
Draft

**ADVISORY BOARD ON
RADIATION AND WORKER HEALTH**

National Institute for Occupational Safety and Health

**REVIEW OF OCAS-PR-012:
WORKER OUTREACH PROGRAM**

**Contract No. 200-2009-28555
SCA-TR-PR2010-0002, Revision 0**

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S. Cohen & Associates: <i>Technical Support for the Advisory Board on Radiation & Worker Health Review of NIOSH Dose Reconstruction Program</i>	Document No. SCA-TR-PR2009-0002
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LIST OF ABBREVIATIONS AND ACRONYMS

ABRWH, Advisory Board, or Board	Advisory Board on Radiation and Worker Health
AEC	Atomic Energy Commission
ATL	Advanced Technologies and Laboratories International, Inc.
AWE	Atomic Weapons Employer
CATI	Computer Assisted Telephone Interviews
COI	Close-out Interview
CTW	Construction Trades Worker
DFO	Designated Federal Official
DOE	U.S. Department of Energy
DOL	U.S. Department of Labor
EEOICPA	Energy Employees Occupational Illness Compensation Program Act
FMPC	Feed Materials Production Center
FOIA	Freedom of Information Act
HHS	Health and Human Services
HP	Health Physicist
IAAP	Iowa Army Ammunition Plant
IAM	International Association of Machinists
IAMAW	International Association of Machinists and Aerospace Workers
ICWUC	International Chemical Workers Union Council
INEEL	Idaho National Engineering and Environmental Laboratory
INL	Idaho National Laboratory
IREP	Interactive RadioEpidemiological Program
KCBCTC	Kansas City Building and Construction Trades
KCP	Kansas City Plant
LANL	Los Alamos National Laboratory
NIOSH	National Institute for Occupational Safety and Health
NNSA	National Nuclear Security Administration
NOCTS	NIOSH OCAS Claims Tracking System
NTS	Nevada Test Site
NUMEC	Nuclear Materials and Equipment Corporation

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OCAS	Office of Compensation and Analysis
ORAUT	Oak Ridge Associated Universities Team
ORNL	Oak Ridge National Laboratory
OSC	Outreach Support Contractor
OTS	Outreach Tracking System
PDF	Portable Document Format
PHA	Public Health Advisor
POC	Probability of Causation
RFP	Rocky Flats Plant
SC&A	S. Cohen and Associates (SC&A, Inc.)
SEC	Special Exposure Cohort
SME	Subject Matter Expert
SNLL	Sandia National Laboratory – Livermore
SOAR	Steelworkers Organization of Active Retirees
SPFPA	Security Police and Fire Professionals of American
SPSME	Site Profile Subject Matter Expert
SPTL	Site Profile Technical Lead
SRDB	Site Research Data Base
SRS	Savannah River Site
TBD	Technical Basis Document
UFCW	United Food and Commercial Workers
USW	United Steelworkers of America
VPP	Voluntary Protection Program
WISPR	Worker Input to Site Profile Revision
WOTL	Worker Outreach Team Lead
WOWG	Worker Outreach Work Group
WSP	Weldon Spring Plant

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EXECUTIVE SUMMARY

The Worker Outreach Program provides opportunities for current and former Department of Energy (DOE)/Atomic Weapons Employer (AWE) workers to obtain information and provide information relevant to site profiles, dose reconstruction, and the Special Exposure Cohort (SEC) program. SC&A has been tasked by the Worker Outreach Work Group (WOWG), and subsequently the Advisory Board on Radiation and Worker Health (Advisory Board), with conducting a review of *Worker Outreach Program*, OCAS-PR-012, Revision 0 (OCAS 2009a, hereafter referred to as PR-012). A previous SC&A review, conducted in 2007, evaluated *Conduct of the Worker Outreach Program Procedure*, ORAUT-PROC-0097, (ORAUT 2005a, hereafter referred to as PROC-0097). Findings and observations from the review of PROC-0097 were presented to the Subcommittee on Procedures Review, but a resolution process was not completed. Findings from the PROC-0097 review that remain applicable to PR-012 are incorporated in this current review.

SCOPE AND OBJECTIVES OF THIS REVIEW

The scope of this review is as follows:

- (1) To evaluate the degree to which PR-012 provides direction to National Institute for Occupational Safety and Health (NIOSH) Office of Compensation and Analysis (OCAS) personnel and its contractors in a manner that helps to ensure that comprehensive technical information is acquired from a broad range of workers, site experts, petitioners, claimants, and other stakeholders
- (2) To evaluate the degree to which information obtained from the outreach program is documented in the Outreach Tracking System (OTS) as described in PR-012
- (3) To evaluate the procedural framework through which the technical information acquired under the outreach program is given appropriate consideration in OCAS work products, including site profiles and SEC petition evaluation reports

This review is particularly interested in the degree to which PR-012 explicitly addresses the overall objectives of the Mission Statement and Objectives 1 through 4 of the draft Implementation Plan prepared by the WOWG.¹ The scope of this review does not include extensive evaluations of implementation; there are elements of each objective that could not be determined from reviewing PR-012 and the documentation available in the OTS. This report also does not include a review of recent site profiles or evaluation reports prepared by NIOSH to evaluate the degree to which NIOSH has, in fact, incorporated important information obtained from workers into their work products. SC&A will provide the work group with a separate proposed work plan to address these important aspects of the Implementation Plan. The primary focus of this review is to evaluate the process adopted and being implemented by NIOSH to

¹ The Mission Statement and draft Implementation Plan for the Worker Outreach Work Group are provided in Attachment 7 to this report.

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gather worker input “for consideration and possible use in dose reconstructions, site profiles, and SEC petition evaluations.”

REVIEW METHODOLOGY

SC&A reviewed PR-012 (OCAS 2009a) in accordance with the generic approach outlined in SC&A’s review procedure, *A Protocol for the Review of Procedures and Methods Employed by NIOSH for Dose Reconstruction* (SC&A 2009). The review of PR-012 outlines the Worker Outreach Program and provides limited direction on implementation of this program. This procedure details the programmatic approach to worker outreach, and the policy of the agency in dealing with the public. This differs from a review of a technical procedure requiring a different approach to the procedure review from that detailed in SC&A 2009. During the February 2010 meeting in Manhattan Beach, California, the WOWG implementation was presented to the Advisory Board. The objectives outlined in the implementation, and the purpose stated in PR-012, serve as the basis for this review. The procedure checklist details the objectives and specific evaluation criteria. This varies from the standard procedure checklist, which specifically addresses dose reconstruction. Procedural compliance was evaluated to a limited extent where information was available from the OTS.

Section 1 of this review provides an overview of the procedures used in the conduct of the Worker Outreach Program. Section 2 of this report outlines the status of findings from the review of ORAUT-PROC-0097 (ORAUT 2005a), which was replaced by PR-012 prior to comment resolution.

Section 3 presents SC&A’s Findings and Observations. Section 4 presents a checklist of Implementation Plan objectives. The checklist has sections concerned with the following issues:

- Determine whether OCAS is taking appropriate measures to solicit worker input into site profiles, SEC petition evaluations, and other technical documents
- Determine whether OCAS is obtaining and documenting input from workers
- Determine whether OCAS is giving thorough consideration to information received from workers through the worker outreach efforts, incorporating consideration of that material into its work products as appropriate, and adequately communicating the impact of substantive comments to workers

In addition to reviewing PR-012, SC&A’s review of worker outreach was generally limited to worker outreach meetings that have occurred since the approval of PR-012. Of 118 meetings entered in the OTS at the time of review, 98 meetings pre-date the approval of PR-012, 2 meetings were pending at the time of review, 9 meetings were invited forums sponsored by the U.S. Department of Labor (DOL), and 9 meetings were conducted by NIOSH from March 3, 2009, through March 12, 2010. Additional invited forums were added to OTS during the week of March 15, 2010; however, this review did not consider these invited forums. SC&A representatives attended two worker outreach events; the Weldon Springs Plant Worker Outreach meeting on September 2, 2009, and the NIOSH Workshop on Dose Reconstruction and the

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Special Exposure Cohort on September 22–23, 2009. Review of the other seven NIOSH meetings was based primarily on documentation available in OTS.

