ORIGINAL

U.S Department of Labor
DEEOIC, Final Adjudication Branch
Office of Workers' Compensation Programs
P.O. Box 77918
Washington, DC 20013-7918

Date June 4, 2009

Employee: Walter T. Keeling
File No.: 402244547

RE: CONFIRMATION OF WALTER KEELING PADUCAH SEC STATUS

To: Rachel P. Leiton, Director
Christy Long, Deputy Director
Michael A. Chance, Chief, Policy Branch
LuAnn Kressley, Chief, Final Adjudication Branch
Eugene Schwartz, M.D., Medical Director
Mr. Jeffrey Reeds, FAB Hearing Official

Dear Mr. Reeds and Ms.Leiton,

In addition to the "Declarations" I recently sent to you that confirmed the carpenter's hourly pay rate of approximately $2.50 per hour, I have now located a former Paducah Gaseous Diffusion Plant (PGDP) "electrician", Mr. Robert Flowers who was employed as an electrician at PGDP at or about the same time as Walter T. Keeling. Mr. Flowers recently held an informal Department of Labor (DOL) "Final Adjudication Branch (FAB) hearing on April 21, 2009 with the DOL hearing official Mr. Curtis Johnson.

During my conversation with Mr. Flowers at that time and after Mr. Durward Johnson's FAB hearing ended, Mr. Flowers provided me with his 1954 "electrician" hourly pay rate of approximately $2.50 per hour. By using Mr. Keeling's total wages earned during his employment at PGDP (per CES Exhibit 1- subcontractor's work sheet and Exhibit 2 – social security detail from 1951 through 1954) that equals $9,613.34 earned as a PGDP electrician and dividing the total earnings by the $2.50 /hourly "electrician" pay rate, **Mr. Keeling's total hours equal 3,845 total hours or 480.7 work days worked at the PGDP**. Since the Paducah "Special Exposure Cohort" (SEC) requires PGDP workers to work a minimum of 250 days, Mrs. Walter T. Keeling more than qualifies for the maximum compensation for her deceased husband for Parts B and E, since Mr. Keeling more than exceeded the minimum requirements of the Energy Employee Occupational Illness Program Act (EEOICPA), and as a result of his exposures in the workplace to

toxic chemicals and transuranics, died as a result of developing one of the EEOICPA "SEC" qualifying cancers.

I again contacted Mr. Flowers on Monday 6-1-09 and he also provided the name of "Brubaker Electrical", a PGDP subcontractor who **had not** been listed as working at PGDP, until now. Brubaker Electrical Company was most likely a local "lower tier" subcontractor (as will be confirmed through the DOE FOIA request filed on behalf of Paducah subcontractor workers on 6-3-09 (attached) who held a subcontract with other PGDP prime contractors performing work under F. H. McGraw's primary contract at the time. Since Rust Engineering and Raytheon Engineering Construction were both listed as contractors working at the AEC Oak Ridge plant and their names are listed on the DOE/ DOL "subcontractor work sheet" and Mr. Keeling worked for Raytheon as indicated by his social security records, Mr. Keeling's employment records clearly indicate he did, in fact, work for the DOE contractors who were paying him to perform his job as an electrician.

The production of PGDP construction reports and company records, including the "Declarations" from Mr. Robert Flowers and Don C. Vander Boegh, will confirm that subcontracting companies were omitted from DOE's list of PGDP companies performing work at the Paducah DOE site since the 1950's. Mr. Vander Boegh was the "Chief of the McGraw Guard" force/ FBI clearance investigator who also recalled "Brubaker's" PGDP site presence in the early 1950's.

In addition, I assume you were unaware that the DOE provided construction oversight for the PGDP project through the DOE Oak Ridge, Tennessee facility where Paducah employment and exposure records are currently in existence. These Paducah worker records maintained at the Oak Ridge, Tennessee facility will confirm that many subcontractors and their employees who were, in fact, performing work at the PGDP. With the public disclosure and release of these "subset of contractors records", claimants will finally be able to confirm their employment status at these DOE facilities.

