



NIOSH Dose Reconstruction Project Rollout Meeting for the Huntington Pilot Plant Site Profile

Meeting Date:

January 5, 2006, 1:00 p.m.

Meeting with:

United Steelworkers of America (USW) Local 40, Huntington, West Virginia

Attendees:

Name	Organization
Keith E. Davis	USW Local 40
Gregory S. Kingery, President	USW Local 40
Roger D. Gray	USW Local 40, Steelworkers' Organization of Active Retirees (SOAR)
David Woodall	USW Local 40
Jason Jeffers	USW Local 40
Vincent E. Perry	USW Local 40
Rolley P. Pyles, Jr.	USW Local 40
William R. Wilcox	USW Local 40
Nancy Lane	USW Local 40
Roger Stephens	USW Local 40
Barb Copley	SOAR
Ron Ferrell	SOAR
Ray Adkins	SOAR
Don Faulkner	Health, Safety & Environment Dept., USW International Union

NIOSH and ORAU Team Representatives:

Tom Tomes – National Institute for Occupational Safety and Health (NIOSH), Office of Compensation Analysis and Support (OCAS)

Jeri Anderson – NIOSH Health-Related Energy Research Branch (HERB), Site Profile Author

William “Bill” Murray – Oak Ridge Associated Universities (ORAU), Worker Outreach Team Leader

Steve Meiners – Tricord, Inc.

Mark Lewis – Advanced Technologies and Laboratories International Inc. (ATL)

Mary Elliott – ATL

Proceedings

Mr. Lewis began the discussion at 1:00 p.m. by thanking the union representatives for inviting the Worker Outreach Team to their meeting. He described his union background, his work experience within the nuclear weapons complex, and his involvement in working alongside fellow union members for the passage of the Energy Employees Occupational Illness Compensation Program Act (EEOICPA). He is now employed by ATL as the Worker Outreach Team's union outreach specialist on the NIOSH Dose Reconstruction Project.



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Mr. Lewis explained that the Site Profile is a tool used in reconstructing radiation doses for claims filed under Subtitle B of the EEOICPA. Since the Site Profile Team uses records from the U. S. Department of Energy (DOE) and its contractors during the development of the site profile documents, NIOSH and ORAU need information from former workers that may not be included in these records. The labor perspective is important because the “official” records do not always accurately reflect the work practices and radiation safety issues at a given site. The types of information that could be helpful would include the types of personal protective equipment worn by workers and whether they wore badges or received bioassay testing such as urinalysis. Although the Site Profile for the Huntington Pilot Plant is complete, it is a “living document” that can be revised if new information becomes available that could impact claimants’ dose reconstructions.

Mr. Lewis stated that Mary Elliott would be taking notes during the meeting to capture their questions, comments and concerns. Draft minutes will be sent to the union leadership for review to ensure that all of the comments and concerns are captured. He asked the NIOSH staff and other ORAU Team members to introduce themselves.

Mr. Tomes said that he is a health physicist on the Dose Reconstruction Team at NIOSH. NIOSH provides oversight for the ORAU Team during the Site Profile development and dose reconstruction process. His job is to review dose reconstructions performed by the ORAU Team. NIOSH also provides a review process during the development of the Site Profile documents. When the Site Profile is complete, it provides information for use in the dose reconstruction process for EEOICPA claimants. He is currently revising the Huntington Pilot Plant Site Profile (Rev 02) to include additional information. His primary function at the meeting is to get information and to make sure any comments or issues raised at the meeting are followed up.

Ms. Anderson introduced herself as the author of the first two editions (Revs 00 and 01) of the Site Profile. She works now for the NIOSH Health-Related Energy Research Branch. She stated that she was present to answer any questions about the Site Profile.

Mr. Murray introduced himself as the Worker Outreach Team Leader. He thanked the union representatives for inviting the Team to their meeting. He explained that the Worker Outreach Program was developed after input from the Advisory Board on Radiation and Worker Health, which suggested that NIOSH meet with labor organizations to discuss EEOICPA and get input for the Site Profiles from workers from the facilities affected by the law.

