

JUNE 9, 2014

'SPECIAL EXPOSURE COHORT PETITION
UNDER EEOICP ACT'

NIOSH
COHORT PETITION
"FORM B"

Re: Westinghouse Electric Corporation, Bloomfield, NJ

This Petition urges NIOSH to change the "CLASS I" closing date.

"RADIATION RUNS DEEP!"

"Radiation Penetrates, Lasts Forever and Gradually Kills!"

Submitted: June 9, 2014

Supersedes All Previous Working Drafts

Prepared by:

JUNE 9, 2014

PART A

A.1 - Contact Persons for the Cohort Petition RE: Westinghouse Electric, Bloomfield, N. J.

For an Organization: This petition will check "NO". (Not an organization.)

A.2 - Not Applicable (n/a)

A. 3 - Names of Petition Representaives:

WE Employee)

A. 4 - Mailing Addresses of Petition Representatives :

A. 5 - Telephone Numbers of Petition Representatives:

* Primary Contact for Telephone Conferences or Hearings

Submitted by

, former employee of Westinghouse Electric, Bloomfield, NJ

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A.6 - E-Mail Addresses of Petition Representaives:

* Primary Contact for Telephone Conferences or Hearings

A.7 - Authorization:

"Petition Authorization Form" This form is attached stating that this Petition is presented on behalf of _____ an employee of the Westinghouse Electric Corporation facility in Bloomfield, NJ; and "Others" in "Class II" who are unnamed at the time of petition submission. "Others" are those who shared the hazardous radiation exposure created by the WE/DOE/AWE activity in Bloomfield, NJ, from the period of 1950 through 1978. These people worked for 250 hours or more during this period, known as CLASS II. This Petition calls for ONE CLASS, combining Class I and Class II.

B.1 - Names of Survivors:

This Petition covers

"Others" may be included as survivors of former WE employees.

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under the Energy Employees Occupation
Illness Compensation Program Act
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U.S. Dept. of Health and Human Services
Centers of disease Control and Prevention
National Institute for Occupational Safety and Health
This Petition follows the NIOSH outline format .

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B.2 - Address: (Names and Addresses of Petition Representatives)

B.3 - Telephone Numbers of Petition Reprerentatives:

B.4 - E-Mail Addresses:

B.5 - RELATIONSHIP TO EMPLOYEE:

WE Employee 1950 to 1959)

PART C. - US DOE/AWE EMPLOYEE OR SURVIVOR OF DOE/AWE EMPLOYEE:

This Petition represents Class II employee survivors. The employee worked at Westinghouse Electric Corporation, Bloomfield, Lamp Division for years.

We are not governmental US DOE/AWE Energy Employees or their Survivors.

PART D. - Not required. This Petition is not affiliated with any labor union.

Submitted by

former employee of Westinghouse Electric, Bloomfield, NJ

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PART E. - PROPOSED DEFINITION: ENERGY EMPLOYEE CLASS COVERED BY PETITION

**E.1 - Name of DOE or AWE Facility, Where Employees Were Employed for This
Petition Specifically:**

Westinghouse Electric Corporation (WE), Bloomfield, New Jersey (now CBS, Viacom)

Employer of Class I & Class II: Westinghouse Electric Corporation (WE) acquired the former CBS Corporation, and WE changed its corporate name to the CBS Corporation. Later, the new CBS Corporation sold the WE Lamp Division to Philips Electric in 1985. The new CBS Corporation also sold the Westinghouse atomic energy plant generation business. The new CBS was later acquired by Viacom.

This petition specifically applies to the original Westinghouse Electric plant facilities located in Bloomfield, Essex County, New Jersey. WE owned a complex of buildings on the property where WE conducted and performed work with and for DOE/AWE. The primary business at Westinghouse Bloomfield was its Lamp Division that produced electrical lighting products at this site.

E.2 - Locations at the Facility Relevant to Petition: (Multiple Buildings/Multi-Floors)

BLOOMFIELD:The relevant facility was a bad choice to locate the USDOE/AWE/WE atomic energy/radiation activity. WE was in the most highly populated region, the NY/NJ Metropolitan Area, of the United States. With over 12 million residents, approximately, within 50 miles of WE facility, Bloomfield is less than 20 miles from Times Square and the Empire State Building in New York City, NY. The WE site was very close to the borders of both Newark and East Orange, larger urban cities in the heart of Northern New Jersey where most of New Jersey's population lived. In 1950, New Jersey was the 8th most populated state and the 45th largest of the then 48.

