



## ADVISORY BOARD ON RADIATION AND WORKER HEALTH

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March 3, 2009

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The Honorable Charles E. Johnson  
Acting Secretary of Health and Human Services  
Department of Health and Human Services  
200 Independence Avenue, S.W.  
Washington, D.C. 20201

Dear Mr. Secretary:

The Advisory Board on Radiation and Worker Health (The Board) has evaluated Special Exposure Cohort (SEC) Petition 0096 concerning workers at the Westinghouse Atomic Power Development Plant in East Pittsburgh, Pennsylvania, under the statutory requirements established by the Energy Employees Occupational Illness Compensation Program Act (EEOICPA) and incorporated into 42 CFR Sec. 83.13 (c)(1) and 42 CFR Sec. 83.13 (c)(3). The Board respectfully recommends Special Exposure Cohort (SEC) status be accorded to All Atomic Weapons Employer employees who worked at Westinghouse Atomic Power Development Plant in East Pittsburgh, Pennsylvania from August 13, 1942 through December 31, 1944, 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 in the SEC.

This recommendation is based on the following factors:

- Westinghouse Atomic Power Development Plant prepared uranium metal for Enrico Fermi's Stagg Field experiment and conducted development and pilot-scale production of uranium oxide fuel elements.
- NIOSH has established that it does not have access to sufficient information to: (1) estimate the maximum radiation dose, for every type of cancer for which radiation doses are reconstructed, that could have been incurred in plausible circumstances by any member of the class; or (2) estimate radiation doses of members of the class more precisely than an estimate of maximum dose. Information available from the site profile and additional resources is not sufficient to document or estimate the maximum internal and external potential exposure to members of the proposed class under plausible circumstances during the specified period. The Board concurs with this conclusion.

- NIOSH has evidence that indicates some workers in the proposed class may have accumulated substantial chronic exposures through episodic intakes of radionuclides, combined with external exposures to gamma, beta, and neutron radiation. The Board concurs with this conclusion.
- NIOSH determined that health may have been endangered for the workers exposed to radiation at this facility during the time period in question. The Board concurs with this determination.

Based on these considerations, and on the discussions and deliberations at our February 18, 2009 Board meeting, the Board recommends that this Special Exposure Cohort petition be granted.

Enclosed is supporting documentation from the recent Advisory Board Meeting held in Albuquerque, New Mexico, where this Special Exposure Cohort class was discussed. The documentation includes transcripts of the deliberations, copies of the petition, and the NIOSH review thereof, and related documents distributed by NIOSH. If any of these items are unavailable at this time, they will follow shortly.

Sincerely,

A handwritten signature in cursive script that reads "Paul L. Ziemer".

Paul L. Ziemer, Ph.D.  
Chair

Enclosure