



Tri-Valley CAREs

Sick Worker Newsletter

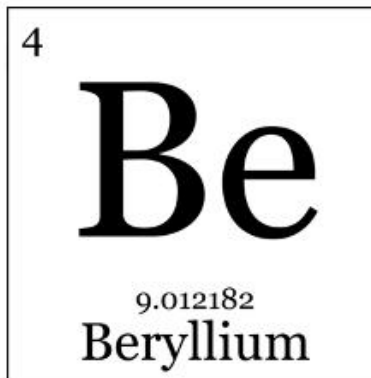
for former employees of
LLNL, SNL-CA, and LBNL
made ill by on the job exposure

Winter 2014

LLNL Workers Continue to Suffer Toxic Beryllium Hazards

Incidents of exposure to beryllium dust at Livermore Lab have been frequently reported, and Tri-Valley CAREs learned that the Department of Energy's Inspector General (IG) investigated a specific case of Beryllium exposures in the 2005-2008 time-frame.

Beryllium is a highly toxic metal that due to its low density and atomic mass, has been very useful in nuclear weapons development. Livermore Lab has used large amounts of beryllium for decades. Unfortunately, inhaled beryllium-containing dust can cause a chronic life-threatening allergic disease in some people called berylliosis or Chronic Beryllium Disease (CBD).



We requested documents pursuant to the Freedom of Information Act relating to the IG's investigation. After waiting nearly two years, we filed litigation to obtain the documents, and finally the IG produced volumes of responsive documents regarding their investigation.

The contents of these documents are alarming. We learned that the exposures to beryllium at the Lab are far more frequent than have been publically reported.

An undated document reports that number of employees on the beryllium roster, meaning that they were likely exposed to beryllium, increased by 50% after 2004 to 620 employees. We also learned that at least 125 former and current employees were subsequently identified as potentially Beryllium Sensitized, definitely Beryllium Sensitive (BeS) or had developed Chronic Beryllium Disease (with at least 15 definitely positive for CBD).

According to the documents, the rate of BeS or CBD was about 4.5% of tested personnel tested. (2800 former and current LLNL employees had been tested at the time). This is more than twice as high than the rate typically experienced within DOE, which is less than 2% as of June 2008.

The document makes several important recommendations on how the Lab should improve its Chronic Beryllium Disease Prevention Program.

Save the Date!

The next Sick Worker Support Group Meeting is **Wednesday, November 19th at 12 (noon)** at the Livermore Public Library, Community Room A, 1188 So. Livermore Ave.

Current & former workers and their families or survivors are invited to join us. Please call (925) 443-7148, or email Scott Yundt at scott@trivalleycares.org for more information.

Time to Expand LLNL's Special Exposure Cohort

Many advocates for sick nuclear workers, Tri-Valley CAREs included, believe that legitimate claims for benefits and compensation under the Energy Employees Occupational Illness Compensation Program Act of 2000 (EEOICPA) are being denied at far too high a rate. A majority of claims go through a "dose-reconstruction" process to establish a probability of causation that is based on inexact and incomplete science. As a result, only 30% of the Livermore Lab employee claims that go through the dose reconstruction process are eventually approved.

There is another way. EEOICPA provides that certain classes of

Turn Over...

Turn Over...

Special Exposure Cohort...

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claimants are exempt from the dose reconstruction requirement. They are called Special Exposure Cohorts (SEC). SECs allow for automatic approval for employees from specific facilities (or even buildings) during a specific time frame who have one or more of 22 possible radiogenic cancers.

An SEC for Livermore Lab employees first became effective on April 2, 2008. However, the first version of the SEC is only available to employees who were monitored by dosimeter badges. This class was expanded on May 5, 2010 to include all employees. Thus, to qualify for compensation and benefits as a member of this SEC, one must be either a Department of Energy employee (or an employee of its predecessor agencies) or a Department of Energy contractor or subcontractor who worked at the Lawrence Livermore National Laboratory from January 1, 1950 through December 31, 1973 for at least 250 work days (a working year) who has developed one of the 22 eligible cancers.

However, Tri-Valley CAREs believes the period of this SEC is insufficient. Since 2010, Sandia Labs (CA)

and Los Alamos National Lab have both established SECs all the way to 1992. I would like to assist some workers in petitioning NIOSH to expand the SEC for LLNL employees up to 1992 as well.

Members of the potential SEC must show that:

1. It is not feasible to estimate the radiation dose that the class received with sufficient accuracy, (The basis for infeasibility of accurate dose reconstruction can be because of a lack of monitoring, or destruction, falsification or loss of records, or based on expert or scientific reports);
2. There is a reasonable likelihood that the radiation dose may have endangered the health of members of the class.

I believe the standard can be met to establish an expanded SEC, and that this could greatly increase sick LLNL employee's access to EEOICPA benefits and compensation. **If you are interested in assisting with a petition, or have questions about LLNL's SEC, please contact me at Tri-Valley CAREs. Scott Yundt (925) 443-7148.**

Beryllium...

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We will follow up with the IG to ensure that progress on these recommendations is being made.

If you believe you may have been exposed to beryllium while on the job at LLNL, the Worker Health Protection Program provides free screenings for BeS and CBD (done at Kaiser) to former employees and contractors. Because these conditions can develop years after exposure, it is recommended that you get retested every 3 years. **The Worker Health Protection Program can be reached at 1-800-866-460-0628.**

Below is some information we are passing on as a courtesy for Nuclear Care Partners (a private company we are not affiliated with). They will also present information at our 11/19 meeting.

ATTENTION
FORMER
NUCLEAR
WORKERS

WE'RE HERE TO HELP

If you suffer from chronic illness related to work exposure, you may qualify for no cost medical benefits. Nuclear Care Partners™ is an approved medical provider under the U.S. Department of Labor.

Call for a **FREE** nurse consultation today

Nursing ♥ Home Health Aide
Meal Preparation ♥ Medication Support
Safety Assessment ♥ Family Caregiver Program
Education and more...

925.454.4423

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2300 FIRST ST. #336 SUITE B
LIVERMORE, CA

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Occupational Safety and Health Administration
Bureau of Occupational Safety and Health
Medical Benefits Identification Card

Name: John Doe
Accepted Exp: 10/12 10/12 10/12 10/12

No Co-Pay / No Deductible
WEAVE OF THIS CARD PUNISHABLE BY LAW

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