"The First Mistake" was the selected location: The Westinghouse Electric Bloomfield NJ site was NOT a good place to establish and conduct a Thorium and Uranium radiation emitting project. This WE complex employed hundreds of people in multiple shifts virtually around the clock, Monday through Friday.

WE was in a densely populated neighborhood, mostly built before World War II when factories were built vertically rather than horizontally. WE was cropped in among industrial buildings, commercial establishments and working class urban homes that co-existed in the southeastern corner of Bloomfield.

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WE buildings were large high ceiling structures constructed of concrete and brick with freight elevators, production conveyors, manufacturing equipment and material handling equipment to move raw materials and finished goods. The busy work flow traffic would carry environmental residues with the work flow, on the materials and equipment, on the wheels of vehicles, forklifts and material handling equipment, as well as the workers' foot traffic and wheeled carts, wagons and vehicles.

Without air conditioning in these old industrial buildings, WE employed both window and internal fans to circulate air and cool workers in the plant . Air transfer between open buildings could easily migrate harmful radiation and other hazardous emissions into the work environments from internal fans and blowers, as well as outside breezes and winds. Entry doors and loading dock doors also allowed air transfer.

In winter months, forced air space heaters formed another source of air transfer to spread radiation charged particulates to workstations and production line areas throughout the WE buildings. Heat was also generated and emitted close- up into the workers' faces on the production lines in the manufacturing processes where the hot and warm surfaces attracted additional emissions, residues and fumes.

Existing radiation that was generated in 1941-1949 continued to be emitted for many years, penetrating the porous brick and mortar and concrete building materials, adjacent soil and other surfaces, including the accumulated dirt and dust residues.

The Bloomfield facility worked with the Thorium processes, including the production of Thorium Tungstem Wire. Reportedly, WE internal plant floor work and rooftop work for DOE/AWE was conducted at the WE facility during the 1940s until 1949 during the Class I period ... and continued into the Class II period. Both Thorium and Uranium were processed at the WE property for the US DOE/AWE.

Evidence shows that Westinghouse continued to work with Thorium after 1949 into the CLASS II period, 1950 through the 1960's. (AWE permit to WE issued in 1964.)

The Thorium processing operation was a very "dirty" operation, and the "bi-product" residues (waste) were "Soot-Like" in nature. Workers uniforms were heavily soiled with the Thorium process dirt and dust, the "Soot-Like" soil residue from the heat process. It would transfer on materials and the process vapors would escape to the atmosphere. This heavier dirt was deposited on workers' clothes, on floors and on rooftops and tracked to other areas by wheel or foot traffic and product movement.

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E.3 - Job Duties for Employees Included in this Class II: (Same for CLASS I and CLASS II)

This Petition applies to all full time plant production assembly line workers, including many WE female operators who were exposed to a hazardous WE work environment that was and continued to be contaminated with radiation. Men were also in this environment, mostly employed as

Work flow production was inter-connected and many employees performed work at various places on different floors. The relevant WE facility was a large property with multiple story buildings. The industrial buildings were in close proximity to each other, with driveways and some covered passageways connecting the buildings. Some skilled employees were moved to different buildings or floors frequently for experimental or special projects and were not always in the same place.

Workplace activity involved handling, fabricating, twisting, cutting, soldering, welding, assembling, conveying and packaging of raw materials and components to produce finished lighting products for the Westinghouse Lamp Division. Physical handling of raw materials including glass, wires, tungsten, components and parts by hand would cause harmful residues to be absorbed through the skin and into the mouth from hand contact. Emphasis was on rewards for speed and high productivity, so these workers handled high volumes of material in a production shift.

These WE CLASS II personnel were real people who were:

- a.. EXPOSED TO HAZARDOUS RADIATION EXPOSURE AND TOXIC ENVIRONMENTS CREATED BY PREVIOUS AND CURRENT OPERATIONS CONDUCTED AT WE FACILITIES USED FOR WE/DOE/AWE PURPOSES AS WELL AS FOR WESTINGHOUSE PRODUCT PRODUCTION.
- b. KEPT FROM KNOWING THE SECRET THAT WE EMPLOYEES WORKED IN A RADIATION EXPOSED ENVIRONMENT--- DAY AFTER DAY AND YEAR AFTER YEAR FROM 1941 TO 1949 AND FROM 1950 to 1978.
- c. GIVEN NO WARNING SIGNS OR NOTICES TO ALERT WORKERS AND THE PUBLIC; including visitors, business associates, vendors, nearby workplaces, neighboring residents and school students in the nearby community.

