

**BROOKHAVEN**  
NATIONAL LABORATORY

Building 490  
P.O. Box 5000  
Upton, NY 11973-5000  
Phone 631 344-3666  
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managed by Brookhaven Science Associates  
for the U.S. Department of Energy

March 26, 2010

Dear Brookhaven Lab (BNL) Employees and Retirees,

This is a follow up to a letter that I sent you on October 8, 2009 on behalf of BNL to make you aware of a federally-sponsored compensation program that you or someone you know may be eligible for: This program, the Energy Employees Occupational Illness Compensation Program (EEOICPA) is administered by the U.S. Department of Labor (DOL) and provides compensation and medical benefits to current and former employees who have developed cancer or other illnesses as a result of work at a DOE facility, including BNL. Certain survivors' benefits are also available to next-of-kin if the affected worker has died.

Since October 8<sup>th</sup>, there has been an important change in EEOICPA. At the request of EEOICPA, the National Institutes of Occupational Safety and Health (NIOSH) did a survey of available radiation records at BNL and found gaps in certain types of pre-1980 records. These gaps might make it difficult for DOL to accurately estimate the total radiation dose a BNL worker with cancer had received, and so might result in the incorrect rejection of a valid cancer claim. To make up for these gaps, the Department of Health and Human Services recently designated a special class of workers as part of EEOICPA. This "Special Exposure Cohort" ("SEC") covers workers who worked at BNL for at least 250 days prior to 1980 and who developed one or more of the 22 radiation-associated cancers listed on the back of this letter. Claimants who qualify for this SEC (workers or their survivors) will now benefit from a streamlined EEOICPA claims review process that does not depend upon an accurate estimate of the worker's total radiation dose.

You can learn more about the program and obtain application forms and instructions by visiting <http://www.dol.gov/owcp/energy>. You can also apply for compensation, or obtain further information, by contacting the program's New York Resource Center at (800) 941-3943 or (716) 832-6200, or by e-mailing: [newyork.center@rrochio.com](mailto:newyork.center@rrochio.com).

Note that you do not need to request your records from BNL. DOL will make this request on your behalf after receiving your application.

Sincerely,



Joseph Falco, M.D., MPH  
BNL Point-of-Contact for EEOICPA  
Manager, Occupational Medicine Clinic

## **List of Qualifying Cancers for the Special Exposure Cohort (SEC)**

In addition to having worked for a specified period of time at one of the SEC work sites, to qualify for compensation, a covered employee must also have at least one of the following types of cancer:

- **Bone cancer**
  
- **Renal cancers**
  
- **Leukemia (other than chronic lymphocytic leukemia) provided the onset of the disease was at least two years after first exposure**
  
- **Lung cancer (other than in-situ lung cancer that is discovered during or after a post-mortem exam)**
  
- **The following diseases, provided onset was at least five years after first exposure:**
  - **Multiple Myeloma**
  - **Lymphomas (other than Hodgkin's disease)**
  - **Primary cancer of the:**
    - **Bile ducts**
    - **Brain**
    - **Breast (female)**
    - **Breast (male)**
    - **Colon**
    - **Esophagus**
    - **Gall bladder**
    - **Liver (except if cirrhosis or hepatitis B is indicated)**
    - **Ovary**
    - **Pancreas**
    - **Pharynx**
    - **Salivary gland**
    - **Small intestine**
    - **Stomach**
    - **Thyroid**
    - **Urinary bladder**

**ATTENTION CURRENT & FORMER WORKERS OF:  
BROOKHAVEN NATIONAL LABORATORY,  
LOCATED IN UPTON NEW YORK**

**You may be eligible for financial  
COMPENSATION AND MEDICAL BENEFITS**

**If you were employed at  
BROOKHAVEN NATIONAL LABORATORY  
From 1947 to PRESENT**

**and**

**If you have ever suffered from:**

**CANCER**

**BERYLLIUM DISEASE**

**OR ANY OTHER ILLNESS RESULTING  
FROM A TOXIC SUBSTANCE EXPOSURE**

**THE ENERGY EMPLOYEES OCCUPATIONAL  
ILLNESS COMPENSATION PROGRAM (EEOICP):**

- \* PROVIDES \$150,000 IN LUMP SUM FEDERAL  
COMPENSATION AS WELL AS RELATED MEDICAL  
EXPENSES TO WORKERS WHO CONTRACTED CERTAIN  
DISEASES AS A RESULT OF EXPOSURE TO RADIATION,  
BERYLLIUM, OR OTHER TOXIC SUBSTANCES WHILE  
WORKING FOR THE DEPARTMENT OF ENERGY, ITS  
CONTRACTORS OR SUBCONTRACTORS IN THE  
NUCLEAR WEAPONS INDUSTRY.**
- \* PROVIDES BENEFITS TO QUALIFIED SURVIVORS OF  
DECEASED EMPLOYEES.**