"DOE FOIA Excerpt 6-03-09"

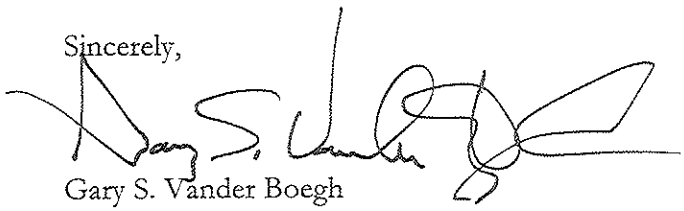
> "Please provide a list of DOE contracts (including subsets of records) that were performed by Rust Engineering and Raytheon Engineering and Constructors on behalf of DOE that were managed by DOE Oak Ridge program officials for the Paducah Gaseous Diffusion Plant site. Include the names, of all subcontractor workers that may have received training at the PGDP. Please redact the first 5 social security numbers and include training records, documents, and construction records maintained for subcontractors working for the above mentioned DOE contractors."

I have attached the "Declaration" statements for witnesses Robert Flowers and Don C. Vander Boegh. In addition, all updated information will be posted on the Commonwealth Environmental Services (CES) web site at www.commonwealthenvironmentalservices.com for your further review and consideration. With the "Disclosure" evidence and that already provided to the DOL, along with the newly discovered confirmation that Rust Engineering

and Raytheon Engineerng and Construction held DOE contracts at the PGDP and Oak Ridge Facility (to be confirmed by through the DOE Oak Ridge contract management), please let me know if you require any additional evidence prior to approving Mrs. Walter T. Keeling's Part B and E claims for compensation.

Please contact me at (270) 450-0850, if you have any further questions above.

Sincerely,



Gary S. Vander Boegh
"Authorized Representative"
Vice President- Commonwealth Environmental Services, LLC.

Attachment: 1/ Declaration of Robert Flowers
2/ Declaration of Don C. Vander Boegh
3/ DOE "Freedom of Information Act" request
4/ Subcontractor Worksheet
5/ John Poe History Affidavit
6/ Walter Keeling Social Security Earnings

VIA FACSIMILE (W/Attachments- CES Exhibit 1 and SS Records **_202-693-6111**
The Honorable Hilda Solis
Secretary of Labor
U.S. Department of Labor
200 Constitution Avenue, NW
Room S-2018
Washington, DC 20210

Senator Richard Durbin via facsimile (202) 228-0400
Senator Mitch McConnell via facsimile and email (202) 224-2499
Senator Jim Bunning via facsimile (202) 228-1373

Senator Harry Reid via facsimile (202) 224-7327
Senator Ted Kennedy via facsimile (202) 224-2417

Congresswoman Sheila Jackson Lee via facsimile (202) 225-3317
Congressman Ed Whitfield via facsimile (202) 225-3547
Congressman Bart Stupak via facsimile (202) 225-4744

#1

ORIGINAL

DECLARATION

Of

ROBERT FLOWERS

My name is Robert Flowers and I reside at 3810 Kelly Road, Kevil, Kentucky. I am a citizen of the United States. I worked as an electrician during the construction and early operation of the Atomic Energy Commission (AEC) Paducah Gaseous Diffusion Plant (PGDP). I started my employment at PGDP in the summer of 1952 between my junior and senior year in high school (from June to September) working as a truck driver for Johnson Services Automatic Control. After graduating from high school in June of 1953, I returned to work at the PGDP for Schulman Electric Company as an electrician apprentice earning approximately $2.42/ hr. I worked for Schulman Electric from September 1954 through 1954. My final hourly pay during at my termination was approximately $2.52/ hr. In July 1955 I worked for Griffin Electric of Owensboro, Kentucky. I returned to work at the PGDP in March 1976 for Commonwealth Electric Company (CES) located at 401 W. Carmel, Indiana 46032. My employment with CEC ended in July 1980.

During my employment at the PGDP I knew several workers that worked for subcontractors mentioned above, in addition to several subcontractors. Two additional

electrical subcontractors, that were working at the PGDP when I was employed as an electrician, were "Bagby Electric and Elevator" and "Brubaker Electric." One of the PGDP workers who worked for Brubaker Electric was Curley Norris who, as I understand, has since passed away.

