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October 29, 2009

SEC Tracking Number: SEC00145

Ms. Rachel Leiton  
Division of Energy Employees Occupational  
Illness Compensation  
U.S. Department of Labor  
Room C-4511  
200 Constitution Avenue, N.W.  
Washington, D.C. 20210

Dear Ms. Leiton:

On behalf of the Secretary of the Department of Health and Human Services (HHS), and as required by 42 C.F.R. § 83.17(c), I am notifying you of the final effect of the HHS decision to designate a class of employees at the Lake Ontario Ordnance Works, Niagara Falls, New York, as an addition to the Special Exposure Cohort (SEC) under the Energy Employees Occupational Illness Compensation Program Act of 2000. On September 29, 2009, as provided for under 42 U.S.C. § 7384q(b), the Secretary of HHS designated the following class of employees as an addition to the SEC:

*All employees of the DOE, its predecessor agencies, and their contractors and subcontractors who worked at Lake Ontario Ordnance Works in Niagara Falls, New York from January 1, 1944 through December 31, 1953, 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 designation became effective October 29, 2009, as provided for under 42 U.S.C. § 7384l(14)(C). Hence, beginning October 29, 2009, members of this class of employees, defined as reported in this notice, became members of the SEC.

Sincerely,

Larry J. Elliott, Director  
Office of Compensation Analysis and Support  
National Institute for Occupational Safety and Health