Documentation Reviewed:

- Outreach Tracking System (OTS) content as of March 12, 2010
- NIOSH/OCAS web site, Worker Outreach Activities by DOE/AWE site
- *Worker Outreach Program*, OCAS-PR-012, Rev. 0, 3/04/09 (OCAS 2009a)
- *Classification of Worker Outreach Meetings (as defined at ABRWH Worker Outreach Work Group meeting, 6/16/2009)* (OCAS 2009b)
- *Types of NIOSH Meetings* [Presented to the WOWG during the June 2009 meeting (OCAS 2009c)]
- *Review of ORAUT-PROC-0097, Conduct of the Worker Outreach Program Procedure*, SCA-TR-TASK3-003, Addendum 1, Revision 1, November 2007 (SC&A 2007)
- SC&A minutes of the Weldon Spring Worker Outreach meeting, September 2, 2009 (Attachment 1)
- SC&A Evaluation of the Weldon Spring Worker Outreach meeting (Attachment 1)
- Workshop Evaluations from 24 participants at NIOSH Dose Reconstruction/SEC Workshop, September 22–23, 2009 (ATL 2009)
- SC&A Evaluation of the NIOSH Dose Reconstruction Workshop, September 22–23, 2009 (Attachment 2)

The implementation of the Worker Outreach Program over time has not been subject to a comprehensive review by SC&A. The PROC-0097 review was limited, due to a lack of timely access to the Worker Input to Site Profile Revision (WISPR) database. The current review is limited to a single year (representing 18 of the 118 meetings recorded in OTS through March 12, 2010). Some examples of concerns from meetings conducted prior to 2009 are included in this report for the purpose of evaluating the need for more thorough investigation of the program's performance over time. SC&A will await direction from the Advisory Board as to the next steps, if any, to be taken in regard to the Worker Outreach Program.

SUMMARY OF FINDINGS AND OBSERVATIONS

SC&A's detailed review of the PR-012 is presented in Section 3. The review produced 10 Comments. SC&A divided these Comments into five Findings and five Observations, where the former represent deficiencies in the procedure that need to be corrected and which have the potential to impact the worker outreach program. Observations represent issues, which, if

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addressed, would further improve the procedure, and may possibly reveal deficiencies that will need to be addressed in future revisions of the procedure.

Table 1 summarizes the Comments, notes where in this document the full descriptions are found, and indicates whether each Comment is a Finding or an Observation. Our primary concern with this procedure is the lack of direction for evaluating and responding to worker comments, and incorporating substantive comments into technical work documents. Criteria for determining action items, and response to worker questions and comments, are based on subjective judgment with no procedural direction. Although an OTS exists, it does not track individual worker comments. A multi-track system exists for documentation and evaluation of worker comments. There is no accountability for validating the completeness and accuracy of meeting minutes with participants.

This review found that PR-012 did not resolve a majority of the Findings raised in the review of its predecessor procedure, PROC-0097. In fact, PR-012 eliminated many of the positive elements of PROC-0097. For example, PR-012 makes accountability to workers less formal.

Table 1: Summary of Issues

Issue No.	Summary Description
Finding 1	The procedure does not provide direction for tracking, trending, evaluating, or responding to worker input.
Finding 2	The procedure does not specify criteria for identifying Action Items or evaluating the adequacy and timeliness of response/resolution.
Finding 3	The majority of expected documentation is not available in the OTS for meetings conducted within the effective period of PR-012.
Finding 4	The procedure fails to consider other venues of worker outreach. The multiple venues are not subjected to equivalent standards for documentation. Of particular concern is the two-track system for obtaining and documenting worker input that appears to give site expert interview records more weight than worker input obtained through outreach meetings.
Finding 5	The procedure does not describe a process for assuring that worker feedback is accurately and completely documented.
Observation 1	The procedure does not address the possibility that sensitive or classified information could be shared at a worker outreach meetings.
Observation 2	The procedure does not provide an opportunity for workers to discuss potentially classified information. Particularly at National Nuclear Security Administration (NNSA) sites, workers may be restricted from openly discussing site-specific information, due to security concerns.
Observation 3	There are no provisions for soliciting comments from workers who are unable to physically attend the meetings.
Observation 4	There is no requirement for disclosure of conflict of interest during worker outreach meetings.
Observation 5	The <i>Site Profile and Technical Basis Document Development</i> , ORAUT-PROC-0031 (ORAUT 2007a) procedure references PROC-0097, which has been replaced with PR-012.

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1 OVERVIEW OF PROCEDURE USED IN THE CONDUCT OF THE WORKER OUTREACH PROGRAM

As a part of Task 3 authorization for procedures review during FY 2007, SC&A was charged with the review of ORAUT-PROC-0097, *Conduct of the Worker Outreach Program* (hereafter referred to as PROC-0097). A partial review was delivered to the Advisory Board on November 27, 2007. The review was incomplete, due to a delay in getting access to the Worker Input to Site Profile Revision (WISPR) database, which was used at the time to track worker comments. There are outstanding findings associated with the review of this procedure that have not been resolved, and SC&A was not tasked with a follow-up review of the WISPR database when it did become available. On March 4, 2009, PROC-0097 was replaced with OCAS-PR-012, *Worker Outreach Program* (hereafter referred to as PR-012). Furthermore, WISPR was replaced with the Outreach Tracking System (OTS). In lieu of further evaluation of PROC-0097, SC&A was tasked with reviewing PR-012 to evaluate its effectiveness in accomplishing worker outreach objectives. This review considers the applicability of previous findings from the PROC-0097 review to PR-012, as well as new findings and observations. An assessment of the documentation of the results of National Institute for Occupational Safety and Health (NIOSH) outreach is necessary, in order to assess the effectiveness of the procedure and its implementation. Because this key documentation is now compiled in the OTS database, a review of the OTS database is a critical component of this evaluation of PR-012.

The change from an Oak Ridge Associated Universities Team (ORAUT) procedure (PROC-0097) to a NIOSH Office of Compensation and Analysis (OCAS) procedure (PR-012) reflects a shift in responsibilities for worker outreach efforts. The NIOSH Worker Outreach Program was initially the responsibility of ORAUT. NIOSH now contracts directly with Advanced Technologies and Laboratories International, Inc. (ATL) to support its outreach activities.

The two procedures are also influenced by changes in the scope of activities as the Energy Employees Occupational Illness Compensation Program Act (EEOICPA) has evolved. PROC-0097 reflects a worker outreach program that was dominated by site profile development; the meetings conducted by NIOSH were designed to gather information for site profiles and to present the site profiles to affected populations. The current procedure reflects a different landscape, where the predominant activities relate to Special Exposure Cohort (SEC) petitions and site profile updates. It describes a variety of meeting types designed to gather worker input for site profiles and SEC evaluations, and to provide information about site profiles, dose reconstruction, and SEC petitions.

During the June 16, 2009, Worker Outreach Work Group (WOWG) meeting, NIOSH provided the work group with *Classification of Worker Outreach Meetings* (OCAS 2009b) and *Types of NIOSH Meetings* (OCAS 2009c), which provided further details on the outreach venues. Outreach meetings were classified as information giving, information gathering, and information giving and gathering. An overview of each meeting type described its purpose, its audience, and the documentation likely to be produced. SC&A used these documents as supplements to PR-012 in reviewing the meeting types and expected documentation.

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NIOSH outreach meetings are flexibly structured; they are usually facilitated by a NIOSH member or by the Outreach Support Contractor (OSC). PR-012 describes four primary types of NIOSH Worker Outreach meetings, and outlines the responsibilities of various groups to plan and conduct the meetings. Although these meeting types are described in detail, structural flexibility is built into the procedure; “NIOSH can and will adjust the meeting format to meet the needs of the agency, the Board, and/or the public” (OCAS 2009a, pg. 4). In addition to the Worker Outreach meetings, NIOSH conducts dose reconstruction workshops and attends meetings sponsored by other groups, such as the U.S. Department of Energy (DOE) and the U.S. Department of Labor (DOL).

