



THE SECRETARY OF HEALTH AND HUMAN SERVICES  
WASHINGTON, D.C. 20201

December 21, 2016

The Honorable Joseph R. Biden, Jr.  
President of the United States Senate  
Washington, DC 20510

Dear Mr. President:

Pursuant to the Energy Employees Occupational Illness Compensation Program Act of 2000 (EEOICPA) and 42 C.F.R. pt. 83, a petition was filed on behalf of workers at the Blockson Chemical Company site, Joliet, Illinois, to be added to the Special Exposure Cohort (SEC).

The Centers for Disease Control and Prevention's (CDC) National Institute for Occupational Safety and Health (NIOSH) completed the evaluation of the petition for the time period from July 1, 1960, through December 31, 1991, and presented its findings to the Advisory Board on Radiation and Worker Health (Board) during its Board meeting on August 9, 2016, in Idaho Falls, Idaho. The Board considered the petition, and on October 24, 2016, I received the Board's recommendation concerning this petition. I have also received the deliberations, findings, and recommendations of the Director of NIOSH and the Director of CDC. Based on this information, I have determined that the following employees do not meet the statutory criteria for addition to the SEC, as authorized under EEOICPA, 42 U.S.C. § 7384q.

All employees who worked in any area at the Blockson Chemical Co. site in Joliet, Illinois, during the period from July 1, 1960, through December 31, 1991.

The criteria and findings upon which this determination is based are provided in the enclosed report.

Please contact me if you have any further questions regarding this matter.

Sincerely,

[Signature on File]

Sylvia M. Burwell

Enclosure



THE SECRETARY OF HEALTH AND HUMAN SERVICES  
WASHINGTON, D.C. 20201

December 21, 2016

The Honorable Mitch McConnell  
Majority Leader  
United States Senate  
Washington, DC 20510

Dear Senator McConnell:

Pursuant to the Energy Employees Occupational Illness Compensation Program Act of 2000 (EEOICPA) and 42 C.F.R. pt. 83, a petition was filed on behalf of workers at the Blockson Chemical Company site, Joliet, Illinois, to be added to the Special Exposure Cohort (SEC).

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Sylvia M. Burwell

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THE SECRETARY OF HEALTH AND HUMAN SERVICES  
WASHINGTON, D.C. 20201

December 21, 2016

The Honorable Harry Reid  
Minority Leader  
United States Senate  
Washington, DC 20510

Dear Senator Reid:

Pursuant to the Energy Employees Occupational Illness Compensation Program Act of 2000 (EEOICPA) and 42 C.F.R. pt. 83, a petition was filed on behalf of workers at the Blockson Chemical Company site, Joliet, Illinois, to be added to the Special Exposure Cohort (SEC).

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THE SECRETARY OF HEALTH AND HUMAN SERVICES  
WASHINGTON, D.C. 20201

December 21, 2016

The Honorable Paul Ryan  
Speaker of the U.S. House of Representatives  
Washington, DC 20515

Dear Mr. Speaker:

Pursuant to the Energy Employees Occupational Illness Compensation Program Act of 2000 (EEOICPA) and 42 C.F.R. pt. 83, a petition was filed on behalf of workers at the Blockson Chemical Company site, Joliet, Illinois, to be added to the Special Exposure Cohort (SEC).

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Sylvia M. Burwell

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THE SECRETARY OF HEALTH AND HUMAN SERVICES  
WASHINGTON, D.C. 20201

December 21, 2016

The Honorable Nancy Pelosi  
Minority Leader  
U.S. House of Representatives  
Washington, DC 20515

Dear Representative Pelosi:

Pursuant to the Energy Employees Occupational Illness Compensation Program Act of 2000 (EEOICPA) and 42 C.F.R. pt. 83, a petition was filed on behalf of workers at the Blockson Chemical Company site, Joliet, Illinois, to be added to the Special Exposure Cohort (SEC).

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Sylvia M. Burwell

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THE SECRETARY OF HEALTH AND HUMAN SERVICES  
WASHINGTON, D.C. 20201

December 21, 2016

The Honorable Richard J. Durbin  
United States Senate  
Washington, DC 20510

Dear Senator Durbin:

Pursuant to the Energy Employees Occupational Illness Compensation Program Act of 2000 (EEOICPA) and 42 C.F.R. pt. 83, a petition was filed on behalf of workers at the Blockson Chemical Company site, Joliet, Illinois, to be added to the Special Exposure Cohort (SEC).

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Sylvia M. Burwell

Enclosure



THE SECRETARY OF HEALTH AND HUMAN SERVICES  
WASHINGTON, D.C. 20201

December 21, 2016

The Honorable Mark Kirk  
United States Senate  
Washington, DC 20510

Dear Senator Kirk:

Pursuant to the Energy Employees Occupational Illness Compensation Program Act of 2000 (EEOICPA) and 42 C.F.R. pt. 83, a petition was filed on behalf of workers at the Blockson Chemical Company site, Joliet, Illinois, to be added to the Special Exposure Cohort (SEC).

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Sylvia M. Burwell

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THE SECRETARY OF HEALTH AND HUMAN SERVICES  
WASHINGTON, D.C. 20201

December 21, 2016

The Honorable Bill Foster  
U.S. House of Representatives  
Washington, DC 20515

Dear Representative Foster:

Pursuant to the Energy Employees Occupational Illness Compensation Program Act of 2000 (EEOICPA) and 42 C.F.R. pt. 83, a petition was filed on behalf of workers at the Blockson Chemical Company site, Joliet, Illinois, to be added to the Special Exposure Cohort (SEC).