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d. WORKING IN UNPROTECTED WE BUILDINGS THAT REMAINED UNSAFE WITH RADIATION EXPOSURE REMAINING AFTER 1949 AND CONTINUED TO BE HARMFUL IN 1950 THROUGH 1978 and continuing through 2014. Untold hundreds to thousands of workers employed by WE could be classified by USDOL and NIOSH as Class II.

e. NOT SUPPLIED WITH PERSONAL PROTECTION WHILE WORKING IN A RADIATION EXPOSED PLANT ENVIRONMENT. WE Lamp Division production workers wore their own street clothes at work while working in production areas. No Radiation Limit Badges and other protective gear supplied

f. SUBJECTED TO HAZARDOUS RADIATION, TOXIC METALS & MINERALS: WE employees directly handled hazardous and toxic raw materials on the job. They were also exposed to RADIATION caused by the processing and handling of Thorium and Uranium during the CLASS I and CLASS II PERIODS. Additionally, the workers were exposed to the radiation previously generated by the WE/DOE/AWE work with Thorium and Uranium during the 1941 to 1949 Class I Period.

g. Harmed by Thorium heated to 4000 to 5000 degrees F. and higher. All or some exhaust vapor and hydrocarbons containing hazardous materials had to escape and deposit as residue on the rooftops, on building exteriors, on the unpaved and paved grounds.

Fine particulate and dust had to permeate porous surfaces to build up and store radiation in and around the WE buildings from the 1940s and into 1950 through 1978 when radiation levels were first tested.

The processing of Thorium required it and other alloys to be heated at very high temperatures. It was a very dirty process that generated a soot-like substance referred to as "Thorium Dirt" or just "Dirt" by the process workers.

The "Thorium Dirt and Dust" residues were highly transferrable, and could have easily migrated throughout the plant facilities as radiation emissions. Material handling and wheeled equipment would have spread the Thorium Dirt and dust to other buildings and floors to penetrate and be absorbed into porous concrete, brick and mortar.

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Thorium workers' work clothes required daily laundering before reuse. It is doubtful that laundering technique and procedures known in the times would have rendered the uniforms safe from radiation. This contamination had to be breathed in during work, and unprotected skin could have absorbed radiation laden "dirt" residue from the Thorium generated Dirt and Dirt Dust.

h. EXPOSED TO RADIATION BEYOND 1949. EVIDENCE SHOWS ANOTHER ATOMIC ENERGY COMMISSION PERMIT WAS ISSUED TO WE IN 1964. Other permits may have been active or issued after 1949.

THE WE / USDOE / AWE contract work continued beyond the 1941-1949 Manhattan Project CLASS I Period I into the CLASS I Period.

I. SUBJECTED TO CONTACT WITH HAZARDOUS AND TOXIC METALS, MINERALS AND SOLVENTS Including: Tungsten, Mercury, Copper, Solders, Glass, insulation materials and others. Interiors of glass bulbs were coated with a white sodium silicate solution spray. Errant overspray and atomized spray mist into the atmosphere could cause Silicosis, lung and respiratory diseases. Effective personal respiratory protection was not available at the time.

The combined toxic effect of radiation and hazardous materials on employees who had no protection caused harmful and other cancers and respiratory diseases.

Employees physically handled hazardous metals without WE provided personal hand, skin and respiratory protection. Those who worked closely with heat sources in welding, soldering, testing and metal forming processes generated toxic vapors and exhaust streams for employees to breath the contaminated air and be exposed to skin contact absorption of hazardous residues.

j. Airborne and migrated dust and soils remaining on existing equipment, ductwork, piping, elevator shafts, porous concrete floors, roofing and other building surfaces that existed before 1949 remained in place post-1949 into continuing operations from 1950 into Class II time periods to 1978 and beyond.

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k. Before and after 1949, commonly used worker areas used by employees continued to be used after 1949; Including lunch rooms, break rooms, guardhouse / check-in gates, plant work aisles, rest rooms, bathrooms, showers, halls, elevators and building passageways, etc.