Further affiant sayeth not.

Pursuant to 28 U.S.C. Section 1746, I, **Robert Flowers**, hereby swear, under penalty of perjury, that the foregoing statements are true and correct to the best of my information and belief.

Robert Flowers
Name

6-4-09
Date

#2

ORIGINAL

DECLARATION

of

DON C. VANDER BOEGH

My name is Don C. Vander Boegh Jr. and I reside at 4111 Hillcrest Ave. Paducah, Kentucky 42001. I am a citizen of the United States. I worked as an FBI security clearance investigator at the start of my employment in 1951 and was promoted to "Chief" of the McGraw guard force during the construction and early operation of the Paducah Gaseous Diffusion Plant (PGDP). At any one time during the period of my employment, I supervised approximately 300 guards and established/ enforced the security procedures for approximately 28,000 PGDP plant workers.

While performing my job duties and responsibilities at the PGDP, I recall several subcontractors that worked under the F.H McGraw and M.W. Kellogg contracts. One of these PGDP subcontractors was Brubaker Electric Company. Their workers were on site during the construction of the PGDP.

In the early 1960's I was the partner of West Kentucky Paving Company and paved roadways and parking lots at the PGDP. During that time, I employed approximately 15 to

6/4/09

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Appeals
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Environmental Management
FOIA Request Form
Frequently Requested Documents
Major Info Systems
Privacy
Procurement & Contracts
Reading Room
How do I... ?
Information Management
Online Resources
Policy/Guidance
Program Support
Project Management
Property Management
Contact Us

QUICK REFERENCE

Pandemic Flu Information
VISIT WEBSITE

Thank you!

Your Freedom of Information Act (FOIA) request has been sent to the Department o successfully.

#4

Subcontractor Worksheet

06/11/2007

Claim Number: 402-24-4547 ***Employee Name:*** Walter T. Keeling ***Occupation:*** ***Electrician***

Claimed Employment Dates	Claimed Covered Facility	Claimed Subcontractor				
01/1954-12/1954	ah Gaseous Diffusion	Schulman Electric			754.13	
1952-1954	Paducah Gaseous Di	Rust/Raytheon			8718.61	
1954	Paducah GDP	Donavan Kehne Foley			141.6	
1947-1952	Paduach GDP	Ill. Central RR				

Prepared by: Giorgio RaShadd

#6

SSA-1826 ITEMIZED STATEMENT OF EARNINGS JOB: 8015
VERSION 1984.002 * * * FOR SSN [redacted] * * *

FROM: SOCIAL SECURITY ADMINISTRATION
OFFICE OF CENTRAL OPERATIONS
300 N. GREENE STREET
BALTIMORE, MARYLAND 21290-0300

U.S. DEPARTMENT OF LABOR- DEEOIC

400 WEST BAY STREET
ROOM 722

JACKSONVILLE FL 32202

NUMBER HOLDER NAME:
WALTER T KEELING

PERIOD REQUESTED JULY 1951 THRU JUNE 1985

YEAR	JAN - MARCH	APRIL -JUNE	JULY - SEPT	OCT - DEC	TOTAL
EMPLOYER NUMBER: 23-1173910					
RAYTHEON ENGINEERS & CONSTRUCTORS INC					
% ALBERT A DIMILLO JR					
720 E PARK BLVD					
BOISE ID 83712-7714					
1952			509.25	2,055.78	$ 2,565.03
1953	1,664.20	1,219.01	716.79		$ 3,600.00
1954	792.08	1,444.30	317.20		$ 2,553.58
EMPLOYER NUMBER: 36-1744320					
2416 CORPORATION					
C P SCHWARTZ					
135 S LA SALLE ST					
CHICAGO IL 60603-0000					
1954	112.10		642.03		$ 754.13
EMPLOYER NUMBER: 61-0477794					
DONOVAN KEHNE FOLEY JOINT VENTURERS					
TA ATOMIC ENERGY COMM SITE					
PADUCAH KY 00000-0000					
1954		141.60			$ 141.60

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.25 =

1194.3

115, 2/07