

TESTIMONY OF CARL HARTLY

ON

**THE DEPARTMENT OF ENERGY'S PROPOSED RULE
"GUIDELINES FOR PHYSICIAN PANEL
DETERMINATIONS OF WORKER REQUESTS FOR
ASSISTANCE IN
FILING FOR STATE WORKERS' COMPENSATION
BENEFITS"**

RADISSON HOTEL CINCINNATI AIRPORT

OCTOBER 25, 2001

CARL HARTLY

My name is Carl Hartley. I was hired in August 1974 as a uranium material handler. My training consisted of 30 days of classroom training and an additional 30 days of on the job training.

Some of the jobs I performed consisted of mixing, weighing, and packaging oxides. Sampling of highly enriched uranium that was identified as reactor refeed material. It was later determined that this material contained traces of plutonium.

This material was in a liquid state and it contained different residues that caused the bellows in sampling valves to fail resulting in a release of airborne radioactive contamination. My personal protective equipment consisted of a World War II army assault mask that was not designed to protect me from exposure to radioactive material.

For many years, I have served as a member of the plant emergency response team. Now when I respond to a release of material I am required to wear a fully encapsulated suit with an air bottle to protect me from unknown hazards.

I am also a former Secretary/Treasurer of the Atomic Energy Workers Council. This is an industry council that was created by the Oil Chemical and Atomic workers International Union to address issues affecting nuclear workers. During one of the Council's meetings, before this legislation was passed, several legislators and government bureaucrats spoke to the delegates warning us that DOE will require us to produce dose records to win a claim and more likely than not you don't have accurate records. Over the years our exposure records have been lost, destroyed or altered and some of our dose monitoring badges were run through a chipper and destroyed.

The legislators intent was to create a uniform system of compensation and not an administrative nightmare of 50 states imposing 50 different interpretations. The "Cold War Veterans" were working for the federal government when they were unknowingly exposed and it is the federal governments responsibility to see that the workers receive a fair and meaningful compensation without trying to reconstruct dose records that do not exist. It can be as simple as doe directing their contractors to pay these claims. Many of these workers will die while their claim is being screened panel to panel. I encourage the Department of Energy to comply with the original intent of the workers health care legislation to ease the suffering of these heroes and their families. Being an employee at one of these former nuclear defense sites should be sufficient proof for any claim.