I. DRINKING AND REFRESHING WITH THE SAME WATER SUPPLY SYSTEMS:
ALL WE WORKERS, BEFORE 1949 AND AFTER 1949, used the same water supply system for coffee and beverage making, drinking and refreshing, personal sanitary use, including hand and face washing. Workers continually refreshed during meal times and breaks with the same WE water supply, running through the same pipes and water systems that existed before 1949.

m. Runoff from rain, snow and melting winter-time ice from rooftops and building surfaces distributed harmful dust and dirt residues from the Thorium work on the rooftops to surfaces and grounds below. As Thorium was heated to temperatures exceeding 4,000 to 5,000 degrees F., the residues, vapors and hydrocarbons would have deposited on building surfaces to spread radiation by washing the residues down through the property.

Continued

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E.4 - Employment Dates Relevant to this Petition:

This Petition covers the "NIOSH CLASS II" PERIOD AND ITS EXCLUSION FROM THE CLASS I PERIOD CUTOFF DATE OF DECEMBER 31, 1949.

THIS PETITION FINDS THE NIOSH "FOREFATHERS" OR THE PREDECESSORS OF THE CURRENT NIOSH PROFESSIONALS HAD ARBITRARILY AND CAPRICIOUSLY ENDED THE CLASS I PERIOD ON DECEMBER 31, 1949.

This action was taken despite the fact that there was no significant radiation decontamination performed on the entire WE facilities to render WE free from being a radiation exposure site in 1949, 1950 and beyond to the current day.

Their decision to close CLASS I at the end of 1949 had to be made without the full knowledge of the radiation spread and proliferated to adjacent work areas in the WE complex. The WE property is now off limits to the public.

There was also negligence in informing the public, present employees at the time and former employees who had been exposed to the radiation emitted at Westinghouse Electric during the CLASS I and CLASS II Periods. Eligible former WE employees who died from cancer were unaware of the EEIOCP Act benefits. Today, the Act is still mostly unknown to survivors.

After 1949, the WE complex was unsafe for continued operations at the WE Lamp Division utilizing workers who were not protected against radiation exposure after 1949 into 1950 to 1978, presently titled as "CLASS II".

THIS PETITION URGES THE CURRENT NIOSH OFFICIALS TO CORRECT THEIR PREDECESSORS' UNJUSTIFIED CUTOFF DATE.

- BASED ON CURRENT KNOWN FACTS, INFORMATION AND PREMATURE DEATH; , WE URGE NIOSH TO CHANGE THE CLASS I CUTOFF DATE FROM A 1949 ENDING TO DECEMBER, 1978.
- Ending CLASS I on December 31, 1977 will then include all workers from 1950 up to 1978 who are now in Class II, and worked for a minimum of 250 hours in plant work exposure. The first radiation level readings were taken at Westinghouse in 1978.

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- NO RADIATION TESTING OCCURRED AT WE BLOOMFIELD BEFORE 1978. No testing of radiation level readings from 1950 to 1978 were conducted at the WE facility in Bloomfield.
- RADIATION WAS FOUND AT THE WE FACILITY IN 1978 TO ULTIMATELY CLOSE THE WE FACILITY, INCLUDING RAZING ALL BUILDINGS ON THE SITE.
- NO WE RECORDS WERE KEPT OR FOUND TO PROVIDE EVIDENCE OF RADIATION EXPOSURE AT THE WE COMPALEX BEFORE 1978.
- THERE WERE NO RECORDS FOUND REGARDING EMPLOYEE TESTING FOR RADIATION EXPOSURE BEFORE 1978.
- NO WE EMPLOYEE MONITORING RECORDS EXISTED FOR THE PERIOD OF 1950 TO 1978, as far as existing evidence reveals. It is unknown what evidence was previously redacted.
- NO EVIDENCE EXISTS FROM WE RECORDS FOR EMPLOYEE BLOOD OR TISSUE TESTING FOR PROGRESSIVE LEVELS OF WE RADIATION OR TOXIN ABSORPTION FOR THE CLASS II PERIOD OF 1950 TO 1978.

1941 to 1949 describes the period known as CLASS I when the first US DOE/AWE radiation emitting work occurred. This Petition covers the employees with over 250 hours of work exposure in the WE plant facility during the period including 1950 through 1978. The first testing for radiation at Bloomfield began in 1978.

a. There are no known records for radiation exposure level testing kept by WE, DOE, AWE or USDOL. NO KNOWN RECORDS FOUND FOR MONITORING PROGRAMS for WE employees or facilities were found for radiation from 1950 to 1978.

b.. No hard facts exist to document the time period from 1950 to 1978. The US EPA considers the property to be unsafe in 2014 still, due to harmful radiation levels now.

c. There is no evidence of environmental health testing for radiation on WE workers from 1950 to 1978.

