Special Exposure Cohort Petition

under the Energy Employees Occupational Illness Compensation Act

U.S. Department of Health and Human Services

Centers for Disease Control and Prevention National Institute for Occupational Safety and Health

OMB Number: 0920-0639

Expires: 05/31/2007 Page 1 of 7

Special Exposure Cohort Petition — Form B

Name or Social Security Number of First Petitioner:

Use of this form and disclosure of Social Security Number are voluntary. Failure to use this form or disclose this number will not result in the denial of any right, benefit or privilege to which you may be entitled.

General Instructions on Completing this Form (complete instructions are available in a separate packet):

Except for signatures, please PRINT all information clearly and neatly on the form.

Please read each of Parts A — G in this form and complete the parts appropriate to you. <u>If there is more than one petitioner</u>, then each petitioner should complete those sections of parts A – C of the form that apply to them. Additional copies of the first two pages of this form are provided at the end of the form for this purpose. A maximum of three petitioners is allowed.

If you need more space to provide additional information, use the continuation page provided at the end of the form and attach the completed continuation page(s) to Form B.

If you have questions about the use of this form, please call the following NIOSH toll-free phone number and request to speak to someone in the Office of Compensation Analysis and Support about an SEC petition: 1-800-356-4674.

0-330-	40/4.							
	□ A Lal	bor Organization,		Start at D	on Page 3			
you	☐ An Energy Employee (current or former),			Start at C	on Page 2			
re:	2 A Su	rvivor (of a former Enerç	gy Employee),	Start at B	on Page 2			
	□ A Re	presentative (of a currer	nt or former Energy E	mployee), Start at A	on Page 1			
Repr Surv	resentati vivor(s) t	ve Information — Con o petition on behalf of	nplete Section A if yo a class.	ou are authorized by a	an Employee or			
Are	уои а со	ontact person for an or	rganization? 🛭 Yes	(Go to A.2)	lo (Go to A.3)			
Org	anizatior	n Information:		* *				
Nam	Name of Organization							
Posi	Position of Contact Person							
Nam	Name of Petition Representative:							
Mr./N	Mrs./Ms.	First Name	Middle Initial	Last Na	ame			
Add	ress:							
Stree	et			Apt#	P.O. Box			
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Ema	il Addres	ss:		_				
p.	etition by	the survivor(s) or emplo	ou have attached to the oyee(s) indicated in P	ne back of this form wri arts B or C of this form	tten authorization t . An authorization			
3	Representation of the second s	Representati Survivor(s) to Are you a co Organization Name of Organization Name of Peti Mr./Mrs./Ms. Address: Street City Telephone N Email Address Check the petition by	□ A Labor Organization, □ An Energy Employee (currer □ A Survivor (of a former Energy □ A Representative (of a currer Representative Information — Consurvivor(s) to petition on behalf of Are you a contact person for an organization Information: Name of Organization Position of Contact Person Name of Petition Representative: Mr./Mrs./Ms. First Name Address: Street City State Telephone Number: () Email Address: □ Check the box at left to indicate y	A Labor Organization, □ An Energy Employee (current or former), □ A Survivor (of a former Energy Employee), □ A Representative (of a current or former Energy E	□ A Labor Organization, Start at D □ An Energy Employee (current or former), Start at C □ A Survivor (of a former Energy Employee), Start at B □ A Representative (of a current or former Energy Employee), Start at A Representative Information — Complete Section A if you are authorized by Survivor(s) to petition on behalf of a class. Are you a contact person for an organization? □ Yes (Go to A.2) Organization Information: Name of Organization Position of Contact Person Name of Petition Representative: Mr./Mrs./Ms. First Name Middle Initial Last Na Address: Street Apt # City State Zip Code Telephone Number: (□) Email Address: □ Check the box at left to indicate you have attached to the back of this form wripetition by the survivor(s) or employee(s) indicated in Parts B or C of this form wripetition by the survivor(s) or employee(s) indicated in Parts B or C of this form wripetition by the survivor(s) or employee(s) indicated in Parts B or C of this form wripetition by the survivor(s) or employee(s) indicated in Parts B or C of this form wripetition by the survivor(s) or employee(s) indicated in Parts B or C of this form wripetition by the survivor(s) or employee(s) indicated in Parts B or C of this form wripetition by the survivor(s) or employee(s) indicated in Parts B or C of this form wripetition by the survivor(s) or employee(s) indicated in Parts B or C of this form wripetition by the survivor(s) or employee(s) indicated in Parts B or C of this form wripetition by the survivor(s) or employee(s) indicated in Parts B or C of this form wripetition by the survivor(s) or employee(s) indicated in Parts B or C of this form wripetition by the survivor(s) or employee(s) indicated in Parts B or C of this form wripetition write the parts B or C of this form write the parts B or C of this form write the parts B or C of this form write the parts B or C of this form write the parts B or C of this form write the parts B or C of this form write the parts B or C of this form write			

