

# Sick Worker Newsletter

for former employees of LLNL, SNL-CA, and LBNL made ill by on the job exposure

Winter  
2011

## Site Exposure Matrices For Livermore Lab Main Site Finally Made Public!

The U.S. Department of Labor has completed its expansion of the Site Exposure Matrices (SEM) website, an effort that began in May 2010. The final six additions to the website include the Lawrence Livermore National Laboratory. This more robust public version of the SEM website provides additional ways to look for information regarding toxic substances used at U.S. Department of Energy nuclear weapons facilities covered under Part E of the Energy Employees Occupational Illness Compensation Program Act. The enhanced SEM website contains more data and allows users to identify interrelationships among Livermore Lab buildings, work processes, labor categories, and toxic substances verified as having been onsite and used at Livermore Lab.

In addition to toxic substance information, the SEM website contains information regarding confirmed causal links between certain toxic substance exposures and certain diseases or health effects. The new information is now available to the public at <http://www.sem.dol.gov>.

Rachel Leiton, director of DOL's Office of Workers' Compensation Programs Division of Energy Employees Occupational Illness Compensation, said, "The expanded information shows the SEM data organized in the same format as it is for this division's claims examiners."

The SEM website also provides a users' guide to assist the public with navigation of this new and improved resource. The guide is available at:  
<http://www.sem.dol.gov/expanded/help.cfm>.

Part E of the EEOICPA provides federal compensation and medical benefits to DOE contractors and subcontractors who worked at certain DOE facilities and sustained an

occupational illness as a result of exposure to toxic substances. Certain survivors of these workers are also eligible for benefits.

Following the enactment of Part E in 2004, the Labor Department launched an effort to create the SEM database to assist claimants in substantiating their Part E claims. The Labor Department continues to expand the SEM database as new information is received and claims that it is always interested in obtaining new information to supplement and enhance the SEM database.

Because the data used to establish exposures at Livermore

Lab has remained classified until now, claimants struggled in their ability to challenge a Part E denial and were largely prevented from supplementing or enhancing the SEM, given that they could not view what data was there.

Finally, individuals can send information or comments to supplement the SEM data by completing a form provided on the DOL website, sending an e-mail to [info@dol-sem-public.com](mailto:info@dol-sem-public.com) or sending written correspondence to:

*SEM Administrator, P.O. Box 1375,  
Hilliard, OH 43026-1375.*

If you are a former Livermore Lab employee and have been denied for benefits under Part E (which covers exposure to toxic chemicals, not radiation), you should take a look at the SEM for Livermore, request that it be supplemented and reopen your claim with the new information.

## Do You Know a Sick Worker Who Needs Help?

If you are receiving this newsletter, you likely know more about the Energy Employee Occupational Illness Compensation Program Act than you would like to. However, I am repeatedly surprised with how many former Energy employees in this community are completely unaware of the program.

Applying for benefits from the Act can be an overwhelming and complicated process.

If you or someone you know needs help with their existing claim, starting a claim, or appealing a claim, send them my way and I can offer advice and suggestions, or completely handle their claim as an Authorized Representative. Contact me at (925) 443-7149 or via email at:

[scott@trivalleycares.org](mailto:scott@trivalleycares.org)

**Save the date:  
The Next Sick  
Worker  
Support Group  
Meeting is May  
3<sup>rd</sup>, 2011.**



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## **The Department of Energy Requests Information and Comments on Issues Related to its Current Chronic Beryllium Disease Prevention Program**

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Livermore Lab has a long history of beryllium use because of the element's broad application to many nuclear operations and processes. Beryllium metal and ceramics are used in nuclear weapons as nuclear reactor moderators or reflectors and as nuclear reactor fuel element cladding. At Livermore Lab, beryllium operations have historically included foundry (melting and molding), grinding, and machine tooling of parts.

Inhalation of beryllium particles may cause chronic beryllium disease (CBD) and beryllium sensitization. CBD is a chronic, often debilitating, and sometimes fatal lung condition. Beryllium sensitization is a condition in which a person's immune system becomes highly responsive (allergic) to the presence of beryllium in the body. There has long been scientific consensus that exposure to airborne beryllium is the only cause of CBD.

On December 3, 1998, DOE published a notice of proposed rulemaking (NPR) to establish a Chronic Beryllium Disease Prevention Program (CBDPP). After considering the comments received, DOE published its final rule establishing CBDPP on December 8, 1999. At that time, DOE sought to reduce the number of workers exposed to beryllium in the course of their work at Livermore Lab and other DOE facilities; to minimize the levels of, and potential for, exposure to beryllium; and to establish medical surveillance requirements to ensure early detection of the disease. DOE now has nearly 10 years of job, exposure, and health data, as well as experience implementing the rule, since CBDPP was fully implemented in January 2002. In addition, new research related to CBD has been published in the years since 1999.

Currently, the Department is considering establishing new requirements in several sections of the CBDPP rule. DOE is gathering data, views, and other relevant information to develop a revised standard for CBDPP at its facilities. The Department urges those individuals interested in this issue to provide responses to the questions.

As many of you know, beryllium exposures at Livermore Lab have been numerous and are ongoing. As recently as last year there were "accidents" where workers were exposed despite implementation of the CBDPP. Tri-Valley CAREs plans to submit comments to the rule, but your experience as a former Livermore Lab employee is far more valuable as you know the real shortcomings of the CBDPP and how it can be improved.

There are eleven specific questions that the DOE seeks input on. The questions ask for your input on: permissible exposure limits for beryllium; whether there should be "airborne action limits;" the use of wet wipes rather than dry wipes for surface monitoring; how current wipe sampling protocols aid exposure assessments and the protection of beryllium workers; the reliability and accuracy of current sampling and analytical methods for beryllium wipe samples; the best method for sampling and analyzing inhalable beryllium; total fraction exposure data compared to inhalable fraction exposure measurements; whether surface area action levels should be established; whether warning labels should be required for the transfer of items containing Beryllium; whether both surface level and aggressive air sampling criteria should be used for releasing areas in a facility; and, whether the worker's consent should be required for medical removal, or should medical removal be mandatory.

All comments on these issues must be received by the DOE by February 22, 2011.

Comments may be submitted by hardcopy or by e-mail. Hardcopies (2 copies) sent by regular mailing should be addressed to: *Jacqueline D. Rogers, Office of Worker Safety and Health Policy, Office of Health, Safety and Security, U.S. Department of Energy, Docket No. HS-RM-10-CBDPP, 1000 Independence Avenue, SW., Washington, DC 20585.*

Electronic submissions may be sent to [jackie.rogers@hq.doe.gov](mailto:jackie.rogers@hq.doe.gov).

For more information contact us at Tri-Valley CAREs or check out the federal register website: <http://www.federalregister.gov/articles/2010/12/23/2010-32258/chronic-beryllium-disease-prevention-program#addresses>