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d. There were NO RADIATION EXPOSURE LIMIT BADGES, NO SAFETY SHIELD WEAR AND NO PERSONAL PROTECTION GEAR PROVIDED. NO RADIATION LIMIT ALARMS OR RADIATION WARNING SIGNS EXISTED TO WARN OF RADIATION DANGER AT WE DURING THE PERIODS OF 1941 TO 1949 AND FROM 1950 TO 1978.

e. The 1950 to 1978 Period was before OSHA and there were many "UNKNOWN" EHS issues regarding Environmental, Health and Safety practices, insufficient regulations and few requirements from government agencies for Westinghouse to follow.

f. "RECONSTRUCTION" CALCULATIONS ARE INSENSITIVE AND UNACCEPTABLE . There are findings based upon estimated conditions that do not include missing evidence and lost facts that are critical to acquiring full knowledge. Efforts to make fair and just decisions must include better facts and available information.

g. WE production line workers were kept in silence about the secret hazards they were exposed to when they worked innocently and productively in hazardous workplace conditions where radiation exposure had been generated and permeated upon them.

h. The USDOE/AWE and WE did not properly assess the impact of working with radiation producing materials before, during and after the Manhattan Project to establish, monitor and regulate employee health and safety for immediate and adjacent workers at the WE facilities that included atomic energy and Thorium hazards next to, around them and on top of them.

i. USDOL REDACTED INFORMATION FROM THE WE/CBS CORPORATE HR FILES SUBMITTED BY CBS CORPORATION DIRECTLY TO USDOL-WASHINGTON.

- o USDOL MAY NOT HAVE PROVIDED ALL THE INFORMATION IN THE FILE TO NIOSH, OR NIOSH DID NOT REVIEW ALL THE DATA IN THE WE FILE. The facts in the WE HR personnel file for _____ shows four excused absences from work were "Work Related" during _____, covering from 1400 to 1600 hours of employment. Hospital physician diagnosis's show _____ . The _____ were manifested into cancer and death from the types of cancers typically caused from radiation exposure.

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- NIOSH AND USDOL PLACES A LOW VALUE ON THE SPENT HUMAN LIVES THAT UNKNOWINGLY WORKED IN RADIATION CONTAMINATED FACILITIES FOR OVER 250 HOURS TO MANY YEARS..
- THE US EPA WILL NOT PERMIT THE WE BLOOMFIELD PROPERTY TO BE SOLD AND UTILIZED BY PRIVATE INDUSTRY DUE TO HIGH RADIATION LEVELS IN 2014.
- THE RAZED WE PROPERTY REMAINS FENCED WITH "OFF LIMITS" SIGNS PROMINATELY DISPLAYED. Recent inquiries to occupy the land with new construction have been denied by EPA. No plans exist to remedy the radiation contamination at the former WE site.

THIS PETITION FINDS THAT THE WE CORP., USDOE AND AWE AGENCIES WERE WITHHOLDING INFORMATION FROM WE EMPLOYEES AND THE COMMUNITY BY NOT WARNING THAT RADIATION EXPOSURE WAS PRESENT DURING THE PERIODS OF CLASS I AND CLASS II. THEY DID NOT PROVIDE ADVANCED INFORMATION AND PROTECTION MEASURES TO THOSE EXPOSED TO THE EMINENT RADIATION EXPOSURE.

THE US DOL WITHHELD INFORMATION BY REDACTING FILE CONTENT SENT TO DOL DIRECTLY FROM CBS CORPORATION, from its WE HR archives, at the survivor family request for one employment history. The USDOL did share the file with the survivor family, LESS THE REDACTED INFORMATION. It is unknown what was redacted, and it is unknown whether NIOSH saw the redacted information.

The closure date of 1949 for Class I grossly underestimated the safety and protection measures taken by WE/DOE/AWE to change the conditions created by the atomic energy and Thorium projects undertaken during 1942 through 1949. This 1949 cutoff date also ignores the continued work at the WE complex on radiation generating activity.

