



Los Alamos Los Alamos National Laboratory of the University of California
Los Alamos, New Mexico 87545

March 8, 1994

Mr. Michael Burkhart
Secretary of Health
Department of Health
1190 St. Francis Drive
Santa Fe, New Mexico
87503

Dear Mr. Burkhart:

I would like to take the opportunity to respond to issues you raised in your letter to Secretary O'Leary. I will also address issues you raised in a press release entitled "State Department of Health Asks DOE to Disclose All Radiation Incidents Affecting New Mexicans" on March 2, 1994 and in articles published in *The New Mexican* and the *Albuquerque Journal*.

You state in your letter to Secretary O'Leary that the study by the New Mexico Department of Health regarding the cancer incidence in Los Alamos County for the period of 1970-1990 "has already been compromised by lack of relevant data that was available but was not offered by Los Alamos National Laboratory representatives." We are not aware of any specific formal request for data from Los Alamos National Laboratory. Certainly, the release of Laboratory employees' exposure histories requires a formal request in writing because of the need to comply with the Privacy Act. We want to emphasize that we are now and have been in the past willing to cooperate with your studies in any way possible. Please specify what information you need from us.

We are aware of your request by phone on February 8, 1994, to the Human Studies Project Team for information related to human radiation studies at Los Alamos National Laboratory. Your call was promptly returned the next day by a technical member of our Human Studies Project Team. In that conversation, you requested the current bibliography of materials released to the Los Alamos Community Reading Room and the fact sheets developed by our team. These were mailed to you the following day. In your conversation, you said that you would have to review the bibliography and fact sheets before deciding what other information to request. Also in that conversation, we offered to help you in any way that we could. To date, the Human Studies Project Team has not received any further request from you or your office for additional information or documentation.

We also wish to respond to your statements quoted in the *Albuquerque Journal* on March 3, 1994 regarding your frustration with what you call "a slow and piecemeal release of information on human experimentation and radiation exposures at Los Alamos National Laboratory." Retrieving documentation from Los Alamos National Laboratory's archives on studies that occurred back as far as 1944 requires considerable time and effort by a number of our scientists. Our Human Studies Team attempts to release this information within a week of the time it is located, rather than to wait until we can assemble a complete picture on any of the human studies. Our team releases this information to the Community Reading Room in Los Alamos each Monday and sends a copy to DOE Albuquerque for them to release to their reading room at

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March 8, 1994

the Atomic Museum. We have released to date one hundred and ten (110) documents. Weekly we locate new documents, determine their relevance, and process them for release.

I would like you to know that we accept your offer for assistance. We would welcome you or a member of your staff on our team. Please contact Alan McMillan, the Team Leader for Human Studies Project Team, at 667-1948. In addition, Alan will coordinate your requests with the appropriate Laboratory organization to ensure you can obtain the information you are requesting.

Sincerely,



James F. Jackson
Deputy Director
Los Alamos National Laboratory

JFJ:vlc

Cy:
Secretary H. O'Leary, DOE
Governor B. King
B. Twining, DOE/AL
J. Bellows, DOE/LAAO
A. McMillan, ESH/HSPT, MS F690

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State: Lab 'compromised' Los Alamos cancer study

By KEITH EASTHOUSE
The New Mexican

New Mexico Health Department Secretary Michael Burkhart said Wednesday that a state study of cancer rates in Los Alamos has been "compromised" because Los Alamos National Laboratory officials failed to provide the state with information relevant to the study.

In a letter to Energy Secretary Hazel O'Leary, Burkhart said "we know now that the study has already been compromised by (a) lack of relevant data that was available but was not offered by LANL representatives."

Lab spokesman John Gustafson said that "the lab has cooperated completely with the state-led study."

The \$400,000 Health Department study, funded by the DOE, is in its fourth year. The Health Department is preparing to conduct a "case-control" study to investigate possible causes of a four-fold elevation in the rate of thyroid cancer in Los Alamos in the late 1980s and early 1990s.

Burkhart, in a telephone interview, identified three pieces of information that have been publicized in the press recently that he said are relevant to the Health Department's cancer study and should have been made available to the state.