The need for and timing of worker outreach efforts is guided by the following factors (OCAS 2009a):

- Substantive changes made to site profile
- The need to identify and inform stakeholders of the SEC petition process or status
- The need to gather additional information from stakeholders to address areas of interest for support of SEC evaluations and/or site profiles
- Invitation from another agency for NIOSH participation
- As otherwise deemed appropriate for an outreach effort

As the OSC under PR-012, ATL identifies organizations (union, professional, retirement) affiliated with DOE or Atomic Weapons Employer (AWE) sites and works with these organizations to identify present and past workers interested in the outreach effort. They maintain ongoing communication with site representatives (labor, technical, and community leaders), support OCAS in developing meeting materials, coordinate and attend outreach meetings, serve as meeting leads and minute recorders, and maintain the outreach database in OTS.

The meeting types most clearly oriented towards soliciting worker input are the Worker Outreach Focus Group meetings and the SEC Worker Outreach Focus Group meetings. Preparation activities for focus group meetings include identification of organizations affiliated with the DOE/AWE site, identification of potential participants, and notification/invitation of these individuals. Public notification is typically not required for a focus group, which targets a relatively small number of individuals whose experience is relevant to the issues of concern. The OCAS Health Physicist (HP), in collaboration with Site Profile Subject Matter Expert (SPSME) as needed, develops a presentation and questions for the focus group to discuss. The OSC team may assist with identifying potential participants; preparing and distributing meeting materials; arranging for an appropriate facility, supplies, and equipment; and uploading documentation into OTS.

Worker Outreach Town Hall meetings are generally intended to provide information to workers, but may include opportunities to receive worker input, as well. Preparation activities for a

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Worker Outreach Town Hall meeting may require public notification and a larger venue, and the meeting materials are generally geared towards a large group presentation. The OCAS HP coordinates with the SPSME and/or OSC team, as needed, to determine areas of interest and develop the presentation materials. The presentation may provide a general overview of the dose reconstruction program, discuss what efforts have been initiated in the past to communicate and obtain feedback on the site profile, communicate changes that have been made to the site profile, and discuss the factors influencing the changes (e.g., document search, worker outreach feedback, oversight evaluation). As directed by the OCAS HP, the OSC Writer/Editor files the meeting materials into OTS and makes copies of the presentation and questions for distribution during the meeting.

The purpose of an SEC Outreach Meeting is limited to discussion and informing individuals of the SEC process. These meetings are initiated by the SEC Petition Counselor and the NIOSH Ombudsman; the OSC Team may be asked to assist. Arrangements include venue selection, media notifications, development of meeting materials, and establishing points of contact (i.e., past/present DOE/AWE workers, unions, and professional organizations). The SEC Petition Counselor or the NIOSH Ombudsman typically notify and invite DOL for their information and support. Because these meetings focus on petition process education, meeting materials are relatively unchanged from meeting to meeting. Minor changes may include site-specific information or claim statistics. Meeting materials, handouts, and media notifications (if applicable) are filed in OTS.

Minutes are “typically taken” at most types of worker outreach meetings, but are not required in all cases. They are generally not taken at SEC outreach meetings, where the focus is informational and NIOSH does not anticipate collection of worker input. When minutes are taken, their purpose is, “to assure pertinent information is captured for later use.” Recordings may be used, with appropriate notification and consent of participants. The recording is not available to the public under the Freedom of Information Act (FOIA) under the rationale that it is “not a deliverable product of the outreach contractor” (OCAS 2009a). Minutes are redacted of any Privacy Act-protected information prior to publication on the NIOSH/OCAS web site.

Sign-in sheets are utilized for NIOSH outreach meetings, so that participants can be contacted, if needed, with follow-up information or questions. An example of the form is provided in Appendix C of PR-012. Sign-in sheets are protected by the Privacy Act and are not published on the NIOSH/OCAS web site.

The NIOSH OTS is a database application accessible to NIOSH, the Advisory Board, ORAUT, and SC&A staff through the OCAS Staff tools. NIOSH defines the purpose of OTS as follows (OCAS 2009d):

The OTS is designed to serve as a single repository for all available records related to Worker Outreach events, including a tracking function for site and meeting action items and their resolutions.

The OTS allows authorized users to schedule worker outreach meetings and send out meeting notification e-mails to selected groups. Meeting information includes the meeting type; the time,

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date, and location of the meeting; the sites covered by the meeting; the Point of Contact(s); the audience; and notes on the meeting. Following outreach meetings, the “Meeting Action Items” and “Meeting Files” are populated with applicable information. The “Meeting Action Items” section lists meeting-specific action items associated with the meeting. Information available on action items includes the action item description, owner entered date, commitment date, status, resolution description, and resolution date. The Meeting Files section of the OTS includes Portable Document Format (PDF) files of documentation associated with the outreach meeting, such as notifications, presentations, sign-in sheets, meeting minutes (draft and final), review requests, follow-up correspondence, or other documentation pertinent to the meeting.

Action items arising from worker outreach meetings are identified by the OCAS HP or the SEC Counselor, who may input the details into OTS or coordinate with the Writer/Editor for uploading. As feedback is received on the status of an action item, the “Action Item Current Status” field is updated by the meeting owner. Upon closure of the action item, the “Action Item Resolution Detail” is completed by the meeting owner.

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2 STATUS OF ORAUT-PROC-0097 FINDINGS/OBSERVATIONS

This section lists the major findings identified in SC&A's review of PROC-0097 (SC&A 2007) and describes their current status under PR-012. Each finding is identified with its page number from the report text and with related item number(s) in the Procedure Review Outline/Checklist (Table 1).

PROC-0097 Finding 1: The procedure is deficient, because it does not require the audiotapes of the outreach meeting to be archived. In addition, the audiotapes are destroyed after the minutes of the outreach meeting are finalized. [Checklist items 1.4 and 7.3]

Status: The substance of this finding has not been resolved in PR-012. Refer to Finding 5 of this review of PR-012.

PROC-0097 Finding 2: The procedure does not address follow-up discussions with particular workers and how these are documented. [Checklist item 1.5, 3.1.2]

Status: This finding has not been resolved. Refer to Finding 1 of this review of PR-012.

PROC-0097 Finding 3: There are no provisions for soliciting comments from workers who are not able to physically attend meetings. [Checklist item 3.1.4]

Status: This finding has not been resolved. Refer to Observation 3 of this review of PR-012.

PROC-0097 Finding 4: The procedure seems to focus on outreach meetings with labor organizations, though the purpose of the meetings is to obtain worker input and inform all workers. [Checklist items 1.3, 3.1.3, 3.1.4]

Status: The following changes have been made in PR-012 to expand the breadth of worker outreach:

- PR-012 indicates that the OSC works with organizations other than unions (e.g., professional and retirement organizations) in its efforts to identify present and past workers interested in outreach activities.
- Worker outreach has expanded to include a process for SEC petition input.
- The Worker Outreach Program added opportunities for workers, advocates, and petitioners to obtain information about the dose reconstruction and SEC processes through workshops, SEC Worker Outreach meetings, invitation from organizations, and Town Hall meetings.
- Worker outreach for the EEOICPA program has been more integrated, with NIOSH participating in outreach activities sponsored by other agencies, such as DOE and DOL.

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- Although not specifically described in the procedure, the following changes also increase interaction between NIOSH and workers:
 - An Ombudsman office was established to encourage workers to provide feedback on the process. The NIOSH Ombudsman closely communicates with the DOL Ombudsman Office to provide better overall support in the claims process.
 - A position of “SEC Counselor” was created to provide workers with information on the SEC petition process, and to assist petitioners with filing SEC petitions. SEC petitioners may also continue to request assistance through the SEC process.