Special Exposure Cohort Petition U.S. Department of Health and Human Services under the Energy Employees Occupational Centers for Disease Control and Prevention Illness Compensation Act National Institute for Occupational Safety and Health OMB Number: 0920-0639 Expires: 05/31/2007 Special Exposure Cohort Petition — Form B Page 2 of 7 В Survivor Information — Complete Section B if you are a Survivor or representing a Survivor. B.1 Name of Survivor: Middle Initial Last Name **B.2** Social Security Number of Survivor: B.3 Address of Cuniver O. Box B.4 **Telephone Number of Survivor: Email Address of Survivor:** B.5 Relationship to Employee: B.6 ■ Spouse ☑ Son Daughter Parent ☐ Grandparent ☐ Grandchild Go to Part C Employee Information — Complete Section C UNLESS you are a labor organization. C.1 Name of Employee: irst Name Middle Initial Last Name C.2Former Name of Employee (e.g. maiden name/legal name change/other). rirst ivame Middle Initial Last Name C.3 Social Security Number of Employee: C.4 Address of Employee (if living): Deceased Street Apt# P.O. Box City State Zip Code C.5 Telephone Number of Employee: (C.6 **Email Address of Employee:** C.7 **Employment Information Related to Petition** C.7a Employee Number (if known): C.7b Dates of Employment: Start C.7c

Towa

Go to Part E

Name or Social Security Number of First Petitio

Work Site Location: Iowa Ordinanu Plant

Employer Name:

Supervisor's Name:

C.7d

C.7e

Special Exposure Cohort Petition under the Energy Employees Occupational Illness Compensation Act

U.S. Department of Health and Human Services
Centers for Disease Control and Prevention
National Institute for Occupational Safety and Health

Spec	ial Exposure Coh	ort Petition — Fo	orm B	OMB Number: 0920-063	39 Expires: 05/31/200 Page 3 of		
D	Labor Organizat	ion Information	— Complete Sec	tion D ONLY if you are			
D.1	Labor Organiza	tion Information	N/A				
	Name of Organiz	ation		 			
	Position of Conta	ct Person					
D.2	Name of Petition	n Representative	::				
D.3	Address of Petition Representative:						
	Street			Apt #	P.O. Box		
	City	State		Zip Code			
D.4	Telephone Numb	per of Petition Re	epresentative:				
D.5	Email Address o	f Petition Repres	sentative:				
D.6	Period during will (please attach does	nich labor organ cumentation):	ization represen Start	ted employees covered	by this petition		
D.7	Identity of other employees (if known	labor organizatio		resent or have represe			
	employees (if kno	own):					
			Gosto/Part				

Special Exposure Cohort Petition under the Energy Employees Occupational Illness Compensation Act

U.S. Department of Health and Human Services

Centers for Disease Control and Prevention National Institute for Occupational Safety and Health

OMB Number: 0920-0639 Expires: 05/31/2007

-	Call Exposure Conort Petition — Form B	Page 4 of				
E.1	Proposed Definition of Employee Class Covered by Petition — Complete Section E.					
	Name of DOE or AWE Facility: Towa Ordenance Plant					
E.2	Locations at the Facility relevant to this petition:					
	Several - including Line 1					
E.3	List job titles and/or job duties of employees included in the class. In addition, you can name any individuals other than petitioners identified on this form who you believe slincluded in this class:	an list by				
	Custodial / Matrons- Cleaned up @ Scueral locations as assigned					
E.4	Employment Dates relevant to this petition:					
	Start 1944 End 1946					
	Start 1951 End 1953					
	Start End					
E.5	Is the petition based on one or more unmonitored, unrecorded, or inadequately monitored or recorded exposure incidents?:					
	If yes, provide the date(s) of the incident(s) and a complete description (attach addition as necessary): We have no cuidence of any monstoring for custodial, and cleaning stoff who worked at several sites @ That I are including line or					