Since 1959, the lab has measured plutonium levels in the body parts of 1,520 people in 27 states. The studies were part of an effort to determine how radioactive materials are deposited in

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CANCER

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the body and to help set safety standards for nuclear workers.

Gustafson said information about the lab's autopsy program has been in the published medical literature for years.

"Interested scientists should be aware of it," Gustafson said.

From 1944-1961, the lab conducted 254 tests that released radioactive lanthanum and trace amounts of radioactive strontium into the atmosphere.

Gustafson said the lab is calculating the radiation dose that would have been delivered to the public by these tests.

He said the tests, which were publicized in a laboratory news bulletin at one point, were no secret. He also said that people living in Los Alamos were well aware of them.

"The tests rattled windows," Gustafson said.

Last week, a scientist with the State Environment Department said it's likely that the Omega West nuclear reactor has been leaking tritium, a radioactive form of hydrogen, into the environment for years. The scientist said the leak went undetected because the lab did not keep track of how much water the reactor was using.

Gustafson noted that it was lab scientists who discovered evidence — a pool of tritium 350 feet underground — that suggests that the reactor may have been leaking for years.

That finding was discussed at a public meeting at the lab held two weeks ago.

Gustafson also noted that the laboratory, in a news release last fall, discussed the issue of tritium in groundwater beneath Los Alamos.

Burkhart said the information is relevant to the

state's investigation into cancer rates in Los Alamos in part because it provides evidence of radioactive contamination from lab activities. Radiation has been linked to some cancers, including thyroid cancer.

Burkhart said he was concerned there might be more information about radioactive exposures that the Health Department doesn't know about.

"This raises the question in my mind about what we don't know," Burkhart said.

Burkhart and Bill Athas, an epidemiologist with the Health Department, said the state is interested in learning more about leukemia death rate among white Los Alamos males in the 1950s that was almost seven times higher than the national average during that decade.

Because the elevation is confined to men, it raises the possibility that the cancer was caused by some sort of occupational exposure, Athas said.

In his letter to O'Leary, Burkhart called on the DOE to make available all information — whether classified or unclassified — that may relate to the study. More broadly, Burkhart asked O'Leary for "a full and complete accounting of all DOE records that may relate to radiation exposures of New Mexico citizens."

Burkhart said the Health Department wants to see such information so it can evaluate the extent of the health threat — if any — posed by such exposures.

"It is the department's duty to protect the health of New Mexicans and keep them informed of potential health threats," Burkhart said.

Burkhart requested that Health Department scientists receive clearances to review classified data.

O'Leary's office in Washington D.C. could not be reached for comment.

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Health Chief Wants LANL Files

'Blip' of Cancer Cases Worries Employees

By Rex Graham

JOURNAL STAFF WRITER

Frustrated by what he called a slow and "piecemeal" release of information on human experimentation and radiation exposures at Los Alamos National Laboratory, the state's top health official has asked to look through previously classified lab records.

Secretary of Health Michael J. Burkhart on Wednesday said he made the request out of a concern over a "big blip" of

leukemia cases in the 1960s in Los Alamos County.

However, state health figures released in 1992 showed a relatively low occurrence of leukemia in Los Alamos between 1970 and 1990.

Burkhart also said he wants to know why the thyroid-cancer rate in Los Alamos County is so much higher than expected.

According to figures released by the New Mexico Tumor Registry in 1992 following a study, the thyroid cancer rate in Los Alamos from 1980-90 was 9.8 cases per 100,000 people. The statewide rate during that period was 4.3 per 100,000.

"I have no idea why that is," Burkhart said in a telephone interview Wednesday. "I'm certainly not indicting LANL, but I'd

certainly like to have some information to find out what possibly might have contributed to that."

People in the state have telephoned or written the Department of Health out of fear that their cancers or other diseases may be linked to their employment at Los Alamos, Burkhart said.

"I'm very seriously considering opening up a hot line at the health department and developing a questionnaire that I can use so that I can start getting some information," Burkhart said.