PROC-0097 Finding 5: A two-track system appears to exist for obtaining employee and site expert input. One track is formal, governed by ORAUT-PROC-0097, with documentation requirements, while the other track is informal and appears to be intended as a means to obtain information from site experts. [Checklist items 1.5, 7.4]

Status: This finding has not been resolved. Refer to Finding 4 of this review of PR-012.

For convenience, Attachment 6, “ORAUT-PROC-0097 Finding Disposition Recommendations,” presents the findings as they occur in the procedure tracking database. SC&A recommendations for disposition of PROC-0097 comments are provided for each of the nine findings identified.

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3 SC&A EVALUATION OF OCAS-PR-012

Finding 1: The procedure does not provide direction for tracking, trending, evaluating, or responding to worker input.

PR-012 does not provide clear direction regarding the disposition of worker input. PROC-0097 described how comments were (1) captured and logged into WISPR, (2) evaluated to determine if a response was required, and (3) directed to the appropriate Site Profile Technical Lead (SPTL) for consideration. PROC-0097 specified a timeframe for responding to the workers and defined criteria for determining the adequacy of the response. None of these processes are addressed in PR-012. The current procedure does not discuss how comments provided by the workers will be evaluated to determine their potential impact on site profiles, dose reconstruction, and/or SEC evaluations, and how these comments will be resolved. The intentional responsiveness to worker input that characterized PROC-0097 receives passing mention in PR-012. Those practices that are retained (e.g., taking minutes) are not decisively required.

Capturing worker input appears to be optional in PR-012, and no processes are described for tracking and utilizing the input received. The procedure states, “minutes are typically taken” for certain meeting types. It does not explicitly state that minutes are required for any particular type of meeting, and it does not indicate how worker input is captured at a meeting that is primarily intended for information giving (e.g., Town Hall, SEC worker outreach, workshops). PR-012 does not describe how NIOSH ensures that worker input useful for technical document preparation is captured at a venue in which such input is not anticipated. For meetings in which minutes are taken, the procedure instructs personnel to upload final meeting minutes to OTS. No other database or tracking system is identified for tracking comment resolution or trending recurrent issues. Although the procedure indicates that minutes are taken “to assure pertinent information is captured for later use,” no further explanation is provided in regard to extracting substantive comments for consideration in technical documents and/or dose reconstructions.

In addition, PR-012 is a stand-alone procedure; it is not integrated or referenced in existing procedures for site profile development or SEC evaluations. PROC-0097 referenced the *Worker Outreach Program Plan*, ORAUT-PLAN-0010 (ORAUT 2004) and *Site Profile and Technical Basis Document Development*, ORAUT-PROC-0031 (ORAUT 2007a). Integration of these documents provided the procedural framework for considering worker comments in the development and revision of site profiles and technical basis documents (TBDs). In the current program, there is no plan or policy analogous to ORAUT-PLAN-0010. ORAUT-PROC-0031 still references PROC-0097, rather than PR-012, in describing consideration of information derived from worker outreach. The reference error is not a simple matter of updating the document number and title, because PROC-0031 describes a functional interface that does not exist in PR-012 [between the Site Profile/TBD Document Owner and the Worker Outreach Team Lead (WOTL)]. The current procedure for the SEC program, *Special Exposure Cohort (SEC)*, ORAUT-PROC-0044 (ORAUT 2005b), does not address the use of information obtained through worker outreach.

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During the review of PROC-0097, SC&A submitted questions to participants who attended worker outreach meetings. The questions and responses are available in Attachments 1 and 2 of the SC&A review (SC&A 2007). At this time, responses to questions indicate that many workers found the information portion of the meeting helpful. The workers, however, often felt that many of the comments provided in meetings were disregarded or misrepresented. Feedback from workers indicates that comments were not effectively resolved. For example, one worker provided the following impression of a worker outreach meeting (SC&A 2007).

While attending the meeting in Cincinnati, Ohio, my recollection of the meetings were: they were designed to informationalize the workers that attended. Not a bad meeting in that respect. But, Larry Elliott tried his best to convince us that he was all for the workers while simultaneously ignoring what we were telling him about our exposures. I would say that everyone had time to speak, but as I said most of the information that was presented from the workers was ignored.

Similar comments have been communicated to SC&A during site expert interviews conducted at various facilities. Substantive worker outreach comments, in some cases, have not been considered in critical decision-making processes, including SEC petition qualifications. For example, during Savannah River Site (SRS) SEC petition interviews, petitioners have indicated to SC&A that worker outreach comments from the May 22, 2008, worker outreach meeting in North Augusta, Georgia, were not considered during the request for administrative review of the SRS petition qualification. The original petition was submitted for all SRS workers, including production and construction trade workers (CTWs). The petition class was redefined to include only the CTWs. The review panel presented their findings to John Howard (HHS) on June 25, 2008. The May 22, 2008, meeting minutes were not finalized at this time. The letter provided to the petitioner from Health and Human Services (HHS) indicated the panel reviewed the materials in the petition and the request for review. The final determination was, "...the petitioner did not provide sufficient information to extend the class beyond SRS employees classified as construction workers" (Howard 2008). The petitioners submitted a second request for review, citing that the panel had not considered the minutes from the May 2008 worker outreach meeting. Furthermore, the petitioners requested and received all materials considered by the panel, minus four pages of pre-decisional internal communications. This material did not include the meeting minutes from the May 2008 meeting. Information provided at this and other SRS worker outreach meetings discussed the interactions between SRS CTWs and production workers, and raised potential SEC issues applicable to both classes of workers.

Individuals who offer public comments at Board meetings, as well as site experts interviewed by SC&A during technical document reviews, frequently express concern that worker comments are ignored. Many of these individuals describe specific examples of statements and documentation provided to NIOSH that have never received a response or resulted in changes to technical documents. Some advocates have stated that it is difficult to get participation at outreach meetings because of workers' perception that their testimony is discounted (ABRWH 2008). This perception is only exacerbated by a worker outreach procedure that fails to establish an accountability process for dealing with the input received.

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This finding is the single greatest concern noted by SC&A in its review of PR-012. The opportunity for workers “to provide information for consideration and possible use in dose reconstructions, site profiles, and SEC petition evaluations” is identified as a primary objective of the Worker Outreach Program, but this procedure offers no mechanism for considering or using the comments provided by worker outreach participants. The absence of direction for effective documentation, evaluation, and response to worker comments indicates a failure of the procedure to fulfill a significant aspect of its intended purpose. The structure of this procedure minimizes the effectiveness of worker comments and their subsequent consideration in dose reconstructions, site profiles, SEC petition evaluations, and other technical work documents.

Finding 2: The procedure does not specify criteria for identifying Action Items or for evaluating the adequacy and timeliness of response/resolution.

PROC-0097 described criteria for determining which worker comments required a response. It provided guidance on distribution of such comments to appropriate task personnel, specified that the Task Manager and/or Site Profile Team Lead (SPTL) must reply within 30 days, and provided criteria for the Worker Outreach Team Leader (WOTL) to evaluate each response. An acceptable response would address the comment, contain technically correct information, and either specify anticipated changes to the site profile (with a tentative schedule for completion) OR explain the reason for not revising the site profile. These activities were documented in the WISPR data base.

In contrast, PR-012, Appendix D, “OTS Overview,” states that action items are identified by the OCAS Health Physics (HP) or SEC Counselor (OCAS 2009a, pg. 24). Action items are uploaded to OTS and updated as feedback is received. The procedure does not provide guidance to the meeting owners to determine what constitutes an action item, it does not indicate an appropriate timeframe for addressing or resolving the action item, and it does not specify a mechanism for evaluating the appropriateness of response. It also does not specify that a reason should be provided for rejecting a substantive comment.