Special Exposure Cohort Petition

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OMB Number: 0920-0639

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Special Exposure Cohort Petition — Form B

Basis for Proposing that Records and Information are Inadequate for Individual Dose — Complete Section F. Complete at least one of the following entries in this section by checking the appropriate box and providing the required information related to the selection. You are not required to complete more than one entry. F.1 I/We have attached either documents or statements provided by affidavit that indicate that radiation exposures and radiation doses potentially incurred by members of the proposed class, that relate to this petition, were not monitored, either through personal monitoring or through area monitoring. (Attach documents and/or affidavits to the back of the petition form.) Describe as completely as possible, to the extent it might be unclear, how the attached documentation and/or affidavit(s) indicate that potential radiation exposures were not monitored. there was any F.2 I/ We have attached either documents or statements provided by affidavit that indicate that radiation monitoring records for members of the proposed class have been lost, falsified, or destroyed; or that there is no information regarding monitoring, source, source term, or process from the site where the employees worked. (Attach documents and/or affidavits to the back of the petition form.) Describe as completely as possible, to the extent it might be unclear, how the attached documentation and/or affidavit(s) indicate that radiation monitoring records for members of the proposed class have been lost, altered illegally, or destroyed.

We all know that the Department of Energy and the Contractors who operated the facility did a very poor job with respect to monitoring and record- Keeping I would be surprised if even gowinment administrators con find anything. My Brother and I have attempted to find such records and have estimated be find such records and have estimated some of the property were destroyed, and we

Part F is continued on the following page.

All Know why

Special Exposure Cohort Petition U.S. Department of Health and Human Services under the Energy Employees Occupational Centers for Disease Control and Prevention Illness Compensation Act National Institute for Occupational Safety and Health OMB Number: 0920-0639 Expires: 05/31/2007 Special Exposure Cohort Petition — Form B Page 6 of 7 F.3 ☐ I/We have attached a report from a health physicist or other individual with expertise in radiation dose reconstruction documenting the limitations of existing DOE or AWE records on radiation exposures at the facility, as relevant to the petition. The report specifies the basis for believing these documented limitations might prevent the completion of dose reconstructions for members of the class under 42 CFR Part 82 and related NIOSH technical implementation guidelines. (Attach report to the back of the petition form.) F.4 ☐ I/We have attached a scientific or technical report, issued by a government agency of the Executive Branch of Government or the General Accounting Office, the Nuclear Regulatory Commission, or the Defense Nuclear Facilities Safety Board, or published in a peer-reviewed journal, that identifies dosimetry and related information that are unavailable (due to either a lack of monitoring or the destruction or loss of records) for estimating the radiation doses of employees covered by the petition. If such reports exist I am (Attach report to the back of the petition form.) requesting a -Gosto Part G. Signature of Person(s) Submitting this Petition — Complete Section G. All Petitioners should sign and date the netition. A maximum of three persons may sign the petition. Signature Date Signature Date Notice: Any person who knowingly makes any false statement, misrepresentation, concealment of fact or any other act of fraud to obtain compensation as provided under EEOICPA or who knowingly accepts compensation to which that person is not entitled is subject to civil or administrative remedies as well as felony criminal prosecution and may, under appropriate criminal provisions, be punished by a fine or imprisonment or both. I affirm that the information provided on this form is accurate and true. Send this form to: SEC Petition Office of Compensation Analysis and Support NIOSH 4676 Columbia Parkway, MS-C-47 Cincinnati, OH 45226

If there are additional petitioners; they must complete the Appendix Forms for additional petitioners.

The Appendix forms are located at the end of this document.

Special Exposure Cohort Petition under the Energy Employees Occupational Illness Compensation Act

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Special Exposure Cohort Petition — Form B

Public Burden Statement

Public reporting burden for this collection of information is estimated to average 300 minutes per response, including time for reviewing instructions, gathering the information needed, and completing the form. If you have any comments regarding the burden estimate or any other aspect of this collection of information, including suggestions for reducing this burden, send them to CDC Reports Clearance Officer, 1600 Clifton Road, MS-E-11, Atlanta GA, 30333; ATTN:PRA 0920-XXXX. Do not send the completed petition form to this address. Completed petitions are to be submitted to NIOSH at the address provided in these instructions. Persons are not required to respond to the information collected on this form unless it displays a currently valid OMB number.

