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## Strict time limits

### U.S. program excludes some ill N-workers

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By HOLLY AUER  
 News Staff Reporter  
 7/11/01

Every day for 24 years, Charles Goodman treaded across the cracks in the floor at Simonds Saw & Steel in Lockport.

In 1981, doctors diagnosed the Albion resident with non-Hodgkin's lymphoma, and he recently had a cancerous kidney removed. Goodman is convinced that those dirty cracks in the floor - filled with remnants of the radioactive cobalt used in steel production until the late 1950s - are to blame.

When Goodman became ill, he was only 46. And after that, he said, his life was "never the same again." During his battle with lymphoma, he lost his job, his home, his car and his health insurance. A year later, his former employer, too, went bankrupt.

Goodman hoped that a new federal law would help him get back some of what he lost while fighting his illness.

"Nobody knew that stuff was dangerous back then," he said. "You just worked went there to work every day. I just want to be compensated."

The law - the Energy Employees Occupational Illness Compensation Program Act - allows for a compensation package of \$150,000, plus additional benefits for medical treatments, to people who contracted radioactive cancer, beryllium disease or chronic silicosis after working at sites that did nuclear weapons work during World War II and the Cold War.



ROBERT KIRKHAM/Buffalo News  
 Angela Giansante of Lockport, whose father died of cancer after working at Simonds Saw & Steel, asks a question during a town meeting Tuesday with Labor Department officials in the University Inn in Getzville.



ROBERT KIRKHAM/Buffalo News  
 "Nobody knew that stuff was dangerous back then. You just went there to work every day. I just want to be compensated," said Charles Goodman, a former Simonds Saw & Steel worker.

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that did nuclear weapons work during World War II and the Cold War.

Thirteen Western New York locations, including Bethlehem Steel in Lackawanna and Electrometallurgical Co. and Titanium Alloys Manufacturing in Niagara Falls, are on the list of facilities involved.

But Goodman learned at a town meeting Tuesday that his employment dates fall outside the narrow period the Department of Energy has specified for exposure to hazardous materials - and, consequently, eligibility for compensation. Under the guidelines, only workers employed during active use of the hazardous materials are eligible - even though most local radioactive sites were never cleaned up after production ceased.

The new law takes effect on July 31, and Labor Department officials at Tuesday's meeting at the University Inn in Getzville said they expect to begin making judgments and paying claimants by fall. To file a claim, patients or their survivors must provide proper documentation of their illness and an employment history to be reviewed by the four district offices established by the Labor Department. The office closest to Western New York will be set up in Cleveland.

"The government wants to thank you for the work you did to keep our country safe," Department of Energy Office of Worker Advocacy representative Josh Silverman told the crowd of about 200. "You may have worn coveralls instead of uniforms, but you were the foot soldiers of the nuclear industry. This program is certainly not perfect, but it's a major step forward."

However, he called some parts of the law "nebulous" and admitted that the program is likely to be fraught with hurdles, especially in Western New York, where the facilities involved were privately owned or have shut down. As former employees age - or die - exact employment dates may be difficult to pin down, and abandoned plants will likely be unable to help.

During the meeting - one of about 60 nationwide this summer - former employees and survivors of deceased employees pointed to several wrinkles in the new law. Among them: strict rules governing which survivors are eligible for compensation and possible difficulties obtaining cooperation from the local medical community when putting together the records necessary to file a claim.

But the chief grievance cited by former employees cited involved the employment dates eligible for compensation. At facilities where cleanup efforts were never undertaken, employees may have been exposed to hazardous materials for years after their use ended.

"This stuff is toxic," said one former Simonds employee. "It's not like it just washes off with water."

Consequently, the dates may be subject to change as the Department of Energy receives more information about activities at the private and shut-down plants, said Roberta Mosier, deputy director of the Energy Employees Occupational Illness Compensation Program.

In October, Peter Bartholomew's doctors at Roswell Park Cancer Institute gave him six months to live. He has already stolen three extra ones from a season they predicted he'd never see. Like Goodman, he worked six years at Simonds. And also like Goodman, his tenure at the mill falls outside the Energy Department's cutoff for eligibility.

He said he plans to file a claim anyway.

"I'm already living on borrowed time," said the Gasport resident. "Why give up now? You've just gotta hang in there."

A last-minute location switch from the Adam's Mark Hotel in downtown Buffalo to the University Inn left several former energy employees at the wrong meeting site Tuesday. Labor Department representatives will hold two more two meetings today at the Adam's Mark, at 1 and 7 p.m.



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