

**NIOSH Dose Reconstruction Project
Meeting on Hanford Site Profile with:
Central Washington Building and Construction Trades Council, AFL-CIO
Kennewick, Washington
January 14, 2004**

The NIOSH/ORAU team was welcomed by Dave Smith, Vice President of the Central Washington Building and Construction Trades Council.

Bill Murray introduced Stu Hinnefeld, NIOSH OCAS. Stu introduced the NIOSH/ORAU Team. Tim Taulbee and he represented NIOSH. Ed Scalsky was introduced as the team lead for the Hanford Site profile. Stu expressed his appreciation for everyone's attendance. He asked for assistance from the unions with knowledge of the Hanford Site.

Attendees introduced themselves going around the table: Sue Boone, Richard Hepner, Hank Hartley, Joan Morgan (DOL), Mike Keizer, Mel Fitzpatrick, PA Zorich, Knut Ringen, David Smith, John David, Mike Mitchell, Bob Vandem, Val Holstrom, Oscar Alvarez, Tom Reynolds, Marlin McCurdy, and Gary Phillips.

Knut Ringen, Science Advisor for the Center to Protect Workers' Rights, presented introductory remarks. Ringen discussed how worker illnesses have moved from problems such as asbestos, to the diseases that are covered by the EEOICPA Dose Reconstruction Compensation Program.

Bill Murray thanked the attendees for taking the time to join us so that we can gain as much knowledge as possible. He discussed the development of the Hanford Site Profile. He informed the group that the team had met with HAMTC the day before and plans to meet with PACE in April. A summary of the Hanford Profile was handed out along with a copy of the slide presentation. For details of the presentation, please refer to the attached presentation handout.

Bill stated that the NIOSH/ORAU team needs the unions' help compiling information, and needs their suggestions for how to improve the profile. The NIOSH/ORAU team met with Savannah River Building Trades union representatives in November. He opened the floor to a discussion of the attendees' issues and concerns.

Question: How are the claims submitted?

Answer: The Department of Labor (DOL) receives the claims and after all information is compiled, makes the decisions. A claim first goes from the DOL to NIOSH for dose reconstruction.

The ORAU team, a consortium of Universities, holds the contract to support NIOSH on dose reconstruction. Two other companies are working with ORAU, MJW and Dade Moeller and Associates. There are also many subcontractors. There are about 400

people hired so far for dose reconstruction. One of the most important aspects is to protect the privacy of claimants. Information is held in the strictest confidence. The desire is to build trust and confidence.

Question: Who is eligible?

Answer: Department of Energy site and Atomic Weapons Employer current and former employees are eligible.

The plan is to go beyond the internal and external dose records, going in favor of the worker. Even chest x-rays that people received as a part of their job are considered part of the worker's dose. The primary customer of the site profile is the dose reconstructor. The site profile is used as a handbook to minimize the need to interpret dose-related information. The profile is a living document. The people in attendance today can spread the word and provide information to update the document. Comments can be sent in. We encourage input.

The sections of the site profile are written by subject matter experts, then reviewed by several people in the ORAU team and in NIOSH. Comments are written and are answered in writing. Dates of signoff are recorded. Each section of the profile is written by a different author. The documents will be revised as new information becomes available.

The Hanford Site Profile covers the whole time Hanford has been in existence. All Hanford facilities are included. The dose reconstructors must know the dose a client has had, so the ORAU team uses models to determine the required information. For instance, one problem is that older X-ray machines weren't as good as those of today and gave off higher radiation doses.

For an unmonitored worker, a lot would be lost if no dose could be reconstructed. To give the client the benefit of the doubt, the uncertainty component is always considered for dose reconstruction.

The NIOSH website displays the Site Profiles for information.

Question: After a certain date, asbestos or beryllium workers still needed x-rays. How far back are Hanford records accurate?

Answer: They are good records. The record has to be interpreted. Internal or external dose, depends on which. There is some missed dose from doses recorded as zeros because the dose was too low to be detected. This is factored into the program.

Question: Can you complete the whole dose reconstruction for a person with cancer?

Answer: It's not necessary to complete the whole dose reconstruction in some cases with certain cancer types. For example, if the worker's external dose exceeds the dose

required for that cancer type, then the other doses the worker may have had do not have to be reconstructed. But the probability of causation calculation is very cancer-specific. It includes the worker's age, exposure, time of diagnosis, and lifetime dose.