Privacy Act Advisement

In accordance with the Privacy Act of 1974, as amended (5 U.S.C. § 552a), you are hereby notified of the following:

The Energy Employees Occupational Illness Compensation Program Act (42 U.S.C. §§ 7384-7385) (EEOICPA) authorizes the President to designate additional classes of employees to be included in the Special Exposure Cohort (SEC). EEOICPA authorizes HHS to implement its responsibilities with the assistance of the National Institute for Occupational Safety (NIOSH), an Institute of the Centers for Disease Control and Prevention. Information obtained by NIOSH in connection with petitions for including additional classes of employees in the SEC will be used to evaluate the petition and report findings to the Advisory Board on Radiation and Worker Health and HHS.

Records containing identifiable information become part of an existing NIOSH system of records under the Privacy Act, 09-20-147 "Occupational Health Epidemiological Studies and EEOICPA Program Records. HHS/CDC/NIOSH." These records are treated in a confidential manner, unless otherwise compelled by law. Disclosures that NIOSH may need to make for the processing of your petition or other purposes are listed below.

NIOSH may need to disclose personal identifying information to: (a) the Department of Energy, other federal agencies, other government or private entities and to private sector employers to permit these entities to retrieve records required by NIOSH; (b) identified witnesses as designated by NIOSH so that these individuals can provide information to assist with the evaluation of SEC petitions; (c) contractors assisting NIOSH; (d) collaborating researchers, under certain limited circumstances to conduct further investigations; (e) Federal, state and local agencies for law enforcement purposes; and (f) a Member of Congress or a Congressional staff member in response to a verified inquiry.

This notice applies to all forms and informational requests that you may receive from NIOSH in connection with the evaluation of an SEC petition.

Use of the NIOSH petition forms (A and B) is voluntary but your provision of information required by these forms is mandatory for the consideration of a petition, as specified under 42 CFR Part 83. Petitions that fail to provide required information may not be considered by HHS.

Ms. Kari Waller, Examiner
U. S. Department of Labor
Office of Workers' Compensation Programs
Energy Employees Occupational Illness Compensation Program
719 Second Avenue, Suite 601
Seattle, WA 98104

Dear Ms. Waller:

After consulting my brother, I am writing to make explicit those points that we have expressed implicitly to you in previous correspondence. There are five.

First, the entire process is frought with ambiguity – even at the most superficial level. I'll cite just two examples. Both you and Ms. Dori Omon asked us for the same information. To whom were we to send this information? This question was answered only when you told my brother that you were (are) the contact person, and that Ms. Omonhad turned our file over to you. Further, at one time either you or Ms. Omon asked for a copy of our father's death certificate. After considerable time and effort, we obtained a copy only to learn that it was not needed after all.

Second, on a much more profound level, we were not informed by the DOL of the "special exposure cohort status" for those former cancer-stricken AEC (DOE) former workers at the IAAP (IOP)? This was clearly the intent of Iowa Senator Tom Harkin when he drafted the EEOICP Act. Yet the DOL kept us in the dark about this vital provision, suggesting that our claim would likely be denied in the absence of our mother's work site documentation.

Third, that our mother was a former AEC worker who died from breast cancer is beyond question. If you have examined her medical records (sent either to you or Ms. Omon), you will see that the last ten years of her life were years of untold suffering as the cancer ravaged her kidneys, lungs and bones. And I'm sure that you can well imagine the financial hardship that exacerbated this suffering.

Fourth, the DOL has failed to inform us that cancer-stricken IAAP workers undoubtedly contracted the disease as a result of the AEC's assembling and test-firing nuclear weapons at the plant without providing adequate protection for workers. Sadly, this state of affairs characterized the U. S. nuclear industry in the early 1950s. Also my

brother and I remain convinced that our mother worked on Line One at the plant – where these deadly weapons were assembled.

Fifth, our mother's case is being included in the University of Iowa's study of former AEC employees, yet the DOL has not acknowledged this fact as far as we know.

In summary, in the 2000 presidential election, both my brother and I voted for a "compassionate conservative." We believe that our president would be appalled if he knew of the DOL's shameful lack of compassion for our mother, and other cancerstricken former AEC employees at the IAAP.

Thank you for your time and attention. We will look forward to hearing from you.

