



EEOICPA BULLETIN No. 2004. 10
Office of Worker Advocacy Procedure Manual
Energy Employees Occupational Illness Compensation Program Act

Effective Date: April 30, 2004

Originator: Josh Silverman, Program Manager Approved by: Tom Rollow, Director, OWA

Subject: Portsmouth and Paducah Toxic Exposure Data Excluded After July 28, 1998

Applicable OWA Procedure: Section 5 - Case Management

This Bulletin will remain in effect until incorporated into the OWA Procedure Manual.

Description of Change:

This Bulletin establishes that OWA Case Management staff dealing with cases for Paducah and Portsmouth Gaseous Diffusion Plant employees must not use any radiological, industrial hygiene, or other facility exposure data covering eligible employees dated on or after July 28, 1998.

Reasons for Change:

To acknowledge that Paducah and Portsmouth ceased to be eligible DOE facilities on July 28, 1998. On that date, the lessee, the United States Enrichment Corporation (USEC), became a private independent corporation. USEC previously had been a government-owned corporation formed under the Energy Policy Act of 1992.

Definitions:

Department of Energy facility: means any building, structure, or premise, including grounds upon which such building, structure, or premise is located (A) in which operations are, or have been conducted by, or on behalf of, the Department of Energy, and (B) with regard to which the Department of Energy has or had (i) a proprietary interest; or (ii) entered into a contract with an entity to provide management and operation, management and integration, environmental remediation services, construction, or maintenance services. [From EEOICPA Statutes, § 3621 (12)]

Action:

Add new Section 7, Ineligible Facilities:

7. **Ineligible Facilities.** The Paducah and Portsmouth Gaseous Diffusion Plants ceased to be eligible DOE facilities on July 28, 1998, when the United States Enrichment Corporation (USEC), as lessee at those facilities, became a private independent corporation. USEC previously had been a government-owned corporation formed under the Energy Policy Act of 1992. Accordingly, for any future cases, the OWA Case Management staff must not use any radiological, industrial hygiene, or other facility exposure data covering eligible employees at Paducah and Portsmouth dated on or after July 28, 1998. Note that personnel or medical data after July 28, 1998, which may be of assistance to Physician Panels, may be used. All current Paducah and Portsmouth cases under case management are to be reviewed to retroactively eliminate any facility exposure data dated on or after July 28, 1998.