Attached are my comments to 42 CFR Part 83.

Thank You,
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(See attached file: 42CFR83 Review.ifm)
INSTRUCTIONS. Reviewers must record comments regarding the attached directive on this form. If additional space is needed, use additional copies of this form, noting page number and total pages. Designate each comment as either a MAJOR ISSUE (M), a SUGGESTED CHANGE (S), or a GENERAL CONCERN (G) in the Type column. Identify major issues and suggested changes by relevant page, paragraph, etc., in the Location column. Use the comment section to specify objective opinion and suggestions. OPI for DOE Draft and Proposed (DMD) Directives must evaluate reviewer comments, including those proffered by M&O contractors. All accepted comments must be consolidated in a unified response to DOE HQ on standard white bond paper. Unaccepted M&O contractor comments must be included and identified as unaccepted. OPI for RFFO Directives must specify disposition of reviewer comments in the Disposition column. If a MAJOR ISSUE (M) comment is rejected or only partially accepted, the matter must be resolved with the reviewer before the directive will be approved for publication. Reviewer agreement with resolution of a MAJOR ISSUE comment must be documented by signature in the Agreement with Disposition section.

**ITEM TYPE**
- [ ] PAGE CHANGE
- [X] HQ DRAFT
- [ ] PROPOSED DIRECTIVE
- [ ] RFFO INSTRUCTION
- [ ] RFFO PROCEDURE
- [ ] RFFO NOTICE

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<th>ITEM DATE</th>
<th>REVIEWER SIGNATURE</th>
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<td>42 CFR 83</td>
<td>June 25, 2002</td>
<td>Dr. Robert W. Bistline</td>
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<td>RFFO</td>
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**COMMENT TYPE**
- [M] Paragraph
  - Paragraph 83.7

**LOCATION**
- Paragraph

**COMMENT**
The Rule states in paragraph 83.7 "Petitioners must be one of the following: (a) One or more DOE, DOE contractor or subcontractor, or AWE employees or their survivors (as defined under EEOICPA and 20 CFR Part 30); and/or (b) A labor union representing or formerly having represented DOE, DOE contractor or subcontractor, or AWE employees who would be included in the proposed class of employees."

We do not believe that petitioning should be restricted to an employee, family of employee, or union representing an employee. The DOE Field Office and Site professional staff are in the best position to recognize categories of individuals who might qualify for petitioning for Special Exposure Cohort (SEC) on behalf of those employees. The Field Office staff has identified several of these potential SEC groups at the Rocky Flats Site to the Advisory Committee that should be considered for SEC status.

Only professional staff are aware of some of the historical issues involved in past exposure monitoring which might qualify employees for this SEC status. Most employees are totally unaware of these issues and do not have the technical knowledge to understand them.

Those individuals having the specified cancers and are within these SEC groups should qualify for claim consideration under this petition.