Sincerely,					

Ms. Kari Waller, Examiner
U. S. Department of Labor
Office of Workers' Compensation Programs
Energy Employees Occupational Illness Compensation Program
719 Second Avenue, Suite 601
Seattle, WA 98104

Dear Ms. Waller:

My brother and I would like the DOL to go forward with our claim, and I am writing this letter in an attempt to show why our claim should be placed under the special exposure cohort provision of the EEOICP Act.

We believe this placement is warranted due to ambiguities and lost or missing employment data pertinent to the operation of the IAAP in Middletown, Iowa. I would like to cite a few examples.

First, in previous correspondence to you, it was pointed out that Day and Zimmerman, the plant contractors with the AEC prior to 1951, are unable to provide information about my mother's work sites at the plant. Also, I stated in my affidavit to the DOL that University of Iowa medical researchers, while able to determine my mother's two badge numbers, were unable to shed any light as to her work sites at the plant due to lost or missing records.

Second, her employment history at the plant remains problematic. Social Security information shows that my mother made contributions to the program in 1944, 1945, and 1946, when the plant was under the operation of Day and Zimmerman. Apparently no contributions were made from 1947 to 1951. Yet, in your letter of December 19, 2003, you wrote: "The Department of Energy (DOE) was able to provide us with the termination date for the course, is: How does one explain the five year gap regarding Social Security contributions and the DOE's termination date of my mother's employment?

Third, is the DOE in fact correct when it asserts that my mother's termination date was Was she not still a DOE employee when the plant was under the administration of Silas Mason? Social Security records indicate that reported contributions made by our mother from 1951, 1952, and 1953, and information

provided by University of Iowa medical researchers indicates clearly that Silas Mason managed the plant from 1951 to 1975 under the auspices of either the AEC or the DOE.

Fourth, the ambiguities regarding the U. S. government's oversight of the plant, I believe, are profound. For example, Ms. Janice Barton, the DOL case worker who helped me fill out form EE-2, told me yesterday by phone that the AEC only provided oversight of the plant, starting in 1953. When I told her I thought the correct date was 1951, when Silas Mason become the subcontractor at the plant, she said that's not what her "book" indicated, but that she'd look into my claim. Within a half hour she called back and said that I was, in fact, correct about the 1951 date.

And to compound the uncertainties that exist pertinent to the operation of the plant, you will no doubt remember that you told me yesterday by phone that, while Silas Mason was subcontractor of the AEC, they ran other plant operations that were not under the auspices of the AEC. I am confused about this because University of Iowa medical researchers are not making this distinction when it comes to the exposure to radiation at the plant. Mr. Howard Nicholson told me by phone that my mother was a DOE employee, and that their records indicate that she developed metastatic breast cancer. I believe that this statement made by a medical researcher of the plant's employees should be accorded considerable weight. After all, if our mother is to be included in a government sponsored study for the DOE, to deny our request for her inclusion in the special exposure cohort status would, we feel, be contrary to the rationale for drafting the special exposure provision in the first place. In fact, to deny our request, we believe, would be a violation of both the letter and the spirit of that act.

In sum, while no amount of money would be able to compensate for the ten years of pain and financial loss that preceded her death as a result of her employment by the AEC, we feel that the U. S. government's granting of our request for special cohort status would be a good faith effort to make up for the harm it unintentionally caused our mother.

Thank you for your time and attention. We will look forward to hearing from you.

Ms. Kari Waller, Examiner
U. S. Department of Labor
Office of Workers' Compensation Programs
Energy Employees Occupational Illness Compensation Program
719 Second Avenue, Suite 601
Seattle, WA 98104

Dear Ms. Waller:

Thank you for your let 2004 in which you requested further documentation of my mother nedical records and employment history.

My brother told me today that he sent to you copies of my mother's medical records, obtained at no small expense. Unfortunately, providing information about my mother's work history has been much more difficult, but no less expensive.

On November 20, 2003, I signed, dated and returned forms EE-2 and EE-3 to Ms. Janice Barton, a caseworker at the Energy Employees Compensation Resource Center in Westminister, Colorado. Ms. Barton was kind enough to fill out these forms for me based on an extended telephone conversation a few days earlier. On form EE-3, based on memories of almost fifty years ago, I guessed that the "approximate" date of my mother's employment history at the IOP was 1953 to 1957. Since then, thanks to information provided by the DOL, I have learned that the exact termination date of my mother's employment at the IOP was June 15, 1951. So far, my mother's hire date at the plant has not been determined, nor, as far as I know, has her work site at the plant.

