



ADVISORY BOARD ON RADIATION AND WORKER HEALTH

4676 Columbia Parkway, MS: C-46
Cincinnati, Ohio 45226
(513) 533-6825

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-00140 concerning workers at the University of Rochester Atomic Energy Project under the statutory requirements established by EEOICPA and incorporated into 42 CFR Sec. 83.13. The Board respectfully recommends a Special Exposure Cohort be accorded to all employees of the Department of Energy (DOE), its predecessor agencies, and its contractors and subcontractors who worked at the University of Rochester Atomic Energy Project in Rochester, New York, from September 1, 1943 through October 30, 1971, 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 of the other classes of employees in the SEC.

This recommendation is based on the following factors:

- The University of Rochester Atomic Energy Project conducted research and technical projects related to the development and production of nuclear weapons.
- 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 for University of Rochester Atomic Energy Project employees during the time period in question. The Board concurs with this conclusion.
- The Board has reviewed information which confirms that radiation exposures at the University of Rochester Atomic Energy Project during the time period in question could have endangered the health of members of this class.

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