Question: Can an unmonitored person make a claim?

Answer: Anybody can file a claim, even if unmonitored. But it is important for us to know who wasn't monitored that should have been. We think those cases exist.

Question: What if we can't remember all specific areas of work?

Answer: Difficult policy. What was the person's trade, what did he or she do? – would be an approach.

Question: How long does it take for a claim?

Answer: It has taken a long time, as long as 2½ years. Nothing was in place. NIOSH had to build an organization to handle the process, and to do site profiles. Now we expect, with site profiles, that it should take 18+ months, just as other mature programs. We'd like to be faster. It took a while for ORAU to put an organization together. Without site profiles, it has been difficult. It should be better now. Hanford is only the second one – Savannah River was first—to have a completed site profile.

Question: We heard something in the news that was not flattering. It was good for DOL, but bad for DOE - any comment?

Answer: That news story relates to another sub-part of the EEOICPA, Subpart D, administered by the Department of Energy. This has to do with workers' compensation claims. It has not been going well. We (NIOSH/ORAU team) work under Subpart B. Radiation exposure is easier to identify than chemical exposure.

Question: Have you heard anything from Savannah River? Do they have a problem with covering construction workers?

Answer: We expect to add a chapter or verbiage to the site profile to cover construction workers.

Knut Ringen: A different approach is needed for construction workers. They didn't have chest x-rays. A comparison was done with REX & showed low or 0 in REX. Many construction workers have incomplete monitoring records.

NIOSH: We go back and get original records left out of REX.

Knut Ringen: Construction workers were more mobile than other site workers. We sent NIOSH as much information on incidents, exposures, etc., as was available. Repairing items in a facility where hazards existed could lead to exposure for construction workers.

Special exposure cohort status will be requested for construction workers. We have about 15,000 construction workers who could apply, and only about 1,000 have.

Comment: We worry about how it would be possible for DOE-friendly contractors to be claimant-friendly. Also, there's a huge difference between construction and operations/production workers.

Knut Ringen: Another worry – Smokers' claims for lung cancer will need to be adjusted. In Germany, all are compensated even if they smoked.

Question: How does a person prove he worked at the site?

Answer: The Department of Labor sends the claim to DOE to see if their site records show the person worked there. It is difficult for construction workers, but dispatch records will help. The Department of Labor is compiling the records. Things that help are company newsletters, mailing lists, awards, union records, Social Security records, or other records with the worker's name on it. We advise the claimant that he/she needs to help get records. DOL also accepts affidavits from co-workers.

Question: Dispatch records only go back to 1970. What then?

Answer: We have certified payroll records, stewards, foremen, apprenticeship records.

Knut Ringen: If the spouse is filing, they may not know much about the history. It could be impossible.

Question: A guy at Dash 5 retired. He has no cancer yet, but a patch of hair keeps falling out of his head. What about him?

Answer: (from Department of Labor representative) If he applied, his claim would be denied. However, he could send for a packet to prepare for the day he may need it. The Resource Center could help to fill out the paperwork, but without a diagnosis of cancer, it would do no good to file.

Question: What can we say now when we worked on highly classified program?

Answer: We have staff for classified interviews. Classification reviews are conducted to see if we can use the information. We want to learn what we can learn.

Question: Can a worker get his or her own dose records?

Answer: Yes, the Freedom of Information Act entitles you to your own exposure records.

Question: Is there anything we can do to make this program work better?

Answer: Get as much information to us as possible. Site Profiles don't include individual experiences, but we have telephone interviews to explain other circumstances that are not in the Site Profile. Everything should be written down. Tell us about areas that you worked in where you weren't monitored. This can help us write the section for the construction trades.

Question: How long does it take to get the compensation?

Answer: It depends on how long the work takes and how long it takes to get to DOL. Once a dose reconstruction report arrives at DOL, it takes about 2 weeks to make a recommendation and then it is reviewed – 120 days or less.

To learn about old claims – call NIOSH 1-800-35 NIOSH, to find out current status. Even though it's been slow, things should move faster now.

Bill Murray thanked the attendees on behalf of the team. Everyone was thanked for coming and asked to continue to share information with the team.

Dave Smith thanked everyone for coming. The meeting stood adjourned.

Attachments

Sign-in sheet

Presentation by Bill Murray, ORAU

Summary of the Hanford Site Profile