**U. S. Department of Labor  
Energy Employees Compensation Resource Center  
Toll Free: 1-800-941-3943**

**6000 North Bailey Avenue, Suite 2A, Box #2  
Amherst, New York 14226**

**Phone (716) 832-6200  
Fax (716) 832-6638**



# Benefits under the Energy Employees Occupational Illness Compensation Program Act (EEOICPA)

The Energy Employees Occupational Illness Compensation Program Act (EEOICPA) provides compensation and medical benefits to employees who became ill as a result of working in the atomic weapons industry. The EEOICPA also offers benefits to their survivors. Workers who developed certain illnesses as a result of work performed in the production and testing of nuclear weapons while they were employees of the Department of Energy (DOE), its predecessor agencies, or its contractors and subcontractors, are eligible for benefits. Employees of DOE designated Atomic Weapons Employers (AWE) and beryllium vendors are also eligible for compensation.

## PART B

Part B covers current or former workers who have been diagnosed with cancers, beryllium diseases, or silicosis, whose illness(es) was caused by exposure to radiation, beryllium or silica while working directly for DOE, DOE contractors or subcontractors, a designated AWE or beryllium vendor.

If a worker (or qualified survivor) is eligible for Part B compensation under the EEOICPA, the following benefits are available:

- Up to \$150,000 lump sum payment;
- Paid medical expenses (from the filing date) for employees with radiogenic cancers, chronic beryllium disease, or chronic silicosis;
- Medical monitoring for employees diagnosed with beryllium sensitivity;

## PART E

Part E provides coverage to DOE contractor and subcontractor employees who developed any illness, including cancer, beryllium disease, and silicosis, as a result of occupational exposure to any toxic substances at a covered DOE facility.

The maximum compensation amount is \$250,000 for all Part E claims related to an individual employee, but medical benefits are provided in addition to—and are not included in calculating—the maximum compensation amount. When an employee of a DOE contractor or subcontractor, or an eligible RECA claimant, qualifies for Part E compensation under the EEOICPA, the following benefits are available:

- Payment for wage loss;
- Impairment awards for employees;
- Paid medical expenses (from the filing date) for employees with illnesses covered under Part E;
- \$125,000 lump sum survivor benefit when the covered illness aggravated, contributed to, or caused employee's death; and
- Up to \$50,000 wage loss survivor compensation.

In some cases, employees, or their survivors, are eligible for compensation from both programs.

For more information or to file a claim call:

New York Resource Center  
1-800-941-3943

## Survivor definition

The criteria for establishing survivor eligibility differ between Parts B and E under the Act.

## Eligible survivors under Part B

Under Part B, survivor eligibility is determined at the time of compensation payment. In the event of a covered employee's death, the worker's survivors may be eligible for benefits under Part B of the EEOICPA.

- Eligible spouse (when married to the covered worker for at least one year immediately prior to the employee's death)
- Children (if there is no surviving spouse)
- Parents (when there is no surviving spouse or child)
- Grandchildren (when there are no preceding survivors)
- Grandparents (when there are no preceding survivors)

## Eligible survivors under Part E

Survivorship under Part E is determined at the time of the covered employee's death. After a covered employee's death, certain survivors may be eligible for benefits under Part E of the EEOICPA.

- Eligible spouse (married to the covered employee for at least one year immediately prior to the employee's death)
- Children (if there is no surviving spouse) — under 18
- under 23 and a full-time student
- any age if incapable of self support

For additional EEOICP facilities go to:

[www.hss.energy.gov/healthsafety/fwsp/advocacy](http://www.hss.energy.gov/healthsafety/fwsp/advocacy)

## Benefits under the Energy Employees Occupational Illness Compensation Program Act (EEOICPA)

The Energy Employees Occupational Illness Compensation Program Act (EEOICPA) provides compensation and medical benefits to employees who became ill as a result of working in the atomic weapons industry. The EEOICPA also offers benefits to their survivors. Workers who developed certain illnesses as a result of work performed in the production and testing of nuclear weapons while they were employees of the Department of Energy (DOE), its predecessor agencies, or its contractors and subcontractors, are eligible for benefits. Employees of DOE designated Atomic Weapons Employers (AWE) and beryllium vendors are also eligible for compensation.