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Submitted by

former employee of Westinghouse Electric, Bloomfield, NJ

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**E.5 - PETITION BASED ON ONE OR MORE UNMONITORED, UNRECORDED OR
INADEQUATE MONITORING OR INADEQUATELY MONITORED OR RECORDED
INCIDENTS?**

- a. Westinghouse Electric, Bloomfield, NJ is the only site location for this petition.
- b. The source of radiation exposure occurred at WE with and for US DOE and AWE using Thorium and Uranium at the WE site within the buildings and on rooftops of one or more buildings. Reportedly, this activity produced Thorium Tungsten Wire and other materials.
- c. The WE/DOE/AWE WORK WAS SECRETLY PERFORMED, WITH BOTH CLASS I and CLASS II EMPLOYEES UNAWARE OF SUCH ACTIVITIES. Also unaware were the general public, neighboring businesses, schools and residents of Bloomfield, Newark and East Orange, New Jersey.
- d. NO SIGNS WERE EVER POSTED WITHIN THE PLANT AND OUTSIDE THE PLANT DURING THE CLASS I AND CLASS II PERIODS OF 1941 TO 1949 AND 1950 TO 1978 TO WARN OF THE RADIATION EXPOSURE HAZARD.
- e. NO WARNINGS WERE EVER ISSUED OR WAIVERS SOUGHT AT THE TIME OF HIRE TO NEW EMPLOYEES TO ALERT THEM OF POTENTIAL DANGER FROM RADIATION EXPOSURE. NO WARNINGS WERE ISSUED TO EXISTING EMPLOYEES AT A BENCHMARK EVENT; SUCH AS, PERFORMANCE REVIEWS, JOB EVALUATIONS, PROMOTIONS, ETC. FOR EMPLOYEE WELL-BEING VS. RADIATION.
- f. NO ENVIRONMENTAL TESTING FOR RADIATION OCCURRED BEFORE 1978.
- g. NO MONITORING PROGRAMS WERE RECORDED TO WARN BOTH EMPLOYEES AND MANAGERS OF EXCESSIVE EXPOSURE TO RADIATION BECOMING EVIDENT DURING CLASS II PERIODS OF 1950 TO 1978.
- h. NO WE RECORDS WERE FOUND FOR THE PERIOD 1950 THROUGH 1978 PERTAINING TO THE MONITORING OF ALL WE WORKERS FOR RADIATION EXPOSURE OR RADIATION LEVELS IN THE WE COMPLEX OF BUILDINGS.
- i. FROM 1950 TO 1978: No reports were found pertaining to monitoring. We know the WE property was not posted as a hazardous zone until after 1978.

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F. BASIS FOR PROPOSING THAT RECORDS AND INFORMATION ARE INADEQUATE FOR INDIVIDUAL DOSE RECONSTRUCTIIONS:

- During this Petition's CLASS II Period, 1950 to 1978, NO testing for radiation was performed. The first testing of WE facilities occurred in 1978.
- The existing facilities, WE buildings, were utilized in continued production during and after 1950, without any significant remediation and decontamination of the property to remove all appropriate contamination residuals and contaminated porous construction materials.
- Radiation levels before 1978 are UNKNOWN to HHS, NIOSH or DOL or the general public. Therefore, estimates of what may have been are inaccurate.
- The radiation levels in 1953, 1954 or 1958 may have been greater than the first known readings in 1978. WE, CBS or NIOSH does not have this data.
- The use of inaccurate estimates to determine a person's causation of death due to cancers caused by radiation exposure is irrelevant.
- Employees hired in 1950 and after were not informed before their hire that they would be exposed to harmful radiation while employed at WE.
- There were NO Radiation Dosimetry Badges available to WE employees in the 1950 to 1978 Class II period for Westinghouse Electric Lamp Division employees. WE employees during this time were unaware of exposure to radiation risks. They were not told that radiation had been and continued to be generated in or adjacent to their workplace stations at various WE plant buildings and grounds.

EXAMPLE # 1 (Employee Experience)

FACT - "WORK RELATED ILLNESS", 1954 - 1958:

One example for one employee who worked from 1950 to 1959 for a total of 1,400 to 1,600 hours during the 9 year period is as follows:

The CBS (WE) Corporation HR file archives produced evidence that

employment at Westinghouse, Bloomfield.

This file is in possession of USDOL after being sent directly to USDOL by CBS.

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The excused absences are dated below:

were "WORK RELATED".