In an effort to answer these questions, I was able to utilize information provided to me by Ms. Barton during our phone conversation. She suggested that I contact Ms. Connie Hutchcroft at American Ordnance, a successor to the IOP.

In a letter to me dated November 27, 2003, Ms. Hutchcroft acknowledged the receiving of my letter, said she has no record of my mother's employment at the IOP, and said that perhaps my mother was employed at the plant prior to 1951, when Day and Zimmerman were contractors at the plant. She also said that she had forwarded my letter to Day and Zimmerman.

On November 25, 2003, I received a letter from Ms. Arnette Ross, Administrative Assistant at Day and Zimmerman. She apparently misinterpreted my letter because she

wrote: "Records for employees who worked at the Iowa Army Ammunition Plant prior to WW II are stored at a U. S. Government Personnel Records Center." She was also kind enough to provide an address for the Center.

Later that day, I wrote back to her that I was seeking information on my mother's employment the plant after the start of WW II. In early December, after not hearing from Ms. Ross, I called her office. She told me that all existant Day and Zimmerman records for the IOP had been sent to the National Personnel Records Center in St. Louis. She also said that "ninety-five" percent of employment inquiries such as mine fail to be substantiated by the Center. Naturally, I was not surprised when, yesterday, I received a letter dated "1-15-03"[sic] from William D. Bassman, Chief, Reference Service Branch at the St. Louis Center. He wrote that he found no records of "Federal Civilian Employment" for my mother. Similarly, he was unable to find any record of my father's (Milton Larson) employment history at the IOP.

In my letter of 11-19-03 to the St. Louis Center, I also inquired about his employment history at the IOP because he died at age 60 of a cardiovascular disease. I thought that his death at a relatively early age might be related to his employment at the IOP. That he indeed worked at the plant is noted on my birth certificate, a copy of which was sent to the DOL.

As you see, I was born on January 12, 1941, and my research indicates that Day and Zimmerman were contractors at the IOP from 1940 to 1951. I find it curious that neither Day and Zimmerman nor the National Personnel Records Center has been able to document that he worked at the plant.

As you know, I have enlisted the aid of Iowa Senator Charles Grassley's office in an effort to establish my mother's work history at the IOP. Also, I have returned the appropriate Social Security form that your office was kind enough to send me. I await to see if these efforts shed at least some light on this matter. They certainly can be no more unsuccessful than the five-day, \$215 personal ad that I placed in the Gazette, a newspaper that now serves the Burlington, Iowa area.

In summary, let me say that my brother and I will continue our efforts to explore all avenues in this matter. We hope to be able to provide additional data by February 16, 2004.

Thank you for your time and attention.



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Few former IAAP workers+ claims paid

Other states seeing more success with federal filings.

By TODD DVORAK

The Associated Press

IOWA CITY — For much of his career, Jack Polson was the chief chemist at the 19,000-acre Iowa Arm Ammunition Plant, where production workers toiled in secrecy for decades assembling nuclear bombs.

Now 79, Polson suffers from bladder cancer, skin cancer and beryllium poisoning and is convinced the government is trying to evade its promise to compensate him for his ailments, which followed years of exposure to radiation and other harmful substances at the weapons plant.

"I think it's clear they are looking for an 'out' to pay claims," he said.

So far, 1,041 claims have been filed with the Department of Energy by former IAAP workers under a federal program to compensate the nation's former nuclear weapons workers now diagnosed with health problems.

Nearly 14,000 claims have been filed by workers nationwide.

In setting up the program in 2000, Congress gave a special exemption — providing for automatic payme of claims — to workers at plants in Ohio, Tennessee, Kentucky and Alaska, but workers at lesser known plants in Iowa and elsewhere were left out.

While thousands of workers nationwide have been compensated, fewer than 50 claims filed by Iowa weapons workers have been paid.

Sen. Tom Harkin, D-Iowa, calls the former IAAP employees a forgotten bunch.

"These workers have waited years to be compensated," said Harkin, who is working with other senators fix the backlog of claims.

"Many of them are buried by burdensome health care bills after years of dealing with work-related illne; and many have died waiting for compensation," he said.