Whereas predecessor databases to OTS provided a repository for input by current and former employees of DOE and AWE facilities, OTS has does not provide a mechanism for the identification of substantive worker comments. PR-012 describes a separate documentation and tracking process for action items, rather than for all substantive worker comments. The appropriate determination of action items, therefore, becomes a critical part of being responsive to worker comments, and providing appropriate consideration of those comments in the dose reconstruction and SEC processes. The procedure leaves the determination of action items from a meeting open to the OCAS HP (who may not be present at the meeting), the SEC Counselor, or the Site Profile or SEC subject matter expert. While SC&A would agree that a substantial degree of technical judgment is required in considering and incorporating input from workers, as it is from historical documentation, the lack of specific criteria to guide the technical individuals in identifying action items is a significant concern, particularly in the context of other issues, such as the lack of a process to verify the accuracy of documentation of worker comments. Lack of specific criteria may lead to inconsistent determination of action items. Furthermore, in discarding the definitive requirements of PROC-0097, PR-012 appears to reduce NIOSH’s

accountability for identifying and resolving workers' concerns. This has the potential for increasing workers' perception that their comments are not being considered.

Finding 3: The majority of expected documentation is not available in the Outreach Tracking System (OTS) for meetings conducted within the effective period of PR-012.

As of March 12, 2010, OTS contained 118 meetings; 116 of those meetings were completed and 2 meetings were scheduled for future dates. Completed meetings recorded in OTS dated from November 11, 2003, through December 8, 2009. Of the 116 closed meetings, 53 were held prior to implementation of PROC-0097, 45 were held during the effective period of PROC-0097, and 18 were held after the approval of PR-012. Table 2 summarizes the numbers and types of meetings conducted by NIOSH within the effective period of PR-012. Attachment 3 lists all the worker outreach meetings scheduled, conducted, or attended under PR-012.

Table 2: Summary of Meeting Types Occurring under PR-012.

Information Giving				Information Gathering	
Worker Outreach Town Hall	SEC Outreach	Workshop	Invited Forum	Worker Outreach Focus Group	SEC Focus Group
4	2	2	9 (DOL)	0	1

SC&A representatives attended two worker outreach events; the Weldon Spring Plant (WSP) Worker Outreach meeting on September 2, 2009, and the NIOSH Workshop on Dose Reconstruction and the SEC on September 22–23, 2009. SC&A meeting minutes and an SC&A evaluation for the September 2, 2009, WSP meeting are provided in Attachment 1. SC&A notes collected during the observation of the workshop are available in Attachment 2. Review of the remaining outreach meetings conducted under PR-012 was based primarily on documentation available in OTS.

As an indicator of procedure implementation, the reviewers sought to evaluate the completeness of documentation in OTS. Although PR-012 does not explicitly require minutes and other documents for specific meeting types, it does indicate that minutes are typically taken for worker outreach meetings, and it states that the documents produced for worker outreach meetings are uploaded to OTS. PR-012, supplemented by *Classification of Worker Outreach Meetings* (OCAS 2009b), and *Types of NIOSH Meetings* (OCAS 2009c), provides a description of each primary meeting type, its purpose, its audience, and the documentation likely to be produced. SC&A referred to these documents to determine what documents would be expected to be produced and uploaded to OTS for each of the four primary meeting types described in PR-012. Table 3 summarizes the purpose, features, and expected documentation described by NIOSH for the primary worker outreach meetings.

Table 3: Primary Worker Outreach Meetings Described in PR-012.

Worker Outreach Meetings		
Meeting Type	Purpose & Features	Expected Documents*
Worker Outreach Focus Group <i>“Site Profile / TBD Development” in OCAS 2009b</i>	<ul style="list-style-type: none"> Information gathering Small group of workers from specific site or operation Discuss specific issue, process, questions, or site profile document 	<ul style="list-style-type: none"> Letters of notification, possibly with questions Sign-in sheet Presentation materials Action items Minutes/summary
SEC Worker Outreach Focus Group <i>“SEC Evaluation Report Issues” in OCAS 2009b</i>	<ul style="list-style-type: none"> Information gathering Small group of workers Discuss specific issues identified by OCAS/contractor during SEC Evaluation process 	<ul style="list-style-type: none"> Letters of notification, possibly with questions Sign-in sheets Presentation materials Action items Minutes/summary
Worker Outreach Town Hall Meeting <i>“Town Hall” in OCAS 2009b</i>	<ul style="list-style-type: none"> Information giving General public meeting targeting affected and potential claimant population Discuss program/policy issues, announce site profile revision, etc. Comments/new information may be obtained 	<ul style="list-style-type: none"> Media announcements Sign-in sheets Presentation materials Action items, if applicable Minutes
SEC Outreach Meeting <i>“SEC Petitioning Process Education” in OCAS 2009b</i>	<ul style="list-style-type: none"> Information giving Limited to SEC petition process Current/former workers, claimants, potential claimants, and other interested parties 	<ul style="list-style-type: none"> Media announcements Letter notifications Sign-in sheets Presentation materials

*As described in OCAS-PR-012 (OCAS 2009a) and/or the document titled *Classification of Worker Outreach Meetings* (OCAS 2009b).

Attachment 4 itemizes the document files that were available in OTS on March 12, 2010, for the 18 meetings that had been completed during the effective period of PR-012. Table 4 provides a summary of the presence or absence of expected documents. Some documents are not expected for certain types of meetings. Values in the table cells represent the number of meetings for which the specified document file was either present, expected but not present, or not expected.

Table 4: Summary of OTS Documentation

Document Status in OTS	Notification of Meeting	Sign-in Sheet	Presentation File	Final Meeting Minutes
Present in OTS	1	1	1	0*
Expected, But Not Present	7	7	7	4
Not Expected	10	10	10	13

*A NIOSH representative’s personal meeting notes were available for one meeting in lieu of minutes.

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Attachment 5 lists all of the action items currently contained in the OTS and the current status of each item. Although the action items are numbered up to 11, there are no action items numbered 1, 2, 4, 5, or 6 in the OTS. SC&A was not able to determine if these item numbers were not assigned or if these numbers represent action items that are missing from OTS. For the 18 meetings conducted between March 3, 2009, and March 12, 2010, there are two action items in OTS [Action Items #3 (Mound) and #11 (WSP)]. A response is provided for Action Item #11, and the item has been closed. The OTS indicates that Action Item #3 is open and past due. The lack of formal meeting minutes prevents SC&A from determining whether additional action items resulted from the meeting. During the observation of the September 22–23, 2009, workshop, SC&A identified two action items that are not currently included in the OTS. They are noted in Attachment 2. This illustrates that meetings designated as “information giving” can also result in action items.

The remaining four action items in OTS are designated as legacy action items. These action items were from worker outreach meetings at Chapman Valve (February 14, 2005), Fernald (June 28, 2004), and Hanford (April 22, 2004). While a complete review of historical worker outreach events is outside the scope of this PR-012 review, several generic observations can be made regarding the completeness of action items in the OTS.

- (1) A brief review of the TopHats database indicates that NIOSH at one time documented substantive comments for Los Alamos National Laboratory (LANL), Linde, Pinellas Plant, Fernald, Oak Ridge National Laboratory (ORNL), Mound Laboratory, the Y-12 Plant, the Rocky Flats Plant (RFP), and the SRS as of November 2005. Input available in TopHats for Fernald included comments on inadequate contamination controls, lack of or inadequacy in records, inadequate worker protection and monitoring, and specific exposure scenarios and incidents. The OTS action items for Fernald are limited to radon exposure.
- (2) A brief review of the WISPR report on staff tools indicates that additional comments are available for sites without action items in the OTS.
- (3) SC&A has attended meetings where actions were taken by NIOSH that are not reflected in the OTS. For example, during the April 22, 2008, meeting with the Security Police and Fire Professionals of American (SPFPA) Local 66 in Piketon, Ohio, the meeting minutes indicate that NIOSH accepted seven action items. No action items from this meeting are identified in the OTS.

The six action items listed in the OTS do not represent the depth and breath of concerns raised by meeting participants for the 116 completed worker outreach meetings.

