970 through July 31, 2006. NIOSH found that it has access to adequate exposure monitoring and other information necessary to do individual

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dose reconstructions with sufficient accuracy for members of this group, and therefore a class covering this group should not be added to the SEC.

Based on these considerations and the discussion at the February 23-25, 2011 Board meeting held in Augusta, Georgia, the Board recommends that the class covering all employees of DOE, its predecessor agencies, and its contractors and subcontractors who worked at the Linde Ceramics Plant from January 1, 1954 through December 31, 1969 be added to the SEC.

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