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Sincerely,

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Sylvia M. Burwell

Enclosure

U.S. Department of Health and Human Services Determination Concerning a  
Petition to Add Members to the Special Exposure Cohort  
under the  
Energy Employees Occupational Illness Compensation Program Act of 2000

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Determination Concerning a Petition for Certain Employees from  
Blockson Chemical Company  
Joliet, Illinois



## I. Determination

I, Sylvia M. Burwell, Secretary of Health and Human Services (Secretary) (HHS), have determined that the employees defined in Section II of this report do not meet the statutory criteria for addition to the Special Exposure Cohort (SEC), as authorized under the Energy Employees Occupational Illness Compensation Program Act of 2000 (EEOICPA), 42 U.S.C. § 7384q.

December 21, 2016  
Date

[Signature on File]  
Sylvia M. Burwell

## II. Employee Class Definition

All employees who worked in any area at the Blockson Chemical Co. site in Joliet, Illinois, during the period from July 1, 1960, through December 31, 1991.

## III. Decision Criteria and Recommendations

Pursuant to 42 U.S.C. § 7384q, to designate a class for addition to the SEC, the Secretary must determine, upon recommendation of the Advisory Board on Radiation and Worker Health (Board), that

- (1) It is not feasible to estimate with sufficient accuracy the radiation dose that the class received; and
- (2) There is a reasonable likelihood that such radiation dose may have endangered the health of members of the class.

The SEC final rule states in 42 C.F.R. § 83.13(c)(1) that it is feasible in two situations to estimate the radiation dose that the class received with sufficient accuracy. First, the rule states that radiation doses may be estimated with sufficient accuracy if the National Institute for Occupational Safety and Health (NIOSH) has established that it has access to sufficient information to estimate the maximum radiation dose for every type of cancer for which radiation doses are reconstructed that could have been incurred under plausible circumstances by any member of the class. Alternatively, radiation doses may be estimated with sufficient accuracy if NIOSH has established that it has access to sufficient information to estimate the radiation doses of members of the class more precisely than a maximum dose estimate.

In a letter received by the Secretary on October 24, 2016, the Board, pursuant to 42 U.S.C. § 7384q, agreed with the following NIOSH findings, effectively advising the Secretary that radiation doses can be reconstructed with sufficient accuracy for certain employees at the Blockson Chemical Company site (Blockson) in accordance with provisions of EEOICPA and the SEC final rule.

## IV. Determination Findings

HHS Special Exposure Cohort Determination:  
Blockson Chemical Company, Joliet, Illinois [SEC 00225]

## Feasibility of Estimating Radiation Doses with Sufficient Accuracy

The Secretary established the feasibility determination for the class of employees covered by this report based upon the findings summarized below:

- NIOSH has determined that the principal sources of internal radiation doses for the proposed class was from exposures to particulate uranium and thorium (and their progeny) through inhalation or ingestion of surface or airborne contamination and exposures to radon emitted from the radium-bearing phosphogypsum stacks.
- NIOSH has determined that it is feasible to reconstruct internal radiation doses from re-suspended residual Atomic Energy Commission (AEC)-related uranium and thorium and their progeny using Blockson employee bioassay data and site workplace contamination survey data.
- Additionally, NIOSH has determined that it is feasible to reconstruct internal doses from residual, AEC-related radon using a comparison of Blockson emanation (flux) measurements to radon emanation and concentration measurements taken at a similar phosphate production facility.
- Therefore, NIOSH has determined that it is feasible to reconstruct internal radiation doses during the petitioned period from July 1, 1960, through December 31, 1991.
- NIOSH has determined that the principal sources of external radiation doses for the proposed class included exposures to surfaces contaminated with natural uranium and thorium (and their progeny) and submersion in re-suspended surface contamination.
- NIOSH has determined that it is feasible to reconstruct external radiation doses using site radiological survey data and site source-term information.
- NIOSH finds that it is not applicable to reconstruct occupational medical doses for Blockson during the period under evaluation. Because there was no AEC work during the residual contamination period, any medical X-rays taken by workers and the resulting radiation doses workers received during that time would not be covered occupational exposures.
- NIOSH determined that it has access to sufficient information to either (1) estimate the maximum external and internal radiation dose for every type of cancer for which radiation doses are reconstructed that could have been incurred under plausible circumstances by any workers at Blockson during the period from period from July 1, 1960, through December 31, 1991; or (2) estimate the external and internal radiation doses to any workers at Blockson during the period from July 1, 1960, through December 31, 1991, more precisely than a maximum dose estimate.

- The Board concurred with NIOSH's determination that dose reconstruction is feasible for the class of Blockson workers covered by Petition 00225 for the period from period from July 1, 1960, through December 31, 1991, and therefore should not be added to the SEC.

### Health Endangerment

Because the Secretary established that it is feasible to estimate with sufficient accuracy the radiation doses encountered by Blockson employees as specified in this class, a determination of health endangerment is not required.

## V. Effect of the Determination

Members of the class of employees covered by this determination and their survivors continue to be eligible to submit claims for compensation under EEOICPA. As required for cancer claims covering other Department of Energy and Atomic Weapons Employer employees (or Atomic Weapons Employees) not included in the SEC, qualified cancer claims under Part B of EEOICPA for members of this class will be adjudicated by the Department of Labor, in part, on the basis of radiation dose reconstructions, which will be conducted by NIOSH.

## VI. Administrative Review of Determination

The determination provided in this report may be subject to an administrative review within HHS, pursuant to 42 C.F.R. § 83.18(a). On the basis of such a review, if the Secretary decides to designate the class of employees covered by this determination, in part or in whole, as an addition to the SEC, the Secretary will transmit a new report to Congress providing the designation and the criteria and findings on which the decision was based.