The scarcity of documentation in OTS for meetings starting with the implementation of PR-012 is indicative of the inadequacy of the procedure and/or its implementation regarding documentation of worker comments in OTS and generation of action items. Final meeting minutes are unavailable for four out of five meetings in which minutes would be expected. The meeting record for the fifth meeting is limited to two pages of notes for an information gathering meeting that lasted several hours. Given the scarcity of action items documented in OTS, it is

understandable that workers perceive that their input is often ignored or dismissed. There should be a more formalized process for identifying and resolving action items, and communicating resolutions of these action items to participants.

Finding 4: The procedure fails to define processes or requirements for several venues of worker outreach. The multiple venues are not subject to equivalent standards for documentation. Of particular concern is the two-track system for obtaining and documenting worker input that appears to give site expert interview records more weight than worker input obtained through outreach meetings.

Other Venues Identified by NIOSH

PR-012 does not provide adequate information or establish documentation requirements for activities that NIOSH identifies as worker outreach (i.e., workshops, Board meetings, the website/docket, and invited forums). The information provided by NIOSH at the Board meeting includes a list of Other Outreach Venues—Work Shops, Board Meetings, Invited Forums, and the Website/Docket. All four venues are classified by NIOSH as information giving and gathering. Table 5 provides a brief description of each venue and documents associated with these activities.

Table 5: Other Outreach Venues Identified by NIOSH

Venue	Description	Associated Documents
Workshops	These meetings are held to educate the public about the dose reconstruction and SEC processes. Work shops involve formal presentations, classroom exercises, and open discussions with participants.	<ul style="list-style-type: none"> • Presentations • Handout materials • Sign-in sheets
Invited Forums (includes organized labor and worker/advocate forums)	NIOSH role is typically to represent the agency and answer questions related to dose reconstruction.	None listed in PR-012 or in OCAS 2009b
Other Outreach Venues (described in OCAS 2009b, but <u>not</u> in PR-012)		
Board Meetings	The Advisory Board meets about every 3–4 months to review program and science updates, SEC petition evaluations, and other matters of interest to the EEOICPA. The Board receives worker comments in the context of petitioner statements, public comment sessions, and at other times as authorized by the Chair.	<ul style="list-style-type: none"> • Presentations • Public comments • Interactions • Public Health Advisor (PHA) interviews

Table 5: Other Outreach Venues Identified by NIOSH

Venue	Description	Associated Documents
Website/Docket	A "Docket" is a formal record of a federal government agency's regulation development process. It includes copies of all public comments received by the agency in developing the regulation, copies of all references cited in the regulation, and other relevant information. The Docket is open to the public, which can view and obtain copies of any of its contents. According to OCAS 2009b, the NIOSH/OCAS Website/Docket provides for public display and tracking of documents related to EEOICPA.	<ul style="list-style-type: none"> • Documentation of input/comments on program documents • Public documents related to EEOICPA

*As described in OCAS-PR-012 (OCAS 2009a) and/or the document titled *Classification of Worker Outreach Meetings* (OCAS 2009b).

Each of these venues affords an opportunity for workers, advocates, and site experts to provide substantive comments for consideration in the dose reconstruction and SEC processes. There is no formalized process discussed in PR-012 for documenting, tracking, evaluating, and responding to comments provided from these venues. Little or no treatment is given to these venues in PR-012, although they appear to be important means of obtaining valuable input. At the present time, the responsibility for tracking of public comments has been given to the Designated Federal Official (DFO) and his staff, and the NIOSH OCAS role in this process is unclear to SC&A. PR-012 should include a discussion of these worker outreach venues. The procedure should specify what documents are required (or optional) in OTS, and describe how the comments provided by workers are made available for consideration in dose reconstructions, site profiles, and SEC petition evaluations.

Other NIOSH Outreach Activities

Several activities conducted by NIOSH can provide substantive worker input consistent with the objectives of the Worker Outreach Program, but NIOSH does not acknowledge them as worker outreach activities. These unrecognized venues include, but are not limited to, Computer Assisted Telephone Interviews (CATIs), Close-out Interviews (COIs), general information provided by workers via e-mail or letters to NIOSH staff members, and site expert interviews.

The CATI and COI processes are proceduralized, but the procedures do not provide a mechanism by which general site-specific information (as opposed to personal claimant-specific information) may be captured for consideration in technical work products. Some aspects of correspondence control are formalized in procedures, but they do not specify criteria for determining when NIOSH is required to respond to input that it receives via e-mail or letter. Because there is no single repository for worker comments gathered from multiple venues, it would be difficult for personnel involved in dose reconstructions, SEC evaluation reports, or site profiles to locate and utilize the information provided by the workers.

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Two-Track System for Site Experts and Other Workers

Of particular concern is an issue that was raised in the SC&A review of PROC-0097. SC&A noted what appeared to be a two-track system for gathering input from former and current workers. One track, a formalized process, solicited employee comments on the site profile through “worker outreach” meetings. A second track, which appears to be informal and at the discretion of the preparers of technical documents, solicited comments from site experts. Site expert interviews are a significant source of worker input for technical documents, but NIOSH has not established a formal process for selecting site experts, conducting interviews, assuring that the interviewees’ statements have been accurately expressed, or evaluating the information for use in technical work documents. Specifically, this form of worker input is not addressed in PR-012.

PR-012 has implemented Worker Outreach Focus Group meetings, which allow NIOSH and ORAUT to solicit comments from HP personnel or employees with experience in specific job categories, depending on the need of site profile or SEC petition reviews. The Worker Outreach Focus Group described in PR-012 is typically a “small group of current and/or former workers from a specific facility or at a process-level operation within a facility.” The group of 10–12 individuals provides feedback on a specific issue and/or set of questions, and/or the site profile document. An SEC Worker Outreach Focus Group meeting has a similar format, though it might involve more participants. These meetings are initiated by NIOSH when information is needed to complete an SEC petition evaluation report that is not available from other sources already obtained by NIOSH.

In contrast to meetings for worker input organized under PR-012, site expert interviews are conducted by an informal process. ORAUT-PROC-0031 states that interviews are conducted with retirees or other long-term site personnel to obtain information about work performed on the site and the radiation protection program in place during the period of operation. These interviews are documented on ORAUT-FORM-0025, *Documented Communication* (ORAUT 2007b). No equivalent instruction was located in ORAUT-PROC-0044 for the SEC Petition evaluation process. *Documented Communication* records are accessible in the Site Research Data Base (SRDB).

A cursory review of *Documented Communication* records in the SRDB indicates that site expert interviews are commonly conducted one-on-one or in groups that are generally much smaller than the worker outreach meetings described in PR-012. In SC&A’s experience, it is very difficult for all attendees to provide detailed input in meetings larger than four people. A group of one to three persons works best for interviews in which very detailed information is expected. As compared to the methods described in PR-012 for worker outreach meetings, the approach used for gathering input from site experts is much more conducive to obtaining all the relevant information that a worker might have to provide. SC&A recognizes the value of conducting larger meetings at which worker input is obtained, since that increases the breadth of input with more modest resource commitments. In order to provide an equivalent opportunity for “worker outreach” comments to be explored and validated, PR-012 should describe a mechanism and criteria for determining when further follow-up with specific workers is indicated.

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In addition to the advantage of one-on-one or small group interaction, site expert interviews appear to be initiated or carried out by personnel who are directly involved in producing technical documents. This increases the probability that the comments recorded in the interview notes will be taken into account. However, since there is no procedure for ensuring the accuracy of documentation of the interviews, SC&A has no way of verifying that all relevant points are actually included in the interview record. Furthermore, SC&A cannot verify whether document preparers send interview records to interviewees for verification and correction. This point was discussed at considerable length in the context of the resolution of SC&A's comments in regard to the Nevada Test Site (NTS). A particular site expert provided extensive technical information to SC&A during an interview. Although NIOSH conducted several hours of interviews with this individual, only a very brief mention with a single relatively straightforward issue was incorporated into the interview record.²

NIOSH places significant weight on site expert interview records, to the point that some site expert interviews form the only basis for assumptions made in technical work documents. As such, an equivalent level of rigor should be applied to the documentation of information provided by site expert interviews as that for Worker Outreach Focus Groups and other information gathering venues. A review by the site expert, and subsequent sign-off, should be required for site expert interviews, particularly those used as a basis for assumptions in technical work documents. Substantiation of all worker comments should be conducted, regardless of the source of comments, including those provided by NIOSH site experts.