### Benefit eligibility

There are two different benefit programs—Part B and Part E. In some cases, employees, or their survivors, are eligible for compensation from both programs.

### PART B

Part B covers current or former workers who have been diagnosed with cancers, beryllium diseases, or silicosis, whose illness(es) was caused by exposure to radiation, beryllium or silica while working directly for DOE, DOE contractors or subcontractors, a designated AWE or beryllium vendor. Under Part B, silicosis is only covered for employees who

worked during mining of atomic weapon test tunnels in Nevada or Alaska.

If a worker (or qualified survivor) is eligible for Part B compensation under the EEOICPA, the following benefits are available:

- Up to \$150,000 lump sum payment;
- Paid medical expenses (from the filing date of the claim but no earlier than July 31, 2001) for employees with radiogenic cancers, chronic beryllium disease, or chronic silicosis;
- Medical monitoring for employees diagnosed with beryllium sensitivity;
- Up to \$50,000 lump sum payment for uranium miners, millers, and ore transporters (or their eligible survivors) who have been awarded compensation under Section 5 of the Radiation Exposure Compensation Act (RECA); and
- Paid medical expenses for conditions accepted under RECA for uranium miners, millers, and ore transporters who were awarded compensation under Section 5 of the RECA.

### PART E

Part E provides coverage to DOE contractor and subcontractor employees who developed any illness, including cancer, beryllium disease, and silicosis, as a result of occupational exposure to any toxic substances at a covered DOE facility.

Section 5 uranium miners, millers, and ore transporters (or their eligible survivors); and certain Section 4 RECA individuals may be eligible for benefits under the EEOICPA under both Part B and Part E.

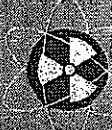
The maximum compensation amount is \$250,000 for all Part E claims related to an individual employee, but medical benefits are provided in addition to—and are not included in calculating—the maximum compensation amount. When an employee of a DOE contractor or subcontractor, or an eligible RECA claimant, qualifies for Part E compensation under the EEOICPA, the following benefits are available:

- Payment for wage loss;
- Impairment awards for employees;
- Paid medical expenses (from the filing date of the claim but no earlier than October 30, 2000) for employees with illnesses covered under Part E;
- \$125,000 lump sum survivor benefit when the covered illness aggravated, contributed to, or caused employee's death; and
- Up to \$50,000 wage loss survivor compensation.

# Benefit Information

for

## Atomic Weapons Industry Workers and Their Survivors



# HEOICPA

**U.S. DEPARTMENT OF LABOR**  
Employment Standards Administration  
Office of Workers' Compensation Programs  
Division of Energy Employees Occupational Illness Compensation  
Washington, D.C. 20210

**Address Correction Required**

### Survivor definition

The criteria for establishing survivor eligibility differ between Parts B and E under the Act.

#### Eligible survivors under Part B

Under Part B, survivor eligibility is determined at the time of compensation payment. In the event of a covered employee's death, the worker's survivors may be eligible for benefits under Part B of the HEOICPA.

- Eligible spouse (when married to the covered worker for at least one year immediately prior to the employee's death)
- Children (if there is no surviving spouse)
- Parents (when there is no surviving spouse or child)
- Grandchildren (when there are no preceding survivors)
- Grandparents (when there are no preceding survivors)

#### Eligible survivors under Part E

Survivorship under Part E is determined at the time of the covered employee's death. After a covered employee's death, certain survivors may be eligible for benefits under Part E of the HEOICPA.

- Eligible spouse (married to the covered employee for at least one year immediately prior to the employee's death)
- Children (if there is no surviving spouse)
  - under 18
  - under 23 and a full-time student
  - any age if incapable of self support

**New York Energy Compensation  
Resource Center**  
6000 N. Bailey Ave.  
Suite 2A, Box 2  
Amherst, NY 14226

**Toll Free: 1-800-941-3943**



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Employment Standards Administration  
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