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Sunday, November 09, 2008

Sick workers' benefits hinge on erroneous date

EDITOR:

In 2001 the Energy Employee Occupational Illness Program Act (EEOICPA) was enacted into law. Tens of thousands of construction workers alone constructed the Paducah Gaseous Diffusion Plant (PGDP). A key component for workers to qualify for compensation and benefits is that they had to work 250 days prior to February 1992.

In June 2002, without the consent of Congress, the Department of Energy (DOE) quietly modified their DOE procedures to reflect a date of July 1952 as DOE's version of the earliest date of worker exposure to radiation at the PGDP. This "unauthorized and unsubstantiated" procedural modification affected the claims status of several thousand F.H. McGraw (among other companies) construction workers who met qualifications for compensation and benefits prior to the procedural change.

As vice president of Commonwealth Environmental Services (CES), I was able to "connect the dots" that confirmed that former sick nuclear worker's claims were being denied, based on the misconception that radiation and radioactive equipment and materials were not at the Paducah site before July 1952. Based on actual statements of former PGDP nuclear workers at EEOICPA hearings, DOE public meetings, and interviews personally performed, facts now support exposure to radioactive "transuranics" from materials and equipment shipped to PGDP from other gaseous diffusion plants.

Since the current technical basis document (TBD) for the PGDP does not include exposures prior to July 1952, CES will soon file a petition on behalf of claimants to modify the PGDP TBD to accurately reflect and confirm that workers were, in fact, exposed to high levels of radiation prior to July 1952. The details of the submittal have already been provided to the Kentucky congressional delegation, key members of Congress, including officials from the Department of Justice.

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