

# HANFORD ADVISORY BOARD

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Department of Health

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Dave Brockman, Manager  
U.S. Department of Energy, Richland Operations  
P.O. Box 550 (A7-50)  
Richland, WA 99352

Shirley Olinger, Manager  
U.S. Department of Energy, Office of River Protection  
P.O. Box 450 (H6-60)  
Richland, WA 99352

Re: Workers Compensation Regarding Beryllium Disease

Dear Mr. Brockman and Ms. Olinger,

## Background

Beryllium represents a very serious potential risk to many Hanford employees often without their knowledge. When certain sensitive individuals are exposed to even minute amounts of inhaled beryllium, they are at considerable risk of becoming beryllium sensitized and contracting a potentially fatal granulomatous lung disease called chronic beryllium disease (CBD) and an increased risk of developing lung cancer.

Both Worker Compensation Laws and the Energy Employees Occupational Illness Compensation Program Act (EEOICPA) compensate employees if they have CBD. The U.S. Department of Labor (DOL) is the agency in charge. Affected employees are also entitled to obtain workers' compensation through the U.S. Department of Energy's (DOE) third party administrator for industrial accidents, Contract Claim Services Incorporated/Labor and Industry (CCSI/L&I). Hanford workers are provided free evaluations through AdvancedMed Hanford if they test positive. Most employees take the sensitization blood test as a simple procedure with no issues.

There is a particularly difficult transition period when a sensitized employee is evolving to a full blown CBD case. Currently, these transitional sensitized employees have to prove they are impacted by satisfying the criteria of CBD.

DOL's CBD criteria are conservative. All criteria must be satisfied, not two out of three. The differences in criteria for CBD between the DOL and National Jewish Medical and Research Center further complicate the diagnosis for CBD. Testing for beryllium reaction by injecting under the skin was finally determined to be a risk. There is evidence that steroids taken to mitigate CBD symptoms may interfere with the sensitization test. Testing, such as Lung Lavage Biopsies, is very intrusive. Once patients are diagnosed with CBD, certain doctors are reluctant to take them on for the fees allowed by the DOL. Apparently there is no local CBD specialist physician in the Tri-Cities.

DOE's CCSI/L&I third party compensation process is designed for standard industrial accidents, but may need to be re-examined for CBD due to the lifetime nature of this incurable disease.

### **Advice**

DOE should improve the processes and support the affected Hanford workers, including advocacy for fair compensation. DOE should assume a leadership role beyond their organization to help the Hanford workers:

- a. Lead a program to educate the local medical community as to the potential risk and expected symptoms. This program could be done via Continuing Medical Education (CME), perhaps through the Benton Franklin Medical Society and the Benton Franklin County Public Health Department.
- b. Encourage the University of Washington, National Jewish Medical and Research Center, or other institutions to improve the beryllium sensitivity test, (e.g. using a smaller blood sample), and to improve the pre-sensitivity detection using blood genetic markers.
- c. Interface with DOL as an advocate for current sensitized employees. Review DOL CBD criteria and conduct a lessons-learned from the current sensitized employees on their experiences with the process to obtain compensation from the relief funds as defined by the (EEOICP).
- d. Review the process to obtain compensation currently in place in CCSI/L&I to determine if it is tailored to deal with the special long-term nature of CBD. End the practice of requiring multiple medical exams to receive workers compensation after a worker is already diagnosed under DOE's beryllium program at the nation's leading beryllium medical centers.

Sincerely,



Susan Leckband, Chair  
Hanford Advisory Board

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*This advice represents Board consensus for this specific topic. It should not be taken out of context to extrapolate Board agreement on other subject matters.*

cc: Michelle Pirzadeh, U.S. Environmental Protection Agency, Region 10  
Jay Manning, Washington State Department of Ecology  
Doug Shoop, Co-Deputy Designated Federal Official, U.S. Department of Energy, Richland Operations Office  
Steve Pfaff, Co-Deputy Designated Federal Official, U.S. Department of Energy, Office of River Protection  
Richard Campbell, Environmental Protection Agency  
Jane Hedges, Washington State Department of Ecology  
Catherine Brennan, U.S. Department of Energy Headquarters  
The Oregon and Washington Congressional Delegations  
Senator Mark Udall, Colorado  
Dr. Tim Takaro, Simon Fraser University