

## Announcement:

# Livermore Lab SEC Petition

### *Overview:*

The Special Exposure Cohort (SEC) is a designation given to a class of employees for whom the National Institute of Occupational Safety and Health (NIOSH) cannot complete sufficiently accurate dose reconstructions.

NIOSH recently prepared an Evaluation Report for a class of employees from LLNL in which it stated that reconstruction of internal fission and/or activation product doses for the workers in the class was not possible. The Advisory Board on Radiation and Worker Health considered the Livermore Lab SEC petition on Tuesday, January 8, 2008. At that time, the Board voted unanimously to add the class of workers from LLNL to the SEC. The Board's recommendation now goes to the Secretary of the Department of Health and Human Services (HHS), who will make a final decision on whether or not the class should be added to the SEC. Once the Secretary makes a final decision, he will send that decision to Congress, which has 30 days to reverse or expedite the Secretary's decision. To date, Congress has never acted, and after 30 days the Secretary's decision becomes final.

If the class of workers from LLNL is added to the SEC, then all claims at NIOSH will be sent back to the Department of Labor (DOL), and DOL will be responsible for determining eligibility for compensation under the new class. DOL will also review all claims in their possession for individuals from Lawrence Livermore.

To qualify for compensation, an individual must fall within the class definition, which is outlined below. In addition, the individual must have one of the specified 22 cancers outlined in the Energy Employees Occupational Illness Compensation Program Act of 2000 (EEOICPA). The cancers are as follows:

- Bone cancer
- Renal cancers
- Leukemia (other than chronic lymphocytic leukemia) provided the onset of the disease was at least two years after first exposure)
- Lung cancer (other than in-situ lung cancer that is discovered during or after a post-mortem exam)
- The following diseases provided onset was at least five years after first exposure:
  - Multiple myeloma
  - Lymphomas (other than Hodgkin's disease)
  - Primary cancer of the:
    - Bile ducts
    - Brain
    - Breast (female)
    - Breast (male)
    - Colon
    - Esophagus
    - Gall bladder
    - Liver (except if cirrhosis or hepatitis B is indicated)
    - Ovary
    - Pancreas
    - Pharynx
    - Salivary gland
    - Small intestine
    - Stomach
    - Thyroid
    - Urinary Bladder

***The proposed class:***

All employees of the Department of Energy (DOE), its predecessor agencies, and DOE contractors or subcontractors who were monitored, or should have been monitored, for internal exposure to mixed fission and/or activation product radionuclides while working at the Lawrence Livermore National Laboratory for a number of work days aggregating at least 250 work days from January 1, 1950 through December 31, 1973, or in combination with work days within the parameters established for one or more other classes of employees in the SEC. Workers whose jobs kept them in administrative facilities (e.g. library, cafeteria, offices) outside of radiological areas will not be included in the class.