Through the processes of worker outreach and site expert interviews, different perspectives on the same issue are apt to arise, including direct contradictions. For instance, SC&A interviewed two individuals for the Sandia National Laboratory - Livermore (SNLL) site profile review; a manager/engineer and an HP. When asked whether tritide operations were conducted at SNLL, the manager indicated the tritide work was done at Mound and SRS. An HP, who was directly involved in site operations, indicated that SNLL did conduct work with tritides. SNLL documentation supported the position of the HP. In order to evaluate multiple perspectives in developing technical documents, it is important to utilize consistent and effective processes to solicit, document, and substantiate worker input, regardless of the source of the comments.

In summary, the concerns raised during SC&A's review of PROC-0097 regarding inconsistent processes and unequal weighting of worker input have not been resolved, and PR-012 has intensified some concerns:

- A two-track system tends to give less weight to the information provided by workers at outreach meetings than at site expert interviews. The latter appear to be conducted in small groups by personnel who are preparing technical documents. There is no assurance under PR-012 that the technical personnel preparing documents are aware of technical inputs provided at worker outreach meetings.

² SC&A's interview with this site expert is part of its NTS Profile Review (SC&A 2005). The NIOSH/ORAUT record of the interview with the same person is documented in Griffith 2004. Discussion of this issue occurred at various Work Group meetings.

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- There is no systematic method described for documenting and resolving differences in important technical input that may arise from different settings in which different classes of workers are typically represented (outreach meetings and site expert meetings).
- No process is described (for worker outreach minutes or site expert interview records) for verifying the accuracy and completeness of the official records, or for assuring that the information is considered for inclusion in technical documents.

As noted, SC&A recognizes the importance of both small meetings (one to four people) and larger meetings for obtaining technical input from workers. However, there must be criteria for deciding when a broad meeting with many workers is to be held and when input is sought via one-on-one or in very small group settings. Both types also require a process for ensuring completeness and accuracy of the documented information and for ensuring appropriate consideration for inclusion in technical documents.

Finding 5: The procedure does not describe a process for assuring that worker feedback is accurately and completely documented.

PROC-0097 described a process for forwarding final draft meeting minutes to host organization(s) for review and comment. Following a 60-day review period, comments were to be evaluated and incorporated, as necessary. The minutes were to be finalized after 60 days, and the audiotapes would be destroyed, whether or not responses were received. In its review of PROC-0097, SC&A expressed concern that this procedure limited NIOSH's ability to resolve concerns about potential misrepresentation of information provided. This deficiency is amplified in regard to PR-012; the current procedure does not indicate that participants' input should be sought in regard to the accuracy of meeting minutes. In addition, the current procedure still indicates that audiotapes are destroyed after the minutes have been finalized. There are no requirements to archive these recordings, or to inform participants that recordings are not made available to them. PR-012 states (OCAS 2009a, pg. 4):

Prior to the start of the meeting in which a recording may be used, the meeting facilitator will make an announcement stating that the meeting will be recorded and the recording is a tool for accurate preparation of the meeting minutes. (The recording is not a deliverable product of the outreach contractor and thus is not available to the public under FOIA.)

Furthermore, on page 15, the procedure states the following:

The OSC Team facilitator will generally facilitate the meeting and the OCAS HP and the SPSME will conduct the presentation and discussion. At the beginning of a meeting, when the meeting is to be electronically taped, the OCS Team Facilitator will make an announcement similar to the following:

This meeting is being recorded. The purpose of the recording is to help prepare accurate meeting minutes. Thus, the recording is a tool and will be destroyed

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once the minutes of this meeting have been finalized. Does anyone object to the use of the recording?"

Note: If there are no objections, the meeting will be recorded.

If there are objections, the OSC facilitator will resolve the issue.

Possible Scenarios

If an individual(s) object to the recording, the individual (s) may leave and may give written comments through the NOCTS web application or letter, or may be given the opportunity to voice their comments after the meeting provided there is sufficient time or by phone at a later date.

If there is an objection by majority, the meeting will not be recorded and written notes will be used to best capture the essence of the meeting discussions.

If someone requests a copy of the recording, the OSC Team facilitator and/or OCAS staff representative will explain that copies are not available for public distribution.

During an invited meeting with the SPFPA Local 66 in Piketon, Ohio on April 22, 2008, participants were prepared to audiotape the meeting for their own records. They were told at the time that a copy of the NIOSH recording would be provided to them (SC&A 2008), so they did not record it. Later, SPFPA was told the recording would not be provided to them, and were understandably upset that the NIOSH position had been reversed. This exemplifies why it is important to disclose up front as a part of the introductory remarks that copies of the audiotape are not available for public distribution. It is recommended that the procedure reflect inclusion of such a statement.

PR-012 contains no requirements for providing meeting minutes to participants for review or for subsequent integration of comments received by workers. Furthermore, as noted above, the destruction of the audiotapes prevents any resolution of complaints that information provided was omitted or misrepresented. There is no required time period for the finalization of meeting minutes; this can result in long time periods for which draft meeting minutes are unavailable to the public. A reasonable time limit for finalizing meeting minutes and posting them to the NIOSH website should be incorporated into PR-012. If the practice of destroying audiotapes is continued, it is recommended that a process for verifying the accuracy of comments be completed in every case before the audiotape is destroyed. SC&A also recommends that the invitation letter should include a disclosure that tapes made by NIOSH and its contractor will be destroyed, so that participants can bring their own equipment, should they desire to record the proceedings.

Without the final meeting minutes and audiotapes from the meetings conducted under PR-012, SC&A was unable to determine whether participant comments were adequately captured during applicable worker outreach meetings. While meeting notes were captured by SC&A at the WSP

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outreach meeting (September 2, 2009), the official final meeting minutes are not available for comparison.

The Mound Worker Outreach SEC Focus Group meeting on April 28, 2009, raises doubts about the completeness of the notes captured during the meeting. As previously mentioned, two pages of meeting notes were compiled in lieu of formal meeting minutes. The purpose of the meeting was to lay out NIOSH's approach to determining neutron dose, and to solicit any comments or insights from invited workers (ABRWH 2009, pg. 8–10). A presentation was given to the participants, followed by a discussion of the proposed model. The outreach meeting lasted several hours, which has historically resulted in lengthy meeting minutes.

At the present time, the procedure does not clearly indicate that worker input from “information giving” or combined “information giving and information gathering” meetings will be captured for consideration. Opportunities are provided for participants to ask questions and provide comments at work shops, at DOL- and DOE-sponsored meetings, and at NIOSH Town Hall meetings. Participants take these opportunities to provide comments on the information provided by presenters, as well as information about neighboring sites. Meeting minutes are typically taken for NIOSH Town Hall meetings, Worker Outreach Focus Groups, and SEC Focus Groups. There is presently no requirement to formally capture and track worker comments at workshops, DOE and DOL invited forums, or SEC Information Meetings. As a result, substantive comments may go unrecorded. At the WSP Worker Outreach Town Hall meeting and the workshop, SC&A made note of substantive comments provided by workers, which were relevant to technical work documents. For example, during the workshop, a participant from Oak Ridge provided information related to the enrichment process at the Oak Ridge Gaseous Diffusion Plant. He raised a concern related to the routine UF₆ releases, which occurred from the cascades. Another participant verified his statement. NIOSH indicated that, if there were issues with UF₆ releases into the work environment, it should be addressed in the site profile. The worker was told by NIOSH to submit this comment to the docket (see Attachment 2). PR-012 should contain direction on documentation and follow-up of participant input provided at information giving venues. It would be preferable to capture such comments from the worker outreach meeting, incorporate them in the OTS, and alert preparers of site profiles and SEC petition evaluation reports that new information is available.