Burkhart also issued a press release Wednesday announcing his intent to more aggressively obtain medical information.

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Health Chief Seeks Lab Records

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on New Mexicans from Los Alamos and DOE.

"I truly intend to escalate the intensity of what we think is information that the public has a right to know," Burkhart said during the interview.

In his Feb. 3 letter to U.S. Department of Energy Secretary Hazel O'Leary, Burkhart wrote: "I am requesting a full and complete accounting of all DOE records that may relate to radiation exposures to New Mexico citizens."

Burkhart also asked O'Leary to renew his Los Alamos National Laboratory security clearance, and to issue security clearances to other Department of Health personnel "to obtain data relevant to our studies." Burkhart had clearance but it expired in 1991.

There is precedence for Burkhart's request. The DOE has given security clearances to several state officials to monitor environmental cleanup at Los Alamos and Sandia national laboratories.

DOE spokesman Sam Grizzle said Wednesday he had not seen Burkhart's letter. "We have, as you

might imagine, been inundated by requests," he said.

While conceding that the release of information might be interpreted as slower than expected, Grizzle said a large amount of data on human-plutonium testing will be made public in a matter of days.

As part of an "openness initiative," O'Leary ordered the release of information related to human experimentation.

DOE scientists have received widespread criticism that they were blind to ethical concerns beginning 48 years ago when they injected 18 people in one study with radioactive plutonium. All but one or two of those people were injected without their knowledge or consent, DOE scientists have said.

Burkhart said Wednesday that he wants health data on the thousands of New Mexicans who have worked at Los Alamos in addition to any human experiments conducted there.

"They won't release their employee (medical) data," Burkhart said. The Health secretary argued that such data, some of which had been classified, is crucial to understanding public health dangers.

In his letter to O'Leary, Burkhart

criticized the DOE's "piecemeal" release of information.

"This minimal effort cannot do anything except promote a growing public mistrust that cannot be denied," Burkhart wrote.

Burkhart has also been frustrated by Los Alamos' response to his telephone requests for a full release of health information.

"I got this call from, basically a secretary, saying 'what information do you need? I'll let you know if we'll let you have it or not,'" Burkhart recalled.

"I've talked to some of the (Los Alamos) scientists and some of them are very angry at O'Leary for doing this. They think it's just (motivated by) publicity and water under the bridge, and so what?" Burkhart said. "I just find that very cavalier. In fact, I find that whole culture up there very cavalier."

John Gustafson, a Los Alamos spokesman, said Wednesday that Burkhart had been sent a bibliography and fact sheets on the information released so far.

Gustafson said Los Alamos Human Studies Project Team had released 108 documents since the team was formed Jan. 10. "That's a pretty good clip," he said.

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To	Keith Carlson, E. Hutchinson
Co.	New Mexican, NM Dept. of Health
Dept.	Phone # 827-2619
Fax #	986-9147

PAUL R. MINOQUE
DEPUTY SECRETARY

February 3, 1994

The Honorable Hazel O'Leary
 Secretary
 Department of Energy
 Washington, D.C. 20201

Dear Secretary O'Leary:

In light of some of the recent public disclosures of human experimentation and intentional and accidental radiation exposures from Department of Energy (DOE) facilities, I am requesting a full and complete accounting of all DOE records that may relate to radiation exposures of New Mexico citizens. While I realize that it may take considerable effort to meet this request, the New Mexico Department of Health needs this information and the DOE's plan and timetable for release of this information in order to effectively monitor the health of our citizens. We intend to increase resources at the state level in order to better understand these issues.

As you may know, the New Mexico Department of Health recently completed a descriptive study of cancer incidence in Los Alamos County for the 21-year time period 1970-1990. It was found that the incidence of thyroid cancer in Los Alamos County during the late 1980s and early 1990s was four-fold higher than that observed in state and national comparison populations. Thyroid cancer incidence in males was nearly eight times higher than expected during this time period. Consequently, the Department of Health is planning to conduct a case-control study to investigate possible causes of the recent elevated thyroid cancer incidence in Los Alamos. If any classified or unclassified documents in the possession of the DOE or any of its contractors relate to the studies we are conducting in New Mexico, I respectfully request that this material be made available to us as soon as possible.

