



DEPARTMENT OF HEALTH & HUMAN SERVICES

Public Health Service

NIOSH Tracking Number: 001363

National Institute for Occupational
Safety and Health
Robert A. Taft Laboratories
4676 Columbia Parkway
Cincinnati, OH 45226-1998
Phone: 513-533-8426
Fax: 513-458-7143

December 20, 2005

Dear

As you may know, a petition to add a class of former employees at the Mallinckrodt Chemical Works to the Special Exposure Cohort (SEC) under the Energy Employees Occupational Illness Compensation Program Act (EEOICPA) was received by the National Institute for Occupational Safety and Health (NIOSH). This letter is to provide you with information on the status of this petition and the effect this petition may have on your claim.

On October 14, 2005, the Secretary of the Department of Health and Human Services (HHS), Michael Leavitt, designated the following class for addition to the SEC in a report to Congress:

Department of Energy (DOE) employees or DOE contractor or subcontractor employees who worked in the Uranium Division at the Destrehan Street Facility of Mallinckrodt Chemical Works from 1949 to 1957 and who were employed for a number of work days aggregating at least 250 work days either solely under this employment or in combination with work days within the parameters (excluding aggregate work day requirements) established for other classes or employees included in the SEC.

Since Congress did not take any action within 30 days of the submission of this report, this designation became effective on November 13, 2005.

This letter is to let you know that your claim for benefits under EEOICPA may be affected by this new designation. Our records indicate that you, or the energy employee on the claim, worked at Mallinckrodt between the periods of 1949 -1957, and were diagnosed with an SEC-specified cancer.

All decisions regarding your status as a member of the SEC, and any resulting action on your EEOICPA claim, will be made by the Department of Labor (DOL). We have sent a list of all claims that are with NIOSH awaiting completion of a dose reconstruction that appear to involve employment at the Mallinckrodt facility during the period 1949 - 1957 and an SEC-specified cancer to DOL for their review. Employment during this period and type of cancer are only two of the factors that DOL must consider to establish membership in the SEC. You will be informed of the results of this review when it is complete.

I hope this information is helpful. Should you have any further questions about the SEC process, or eligibility requirements for the new class of employees that has been added to the SEC, you should contact NIOSH at 1-800-35-NIOSH (1-800-356-4674) or e-mail us at ocas@cdc.gov. Additional information on NIOSH activities under EEOICPA can also be found at our website www.cdc.gov/niosh/ocas.

Sincerely,

A handwritten signature in cursive script, appearing to read "L. Elliott".

Larry Elliott, MSPH, CIH
Director,
Office of Compensation, Analysis, and Support
(800) 35-NIOSH