The DOL redacted some information that DOL did not want the

The _____ manifested into cancers. This employee _____, and experienced chronic illness a few years after _____ early retirement at _____ Local medical clinics did not consider that this employee may have been exposed to radiation and did not test or diagnose the _____ problems with radiation exposure.

The _____ cancers identified in hospital reports, copies on file at USDOL:

- Dx: Carcinoma of the _____
- _____

The causation reported by major NY-NJ hospitals was _____ due to radiation exposure. It is the opinion of the petition representatives that the radiation exposure originated at WE during the Class II period of 1950 to 1978. This employee had no other contact with any facility dealing with carcinogenic materials, radiation or hazardous materials; other than at Westinghouse Electric, Bloomfield.

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Death was attributed to radiation exposure that was "Work Related". (Refer to WE/CBS employment records and submitted hospital records.)

"OTHERS" included in the Class II period of 1950 to 1978 are other employees who had similar experiences with radiation exposure that caused cancer from WE employment in the Class II period of 1950 to 1978.

We could add at least one other example of an employee stricken with cancer who worked in the Thorium Process in the CLASS II Period, after 1949.

F. 2 RADIATION MONITORING RECORDS:

To the best of our knowledge, the Petition Representatives have found no evidence that there were any monitoring records kept or monitoring programs utilized at the WE facility in Bloomfield from the period of 1950 to 1978. There is no evidence available to the Petition Representatives to indicate any records were lost, falsified or destroyed by WE, CBS, DOE, AWE, DOL and NIOSH.

The employees did not wear monitoring badges for dosimeter exposure levels in the period of 1950 to 1978 while at work at the WE facility.

No signs were posted outside the gated facility to warn of radiation danger present inside the building. The community was unaware of radiation activity in its midst.

Due to the secretive nature of the DOE and AWE activity, it appears the agencies did not want to reveal to the public and WE employees that radiation exposure was present during the Class I and Class II periods.

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F. 3 EMPLOYING AN EXPERT TO EVALUATE DOE RECORDS:

This petition reserves the right to call additional representatives and/or experienced professionals with expertise to evaluate DOE records pertinent to this petition.

F. 4. SCIENTIFIC OR TECHNICAL PUBLICATIONS:

It is the opinion of this Petition that no sufficient information exists to deny that cancer causing carcinogens from radiation exposure were higher in 1949 and before than was present after 1949. The pre-existing radiation generated from 1941 to 1949 remained present at the WE site from 1950 to 1978, and more were generated after 1949. No radiation level readings were taken before 1978.

Information found on the Internet provides evidence that continued work on Thorium continued after 1949 at Westinghouse, and that Westinghouse obtained permits from the Atomic Energy Commission to work on Thorium.

There were no radiation readings taken at Westinghouse before 1978. There are no records or publications available to show radiation readings before 1978.

As a result, NIOSH and others do not know what the radiation levels were in 1953, or 1950, 1958 or 1977. The levels in 1953, for example, may have been higher than the first radiation testing reading in 1978. In 2014, the radiation is still too high to inhabit the former barren WE property, long after the buildings were razed.

The US EPA will not allow the private sector to use this land for commercial or retail operations to be built on the site. In 2014, this fenced off property is still off limits, with signs posted to warn the public not to enter.

Too many facts are unknown or missing for any dosage reconstruction to be accurate. The unknown conditions that prevailed from 1950 to 1978 cannot be accurately determined when no testing for radiation was performed from 1950 to 1978. Efforts to estimate or reconstruct from other data, at other places, at other times cannot be fairly substituted for the conditions at WE during the 1950 to 1978 Period. Doing so is a disservice to the deceased who died of real cancers causing premature deaths.

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U.S. Dept. of Health and Human Services
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Anyone entering this WE facility after radiation testing was initiated in 1978, should have been warned of the danger of entering without proper protection, such as lead insulated work wear, radiation limit badges monitoring employee exposure and other monitoring safeguards to be protected from the existing radiation exposure.

Again, this Petition urges NIOSH to reconsider the CLASS I 1949 cutoff date to change it to a December 31, 1977 cutoff date. This Petition is also open to changing the CLASS I cutoff date to 2011.

PART G - SIGNATURE OF PERSON(S) SUBMITTING THIS PETITION:

Signature page to be added, under separate cover.

Authorization Letter: To be added, under separate cover.

Attachments to be supplied under separate cover/

Prepared by: June 9, 2014
Amended to remove bold type, June 12, 2014