



## U.S. Department of Labor Energy Employees Occupational Illness Compensation Program

This is to notify former employees of the **Ames Laboratory** in Ames, Iowa of federal benefits provided under the Energy Employees Occupational Illness Compensation Program Act (EEOICPA or Act). The EEOICPA provides compensation and medical benefits to workers who became ill as result of their employment at a Department of Energy (DOE) facility.

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**, enacted by Congress on July 31, 2001, compensates current or former employees of DOE, its predecessor agencies, and certain vendors, contractors and subcontractors of DOE. To be eligible, an employee must have sustained a radiogenic cancer, beryllium sensitivity, chronic beryllium disease or chronic silicosis as a result of exposure to radiation, beryllium, or silica while employed at a covered facility. An employee who qualifies for benefits under Part B may receive a lump-sum payment of up to \$150,000 plus medical expenses related to the accepted occupational condition. Qualified survivors are also eligible for the lump sum compensation.

**Part E**, enacted by Congress on October 28, 2004, compensates employees who worked for DOE contractors or subcontractors. To be eligible under Part E, it must be established that exposure to a toxic substance was at least as likely as not a contributing factor in causing, contributing to, or aggravating an employee's illness and/or death. Part E grants compensation based on a covered employee's level of impairment and/or years of qualifying wage loss, and provides medical expenses related to the covered illness if the employee developed an illness because of exposure to toxic substances (e.g., radiation, chemicals, biological substances, solvents, acids, metals, etc). Eligible survivors may also receive compensation. If a claim is accepted under Part B, and the employee is also a covered employee under Part E, a presumption is made that the medical condition accepted under Part B is also accepted under Part E.

Former Ames Laboratory employees are also impacted by the designation of the following class of employees as a **Special Exposure Cohort (SEC)** under the Act:

- All U.S. DOE employees, its predecessor agencies, and their contractors and subcontractors who worked in any area of the Ames Laboratory in Ames, Iowa during the period from August 13, 1942 through December 31, 1989, for at least 250 work days, occurring either solely under this employment or in combination with work days within parameters established for one or more other classes of employees in the SEC.

Under the Act, Congress established the SEC to allow eligible cancer claims to be compensated without the completion of a radiation dose reconstruction or a determination of the probability of causation. In other words, there is a presumption that the cancer is related to work at the facility. To qualify for compensation under the SEC, a covered employee must have been diagnosed with a "specified cancer(s)"

as defined in the governing regulations and must have worked for a specified period of time at an SEC facility. **Specified cancers include:**

- a. Leukemia. [Chronic lymphocytic leukemia (CLL) is excluded]. The onset is to have occurred at least two years after initial exposure at any covered facility during a covered time period.
- b. Primary or Secondary Lung Cancer. (In situ lung cancer that is discovered during or after a post-mortem exam is excluded.)
- c. Primary or Secondary Bone Cancer. This includes myelodysplastic syndrome, myelofibrosis with myeloid metaplasia, essential thrombocytosis or essential thrombocythemia, and primary polycythemia vera (also called polycythemia rubra vera, P. vera, primary polycythemia, proliferative polycythemia, spent-phase polycythemia, or primary erythremia). (Note: Cancer of the hard palate is not bone cancer.)
- d. Primary or Secondary Renal Cancers.
- e. For the following cancers, onset must have been at least five years after initial exposure at any covered facility during a covered time period:
  - (1) Multiple myeloma
  - (2) Lymphomas (other than Hodgkin's disease). Waldenstrom's macroglobulinemia is considered to be a type of non-Hodgkin's lymphoma.
  - (3) Primary cancer of the:
    - (a) Thyroid;
    - (b) Male or female breast;
    - (c) Esophagus;
    - (d) Stomach;
    - (e) Pharynx – The pharynx has 3 parts - nasopharynx, oropharynx and hypopharynx. (The oropharynx includes the soft palate, the base of the tongue, and the tonsils);
    - (f) Small intestine;
    - (g) Pancreas;
    - (h) Bile ducts (includes Ampulla of Vater, a/k/a hepatopancreatic ampulla);
    - (i) Gallbladder;
    - (j) Salivary gland;
    - (k) Urinary bladder;
    - (l) Brain (malignancies only).
    - (m) Colon (includes rectum and appendix);
    - (n) Ovary;
    - (o) Liver (except if cirrhosis or hepatitis B is indicated);

Any cancer not listed above that has metastasized to the bone, kidney or lung may be reviewed under the SEC. Due to the new SEC class, a claim may be re-filed if it was previously denied because the radiation dose reconstruction determined the probability of causation was less than 50%. Please note that any type of cancer can potentially be covered outside of the SEC provisions and under Part E.

If you believe that you or a family member may be eligible for benefits under the EEOICPA, please contact the DOL Denver Resource Center toll free at **1-866-540-4977**. The Resource Center will provide additional information regarding the Act and will assist you with filing a claim.

[www.dol.gov/owcp/energy](http://www.dol.gov/owcp/energy)

<https://www.dol.gov/owcp/energy/regs/compliance/brochure/benefitsbrochure.pdf>

[https://www.dol.gov/owcp/energy/regs/compliance/law/SEC-Employees.htm#cancer\\_list](https://www.dol.gov/owcp/energy/regs/compliance/law/SEC-Employees.htm#cancer_list)