Mr. Meiners stated that he works for Tricord, a subcontractor to the NIOSH/ORAU Team. He requested that the attendees sign in on the sheet being circulated and explained that their names would be included in the meeting minutes that would eventually be posted on the OCAS Web site.

Mr. Lewis requested that the union representatives introduce themselves and welcomed Don Faulkner, of the United Steelworkers of America International Union’s Health, Safety and Environment Department.



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Comment:

The illustration of the birdcage (Fig. 2, Page 11) in the Site Profile is not right. There was a center sleeve.

Mark Lewis:

Is there anyone present who worked inside the Pilot Plant during the contract period? (No one from the group indicated that they had, but there were two gentlemen present who worked at International Nickel Company (INCO), adjacent to the plant, during the contract period.)

Comment:

It will be difficult for you to get first-hand information from people who actually worked in the Pilot Plant. There are probably less than twenty employees from the plant still living. In fact, I wouldn't be surprised if there are less than ten.

Bill Murray:

We could arrange a conference call with a group of former workers.

Response:

You can't do that – there are security issues. I believe that there is a fifty-year “sundown” clause.

Jeri Anderson:

NIOSH has personnel who have security clearances.

Steve Meiners:

NIOSH can make arrangements for secure interviews at DOE-approved locations. The DOE reviews the interview transcripts, redacts them, and releases a generalized, unclassified version.

Mark Lewis:

Do you know if there are any former workers still living that held security clearances?

Response:

Many of them were hired as salaried employees at INCO after the RPP (*Reduction Pilot Plant – this term is interchangeable with Huntington Pilot Plant, which also may be referred to herein as the Pilot Plant, HPP, or IPP*) closed. Some have passed away.

Comment:

We were routinely sent into the building to perform maintenance after the operations stopped.

Comment:

I worked on demolition in the IPP building.

Question:

Are you going to talk about just the Huntington Pilot Plant or the whole company?

Bill Murray:

We will be talking about the contract period from 1953 to 1961 and the possible exposures during that time period. We will also discuss the residual contamination remaining at the plant up through the decontamination in 1979.



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Response:

It is more far-reaching than just the plant. Houdaille Industries, on the west end of Huntington, claimed that they got radioactive anodes from the merchant mill. They sealed off their storeroom because of it. If the story is really true, there could be lots of places affected.

Mark Lewis:

This is your meeting – your time to bring up your concerns.

Bill Murray:

The law compensates workers from the contract period and those who worked on the site during the period covered for residual contamination.

Questions from Don Faulkner (from USW International):

There are several issues I would like to address:

- 1) The company removed dump truck loads of records and burned them after the law came into effect. How can you reconstruct someone's radiation dose if there are no records?
- 2) There are places here that are so "hot" that snow doesn't gather on the concrete. How do you explain that if the site is no longer considered contaminated?
- 3) You call the Site Profile a "living document." Do you have guidance for revision?
- 4) The International Union would like to bring in the SOAR (retirees) group for a town-hall type meeting.

Tom Tomes:

When NIOSH receives new information about a site, it must be considered credible to justify a revision to the Site Profile. While documents provide better evidence than information based only on the workers' memories, NIOSH will research any information that could affect dose reconstructions for a site.

Mr. Meiners presented a brief overview of the Energy Employees Occupational Illness Compensation Act of 2000 (EEOICPA). Two types of claims may be filed under this program: Subtitle B provides for compensation for radiation-induced cancers, berylliosis and some silicosis claims; Subtitle E claims are filed for compensation for diseases related to toxic chemical exposure. Claims may be filed by employees or former employees who worked for facilities or companies under contract with the AEC or DOE, as well as surviving spouses or children if the worker is deceased. All EEOICPA claims are filed through the Department of Labor.