Nuclear bomb components were tested and warheads were assembled and disassembled at the southeast Iowa plant from the late 1940s until 1975.

http://www.thehawkeve.com/features/IAAP/breaking/b1 0703.html

8/8/2004

The plant operated under a shroud of secrecy until 1998, when a former worker battling cancer contacted Harkin for help.

Under the federal compensation program, doctors must investigate each claim, review work histories, plarecords and monitoring data to determine if an employee's exposure merits approval.

But workers at the Iowa plant had trouble supporting their claims because records had been moved, seattered or lost.

Federal officials have found very few records monitoring radiation at the Iowa plant, despite months of searching with the Department of Energy and the various contractors that ran the factory.

"Far and away, it is one of the worst cases of monitoring and record-keeping out there," said Richard Miller, a policy analyst with The Government Accountability Project.

Former worker Paul Cross, who worked in the safety department for eight years, says daily monitoring a record keeping was a priority — but he's at a loss to explain the whereabouts of those records now.

"We had all kinds of data recorded on radiation," said Cross, who filed a claim after contracting lymphoi in 1987. "I've heard the talk about how management was sloppy, but it was a well-run operation."

In the absence of such data, federal officials are relying on a "site profile," prepared by scientists from th National Institute for Occupational Safety and Health.

But critics contend the profile is flawed, including:

Failure to recognize several operations that took place at the plant, specifically the factory line where as many as 40 workers disassembled old or malfunctioning weapons.

Using records at a plant in Texas to base assumptions on operations, exposure levels and monitoring dat:

Failing to interview workers who could have provided important details about record keeping, monitorin and operations.

"Is this a believable approach to be taking when processing these claims?" Miller said. "Is this exactly w Congress intended when it passed a law to take care of these workers?"

Larry Elliot, director of the office of compensation analysis for NIOSH, said the site profile is still a wor in progress.

He said the agency is working to obtain classified documents from the DOE to fill in gaps during the firs 10 years of nuclear bomb production, and officials will soon begin interviewing former workers to draw clearer picture of operations and monitoring practices at IAAP.

Because the site profile lacks adequate data from the earliest years of production, Elliot said claims filed workers from that period are being put on hold. He also defended its use of operating assumptions at oth plants.

"This is a living document," Elliot said. "We think it's a good start ... and we're looking for additional da

"With the monitoring information that was collected from plants in Texas and elsewhere, we feel the site profile presents a strong case for the worst levels of exposure that could have happened at Iowa," he said

But many of the Iowa workers are dying.

"The workers at IAAP and their families devoted their lives to our national security, and their compensation is long overdue," Harkin said.

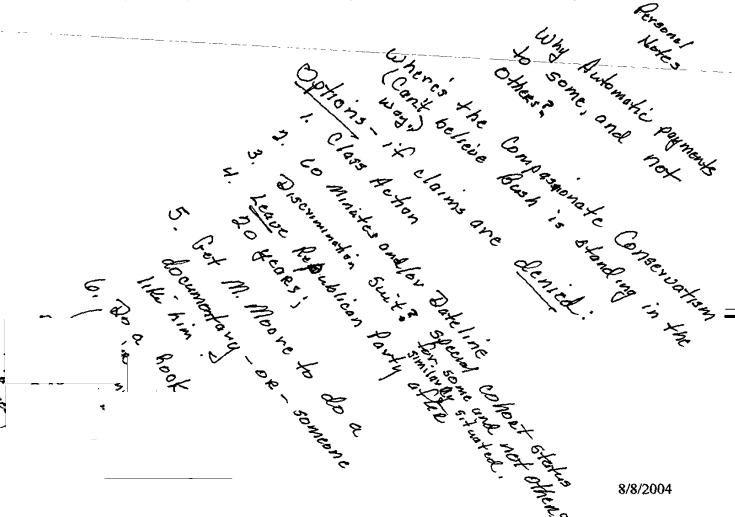
Last week, the Senate attached to a defense spending bill an amendment that would create a special exemption for workers at IAAP and the St. Louis-based Mallinckrodt Chemical Co., a uranium dioxide producer.

The measure, sponsored by Harkin and Sen. Kit Bond, R-Mo., would make workers eligible for automat payment and sidestep dose reconstruction.

The bill now must survive a joint House and Senate conference committee when Congress returns from recess next month.

The Hawk Eye

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