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November 23, 2005

Peter M. Turcic, Director  
Division of Energy Employees Occupational  
Illness Compensation  
U.S. Department of Labor  
Room C-4511  
200 Constitution Avenue, N.W.  
Washington, D.C. 20210

Dear Mr. Turcic:

On behalf of the Secretary of the Department of Health and Human Services (HHS), and as required by 42 C.F.R. pt. 83.17(c), I am notifying you of the final effect of the HHS decision to designate a class of employees at the Mallinckrodt Chemical Company, Destrehan Street Plant, in Saint Louis, Missouri as an addition to the Special Exposure Cohort (SEC) under the Energy Employees Occupational Illness Compensation Program Act of 2000. On October 14, 2005, as provided for under 42 U.S.C. 7384q(b), the Secretary of HHS designated the following class of employees as an addition to the SEC:

Department of Energy (DOE) employees or DOE contractor or subcontractor employees who worked in the Uranium Division at the Destrehan Street Facility of Mallinckrodt Chemical Works from 1949 to 1957 and who were employed for a number of work days aggregating at least 250 work days, either solely under this employment or in combination with work days within the parameters (excluding aggregate work day requirements) established for other classes of employees included in the SEC.

This designation became effective on November 13, 2005, as provided for under 42 U.S.C. 7384l(14)(C). Hence, beginning on November 13, 2005, members of this class of employees, defined as reported in this notice, became members of the Special Exposure Cohort.

Pursuant to 42 C.F.R. pt. 83.16(b), the petitioners may contest the health endangerment determination by submitting a challenge in writing within 30 days of receiving notice of the HHS designation. The petitioners had through November 22, 2005 to submit this written challenge. HHS did not receive such a challenge.

Sincerely,

Larry J. Elliott, MSPH, CIH  
Director  
Office of Compensation  
Analysis and Support