Question:

Does silicosis apply to our plant?

Jeri Anderson:

Silicosis claims are handled by the Department of Labor. NIOSH only handles radiation claims.

Bill Murray:

If you worked at a covered facility and have a medical diagnosis of silicosis, you should call the DOL Resource Center in Portsmouth and file a claim. DOL makes the decision for silicosis claims.



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After the DOL receives a Subtitle B claim for cancer and verifies employment and medical diagnosis, it is sent to NIOSH for a dose reconstruction. NIOSH established the Office of Compensation Analysis and Support (OCAS) to facilitate the dose reconstruction effort. Due to the large number of claims submitted, ORAU and other contractors have assembled a large team to perform the dose reconstructions and other associated tasks.

Mr. Meiners stated that the purpose of the meeting is to discuss the Huntington Pilot Plant Site profile and its use in the dose reconstruction process. It serves as an opportunity for the attendees to provide suggestions and information for the Site Profile, as well as a means for the Worker Outreach Team to document concerns and issues and to answer any questions regarding the Site Profile and the dose reconstruction process.

Mr. Meiners explained that the Site Profile is used by the health physicists who reconstruct EEOICPA claimants' radiation doses to determine the probability that their cancers are related to radiation exposures received during their employment. The likelihood that the cancer is directly related to this exposure is referred to as "probability of causation" (POC). All of a claimant's radiation exposure information is entered into a computer program that uses radiation risk information to determine POC for that cancer. If the program finds that radiation is "as likely as not" to have caused the claimant's cancer (greater than 50% probability) the claim is awarded.

The Site Profile is a handbook of site-specific technical information that allows the dose reconstructors to consistently use the same information as a framework for all claims from that site. Since the Site Profile is a "living document," additional information from workers improves its quality, resulting in more effective evaluations of workers' radiation doses. A worker's personal medical records and personal interview during the dose reconstruction process provide the other information needed for his/her personal dose reconstruction. When a Site Profile is revised, a claim that has been previously denied can be reopened if the new information can positively affect its outcome.

The Huntington Pilot Plant Site Profile includes sections on the site description and estimation of internal dose and external dose (including occupational medical X-ray dose), as well as radiation dose from residual radioactivity. The Site Profile can be viewed at this address on the NIOSH website: <http://www.cdc.gov/niosh/ocas/ocastbds.html#huntpp>.

The site description is an historic overview of facilities and activities at the Huntington Pilot Plant, which was built by the Atomic Energy Commission (AEC) in 1951. The plant operated under contract from 1951-1963. During this period, the plant supplied nickel powder that was used to make gaseous diffusion barriers for the three gaseous diffusion plants in Portsmouth, Ohio, Paducah, Kentucky, and Oak Ridge, Tennessee (K-25). Nickel scrap from K-25 was shipped back to the Pilot Plant to be recycled into nickel powder for future shipments to the three gaseous diffusion plants. The plant melted down the scrap nickel, which may have contained between 4-39% uranium, for a two-week period every month. All claimants are given the benefit of an assumption that the scrap contained 39% enriched uranium. After the plant closed, it was maintained in stand-by condition until it was decontaminated between November 27, 1978 and May 18, 1979.



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Comment:

Workers would go to the Pilot Plant and take scrap to the induction furnaces in other parts of the plant. There are sworn affidavits.

Comment:

The scrap was used in places other than the Refinery.

Comment:

It was used in the tubing department, too.

Comment:

Material from the induction furnaces was reworked in the machine shop. We made valves and parts for the stand-by area.

Comment:

By-product from RPP was sent to the scrapyard as scrap.

Comment:

I worked at the open-hearth furnaces. We would go get scrap from the yard for our melts. In the open-hearth furnaces, we would take the piggins, or small butts, of nickel scrap to feed into the circuit. The stuff was tested that came into the Pilot Plant.

