

United States Senate

WASHINGTON, DC 20510

November 7, 2016

The Honorable Thomas E. Perez
Secretary
U.S. Department of Labor
200 Constitution Avenue Northwest
Washington, D.C. 20210

Dear Secretary Perez:

We write to request your assistance in ensuring the workforce at the Hanford Nuclear Reservation (Hanford), located in the Tri-Cities of Washington state, receive the health care and benefits they have earned through their dedicated service to the United States. More specifically, we would like your help in addressing worker concerns with chemical vapor exposures at or near the Hanford tank farms. The U.S. Department of Labor (DOL), through the Energy Employees Occupational Illness Compensation Program Act (EEOICPA), plays an important role in keeping the federal government's promise to former and current Hanford employees.

The Hanford workforce and their families made sacrifices to help America win World War II and the Cold War. Since the late 1980s employees have been working to clean up millions of gallons of liquid radioactive waste, thousands of tons of spent nuclear fuel, large volumes of transuranic and mixed/low level waste, huge volumes of contaminated soil and groundwater, and thousands of excess facilities at Hanford. We have seen firsthand the difficulties and hazards this cleanup mission presents at Hanford, which is the most contaminated nuclear waste site in the country.

One of the most challenging portions of this cleanup work is the approximately 55 million gallons of liquid radioactive waste stored in 177 underground tanks. Chemicals in this waste create vapors that are released into the atmosphere ensuring the waste inside the tanks remains stable. In 2014, an independent review by the Savannah River National Laboratory (SRNL) of chemical vapor exposures in or near tank farms at Hanford found that there was a "causal link between chemical vapor releases and subsequent health effects, particularly upper respiratory irritation, experienced by tank farm workers," that the "adverse health effects are likely caused by acute, transitory exposures to relatively high concentrations of chemicals," and that the industrial hygiene program in place to guard against exposures "is not designed to detect and is incapable of detecting and quantifying this type of transient exposure event" and "cannot adequately address the complex and episodic nature of the Hanford tank vapor incidents."¹

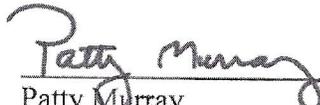
While the U.S. Department of Energy (DOE) has been working to fully implement the safety recommendations from SRNL's review, there have been additional chemical vapor exposures. DOE has initiated several new assessments to address chemical vapor exposures, including an ongoing workplace safety and health evaluation conducted by the National Institute for Occupational Safety and Health. At the same time, the use of supplied-air respirators has increased and evaluations and tests are being conducted on alternative chemical cartridges for respiratory protection, new chemical vapor monitoring, and detection equipment.

As DOE continues to address this workforce safety issue to protect the men and women who work in the tank farms from these hazards, the EEOICPA program is a critical resource for the employees who have experienced chemical vapor exposures. Congress enacted EEOICPA in recognition of the fact that former and current workers operate in extremely hazardous conditions with some of the most dangerous radioactive and chemical materials which put workers at risk of injury, illness, and even death. As such, Part E of EEOICPA provides workers' compensation and medical payments when exposure to toxic substances aggravated, contributed to, or caused the injury or illness.

We understand that DOL has developed resources for the Part E program to assist in evaluating the relationship between occupational exposure to toxic substances and diseases. Such actions have helped streamline the process in a positive manner and allowed claim examiners to promptly record links between exposure and disease. Given this history for the Part E program, is there any immediate action the Division of Energy Employees Occupational Illness Compensation (DEEOIC) could take to assist the Hanford employees who have experienced chemical vapor exposures? We believe swift action is consistent with EEOICPA's mission of providing compensation to workers in a fair and timely manner.

We want to thank you in advance for your attention to this important issue and look forward to hearing from you as soon as possible. We must ensure that workers continue to receive the health care and benefits they have earned through their dedicated service to the United States.

Sincerely,



Patty Murray
United States Senator



Maria Cantwell
United States Senator

¹ Savannah River National Laboratory, "Hanford Tank Vapor Assessment Report," pg. 13, 15, 17 (October 30, 2014).