We know now that the above study has already been compromised by lack of relevant data that was available but was not offered by LANL representatives. We have similar concerns regarding leukemia incidence in Los Alamos.

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 1190 St. Francis Drive, Room N410C
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 Santa Fe, New Mexico 87502-6110
 (505) 927-2613



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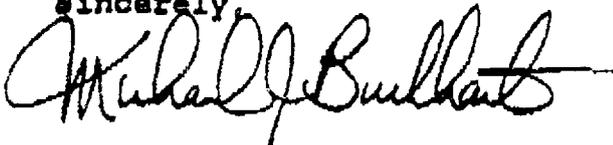
Ltr to Secretary Hazel O'Leary
February 3, 1994
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I have been granted "Q" clearance in the past at Los Alamos that expired in 1991. I would appreciate your consideration of renewal of this clearance as well as issuance of clearances to other Department of Health personnel in order to obtain data relevant to our studies. In addition, the Department of Health and its scientists and epidemiologists will be happy to participate in any task force or panel convened by LANL or DOE to provide information to the public. While our concern is risk assessment and the health of present and future generations of New Mexicans, we understand the cultural barriers of generations of LANL scientists who are today reluctant to release information except on a piecemeal basis that provides little except anecdotal information. This minimal effort cannot do anything except promote a growing public mistrust that cannot be denied.

The New Mexico Department of Health appreciates your publicly stated willingness to embark on a course of "openness" with respect to DOE facilities and activities. We look forward to working with you to regain the trust of the public.

Please contact me directly at the address listed or at (505) 827-2613 (FAX: 505-827-2350) as I am urgently concerned about these issues and I would appreciate confirmation of receipt of this request.

Sincerely,



Michael J. Burkhart
Secretary

cc: Governor Bruce King

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Fax Transmittal Memo 7672

No. of Pages 2 Today's Date Time

To Gustafson

From Easthouse

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To: Karen Peterson	From: Carolyn Hutchinson	
Co: NEW MEXICAN	Co: NM Dept. of Health	
Dept: Medical Editor	Phone #: 827-2619	
Fax #: 986-9147	Fax #:	

PAUL K. MINOGUE DEPUTY SECRETARY

FOR IMMEDIATE RELEASE
March 2, 1994

CONTACT: Carolyn Hutchinson, 827-2619

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STATE DEPARTMENT OF HEALTH ASKS DOE TO DISCLOSE

ALL RADIATION INCIDENTS AFFECTING NEW MEXICANS

Santa Fe - Recent public disclosures of human experimentation and radiation exposures at DOE facilities in New Mexico call for a careful and responsible examination of their consequences on the health of our citizens. In light of these disclosures the New Mexico Department of Health is calling on DOE to release all relevant information to the Department's scientists for evaluation.

Last year the Department found that the thyroid cancer incidence in Los Alamos County during the time period 1988-1992 was four times higher than that observed in state and national comparison populations. The thyroid cancer incidence in males was seven times higher than expected during this time period.

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Preliminary review of leukemia mortality rates in the 1950s among white males in Los Alamos County also raises concerns within the Department.

Because of the observational nature of epidemiological studies and the consequential difficulty in identifying associations between exposures and adverse health outcomes, such as radiation-induced cancer, the Department requires complete and accurate information on DOE radiation sources, their operational history, and related environmental demography. All previously classified DOE data on health monitoring and radiation experiments concerning DOE workers, veterans and New Mexico residents in general are crucial to any complete accounting of possible resultant public health problems.

Department of Health Secretary Michael J. Burkhardt says, "I hope the DOE will follow through with its new policy of openness by providing full disclosure of all radiation incidents affecting New Mexicans. It is the Department's duty to protect the health of New Mexicans and keep them informed of potential health threats. We are prepared to cooperate with DOE in a joint effort to provide information to the public. I intend to commit the necessary resources at the state level to help address this important matter."

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