When the nickel workers went on strike in Canada – around 1976, if I recall correctly – we used nickel butts from the Paducah Gaseous Diffusion Plant. The Geiger counters would go off like machine guns.

Mr. Meiners continued with the presentation: The Site Profile Team found no records that would indicate any radioactivity monitoring during the period that K-25 scrap nickel was melted at the plant. Workers may have had potential exposures to uranium-234, -235, and -238 in the contaminated nickel scrap. The estimated annual exposure to nickel dust contaminated with uranium dust has an upper bound value of 39%-enriched uranium. The Team calculated an internal dose of 1400 picocuries of uranium-234 for workers in the plant. The actual value of the percent-enriched uranium will be used and potential doses from the transuranic radionuclides in the uranium will be included.

Since no workers were monitored during plant operations, the section on External Dose is based on a survey of the Compressor Building. The site profile team estimated that the annual median exposure to workers was 24 milliroentgens (mR). The estimated annual median exposure around the birdcages was 130 mR. The annual skin dose is calculated as 0.85 rem. In addition to these assumed external radiation exposures, NIOSH assumes one medical (chest) X-ray per worker per year in the dose reconstruction calculation. X-rays taken for injuries do not count in this dose.

Because operations produced nickel dust that may have remained in the environment, residual radioactive contamination is considered for the site as well. The covered period for residual contamination at the Huntington Pilot Plant is from January 1, 1964 through May 31, 1979. Based on available information, annual doses for both internal and external exposure to residual contamination are given for that period. Remediation (clean up) is considered to have been completed as of May 18, 1979.



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Comment:

I'm not exactly sure of the date, maybe 1983, the Ironworkers Local Union out of Winfield, West Virginia, dismantled the building. There was dust everywhere during the demolition. These workers were badged and DOE checked them periodically with Geiger counters. Sometimes they were sent to take showers or change clothing if the readings got too high.

Jeri Anderson:

Our information shows that in 1980, fifty-nine dump trucks and two rail cars loaded with debris were buried at the Portsmouth site.

Comment:

They buried the trucks, too.

Comment from Don Faulkner, USWA International Union:

A catwalk in the Cold Draw area was moved into another part of the plant.

Steve Meiners:

Are you saying the catwalk was moved after the decontamination timeframe (1978-79)?

Response:

Yes.

Comment:

We did a survey in the Cold Draw area. Twenty-two of the employees had cancer, mostly kidney, bladder and prostate cancers.

Comment:

The Department of Energy (DOE) only has records for documented workers – those workers who held DOE clearances or who bid into jobs and got clearances. There are no records for undocumented workers. Security-cleared workers took uncleared trainees into the building for routine work all the time. An undocumented worker (*name withheld*) who was required to take things to the Yard Department many times filed a claim that was rejected because there were no records that he worked in the secured area. Workers in the general labor pool were often sent in for clean up and maintenance. Undocumented workers did receive radiation exposure.

Steve Meiners:

DOL evaluates the claims. The claimant must have worked at the site during the contract period or during the residual contamination period. During the claims process, there are opportunities for the individual to give statements regarding work experience.

Mark Lewis:

DOL sometimes accepts co-worker affidavits to verify a claimant's employment.

Response:

There was an affidavit. They (DOL) said the worker had to work in the building.

Steve Meiners:

There is no information about individual claims on the OCAS Website. Dose reconstruction records are protected under the Privacy Act.



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Question:

Have any claimants from the Pilot Plant been compensated?

Tom Tomes:

I checked the database to get the figures before I left this morning. Seventy-three claims have been filed by HPP employees or their survivors. Fifteen have been withdrawn for various reasons. There are still fifty-eight active claims, forty-nine of which have completed dose reconstructions. Ten of those have been recommended for compensation.

Question:

Have any of the rejected claims been for beryllium?

Mark Lewis:

NIOSH does not handle the beryllium claims. Those are decided by the Department of Labor.

Comment by Don Faulkner (USWA):

The “undocumented worker” claim that was denied was for an employee who was not assigned to the Pilot Plant.

Response (from meeting attendee):

He was a refinery employee.

Don Faulkner:

The company did not provide documentation that he worked at HPP.

Response (from meeting attendee):

He was not a documented worker.

Tom Tomes:

NIOSH only does the dose reconstructions. The Department of Labor qualifies the claim based on employment records and medical diagnosis.

Comment:

The claim was filed by the employee’s survivors. They went to court to establish the definition of “undocumented worker.”

Comment:

He (*name withheld*) was a supervisor in the machine shop. He was a liaison between the machine shop and the Pilot Plant.

Mark Lewis:

This is our first visit here about the Site Profile. The Team usually gives a presentation during the development of the document and another when it is complete. Meeting with SOAR (retired workers group) could provide important information that would tell “the rest of the story” of the Huntington Pilot Plant. Worker Outreach became a function of this program when the Advisory Board for Radiation and Worker Health recommended that union input be included in the Site Profile.

Comment by Don Faulkner (USWA):

There is still radioactive material in the environment here. Timelines should be expanded for those still working in this facility to cover their medical bills for exposure-related illnesses.



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Comment:

Two years ago, there were ten cases of colon cancer diagnosed within a six-month period in the same department. The company is telling us that this rate is not higher than the national average. They are giving no cooperation, and we do not believe the company.

Mark Lewis:

You could ask the International Union to do a cluster study. Don is your International Health, Safety and Environment Representative.

Jeri Anderson:

You can also request that NIOSH perform a health hazard evaluation. Your request will remain confidential.

Bill Murray:

The toll-free telephone number for NIOSH is 1-800-35-NIOSH (1-800-356-4674).

Response:

All we are getting are standard company responses.

Steve Meiners:

I checked the Program Statistics on the Website. More than 19,000 cases have been turned over to OCAS for dose reconstructions, 11,000 of these have been completed.

Mark Lewis:

Claims are filed through the Department of Labor Resource Centers. The Resource Center assigns a tracking number so the claimant(s) can track the case status. All the information is kept confidential. There is contact information in the folder you received at the beginning of the meeting.

Tom Tomes (OCAS):

Is the Compressor Building that was part of the Pilot Plant still there?

Response:

The Compressor Building is now used for wastewater treatment. They took out the floors and sealed the surfaces when they did the remediation. It was part of the same building.

Comment:

I have been diagnosed with *pseudotumor cerebra*. The symptoms are similar to those of a brain tumor. The doctor is not sure what caused this.

Bill Murray:

Does the union have a list of workers who worked in the IPP Building?

Response:

There is a seniority list.

Response (from another attendee):

When IPP closed down, most of the employees went to salaried positions in other parts of the company.



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Comment:

Undocumented workers often worked during plant shutdown. These would have been workers who didn't have vacation time. They were sent to IPP for maintenance with cleared workers.

Comment:

There was a reporter (*name withheld*) at the Huntington Herald-Dispatch who did a story about the Pilot Plant when this law was passed. (*An attendee provided contact information to the Team.*)

Comment:

I can think of one employee still alive (*name withheld*) who worked in the "cage" (similar to a guard shack) at the entrance to the secured area.

Mr. Meiners concluded the presentation by emphasizing how important it is to include information from workers in the Site Profile since they may have information that cannot be found in the written records. The site profile teams rely on workers' information to make the Site Profiles more comprehensive and accurate documents for calculating dose reconstructions for claimants. Information for revisions to the document can be sent directly to NIOSH at the addresses in the presentation, as well as by fax at the number provided. The Huntington Pilot Plant Site Profile and other information on the EEOICPA program can be found on the NIOSH website: <http://www.cdc.gov/niosh/ocas>.

Mr. Lewis and Mr. Murray again thanked the union representatives for including the Worker Outreach Team in their meeting. The meeting concluded at approximately 2:45 p.m.