The fact that at least some workers believe their information was disregarded or misrepresented indicates gaps in the process of finalizing the minutes of the meetings. PR-012, unlike PROC-0097, has eliminated the requirement to provide participants with an opportunity to review meeting minutes. The lack of a provision for an affirmative sign-off by meeting participants who provided input, along with the destruction of audiotapes, prevent the resolution of issues that arise regarding omissions or misrepresentation of meeting participant comments. SC&A recommends that a feedback meeting or loop be incorporated into the procedure, providing workers with an opportunity to correct inaccuracies or to insert information they feel was missed in the meeting minutes. Furthermore, the procedure should address how comments provided during information giving meetings are to be documented and resolved. This would generate confidence in the NIOSH approach to workers' comments and alleviate stakeholder concerns.

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Observations

Observation 1: The procedure does not address the possibility that sensitive or classified information could be shared at worker outreach meetings. This is a particular concern at National Nuclear Security Administration (NNSA) sites. At a minimum, the procedure should alert worker outreach staff to submit recordings, minutes, or meeting notes for classification review if they have any doubt about the classification status of information shared at an outreach event. It is recommended that worker information captured for worker outreach activities involving NNSA sites be submitted for classification review prior to release to the public. This is consistent with the security plan requirements for submittal of site expert interview notes, white papers, and technical documents generated by NIOSH, the Advisory Board, and their contractors involving NNSA sites.

Observation 2: There are no requirements in the procedure to notify participants that the meeting is designed to solicit unclassified information. A statement to this effect should be included in introductory remarks, particularly at worker outreach meetings involving NNSA sites. Furthermore, the procedure does not provide an opportunity for workers to discuss potentially classified information. Particularly at NNSA sites, workers may be restricted from openly discussing site-specific information, due to security concerns. When advising participants to refrain from sharing sensitive information at an outreach meeting, NIOSH should invite workers to request an alternate venue if they feel their concern or information cannot be shared in an open forum.

Observation 3: There are no provisions for soliciting comments from workers who are not able to physically attend meetings. The people who attend the worker outreach meeting are only a fraction of the workers at the facilities. Many workers are aging and are not able to travel to outreach meetings. These individuals often represent the earliest years of operation at a site, and are sometimes the only workers still living for the covered periods of facilities. The procedure does not provide a mechanism for workers who cannot travel to worker outreach meetings to participate in meetings, nor does it provide direction on providing presentation material and soliciting comments from such individuals. One possible solution is to provide a call-in number for public outreach meetings.

Observation 4: There is no requirement for disclosing conflict of interest during worker meetings. The Site Profile Subject Matter Expert (SPSME), the OCAS HP Supporting Outreach Efforts, and OCAS staff are responsible for identifying the need for worker outreach efforts at DOE/AWE sites; preparing presentations and developing questions for outreach discussions; identifying meeting action items; coordinating resolution of action items or other issues; verifying accuracy of meeting minutes; and identifying issues that are entered into the OTS. Participants should be informed of any actual or potential conflict of interest that could influence these individuals.

NIOSH and NIOSH contractors are required to maintain conflict-of-interest plans to include real bias or the potential appearance of bias, including both organizational and individual conflict of interest. Currently, conflict of interest and bias disclosure statements for NIOSH and ORAUT are available through the NIOSH OCAS website. Although this information is available

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electronically, not all individuals have access to this information. Conflict of interest and bias disclosure for organizations and individuals should be communicated to participants at the beginning of each NIOSH sponsored meeting.

Observation 5: ORAUT-PROC-0031, *Site Profile and Technical Basis Document Development*, currently references PROC-0097, which has been replaced with PR-012. The interconnection between site profile development and worker outreach efforts no longer exists with PR-012. This and other procedures, plans, and policies that reference PROC-0097 should be updated to reflect the current worker outreach processes and procedures.

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4 PROCEDURE CHECKLIST

The checklist originally provided in *A Protocol for the Review of Procedures and Methods Employed by NIOSH for Dose Reconstruction* (SC&A 2009) was not appropriate for evaluation of the OCAS-PR-012. The procedure has been evaluated against Objectives 1–4 defined in the *Worker Outreach Implementation Plan* (see Attachment 7) accepted by the Worker Outreach Work Group and the Advisory Board. Since these evaluation criteria were developed to evaluate outreach meetings and other venues, some objectives are not applicable to the evaluation of the procedure and are so noted.

No.	Description of Objective	Rating 1-5*	Comments
1.0	PLANNING FOR OUTREACH: Determine whether OCAS is taking appropriate measures to solicit worker input into Site Profiles, SEC petition evaluations, and other technical documents.		
1.1	Examine the procedures and processes by which OCAS solicits the involvement of workers by reviewing the following:		
1.1.1	<i>How does OCAS determine whether an outreach meeting is to be conducted for a facility?</i>	3	<p>PR-012 Section 6 provides five non-binding guidance criteria for determining the need for outreach efforts. Two criteria are relatively objective:</p> <ul style="list-style-type: none"> ○ Substantive change to site profiles ○ Invitation by another agency <p>The other three criteria are relatively vague and subjective:</p> <ul style="list-style-type: none"> ○ The need to inform stakeholders of SEC petition process or status ○ The need to gather additional information from stakeholders to support SEC evaluations or site profiles ○ As otherwise deemed appropriate for an outreach effort <p>Evaluation of actual OCAS determinations and methods is beyond the scope of this review.</p>
1.1.2	<i>How does OCAS identify and inform workers of the opportunities for input and follow-up to secure participation?</i>	3	<p>OSC identifies organizations (union, professional, retirement) affiliated with the site and works with these organizations to identify present and past workers interested in the outreach effort.</p> <p>OSC develops and sends to interested individuals introductory/confirmatory notices and informational material, as coordinated with OCAS HP.</p>

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No.	Description of Objective	Rating 1-5*	Comments
1.1.3	<i>Is the Outreach Tracking System (OTS) scheduling and notification system adequate?</i>	4	The scheduling and notification system with OTS effectively notifies those individuals on a predetermined e-mail list of outreach events. There are situations where meeting notifications are not providing in a timely manner. For example, notification of the Hanford Town Hall meeting on March 16, 2010, was sent out on March 16, 2010.
1.1.4	<i>Are participants in outreach meetings notified in a timely manner?</i>	4	
1.1.5	<i>Are arrangements made to participate for those interested but unable to travel to outreach meetings?</i>	3	The procedure does not specify options for those individuals who cannot travel to outreach meetings. An option to call in is not available.
1.2	Examine several examples of OCAS solicitations and follow-up associated with several particular work products to address the following:		
1.2.1	<i>Were the procedures followed and effective in practice?</i>	See comment	Actual notification and solicitation efforts could not be evaluated, because none were found in OTS for any meetings conducted since PR-012 had been in effect. It is unclear from the procedure what documentation is expected for an invited meeting (i.e., NIOSH attends a “non-public” “Town Hall” at union’s request).
1.2.2	<i>Did OCAS make an appropriately extensive effort to elicit broad and substantial participation from workers?</i>	3	<p>NIOSH has improved efforts to solicit broader participation from workers. Specifically, outreach efforts have expanded beyond union and labor organizations. Outreach activities now include advocates, medical surveillance program personnel, and others. This is particularly true of information giving meetings and workshops.</p> <p>Worker Outreach (largely information giving and/or union oriented) is formalized with procedures; site expert interviews are regarded as a separate process and are not formalized. If only “Worker Outreach” is considered, it appears that non-union workers and professional employees are not adequately represented.</p> <p>The WSP worker outreach meeting was held during a regular union meeting. The initial union members present were not representative of the site workers, because there were not many of the original WSP workers available to attend the meeting. Seven of the approximately 70 attendees worked at WSP during the covered period.</p>

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No.	Description of Objective	Rating 1-5*	Comments
1.2.3	<i>Are there additional or improved methods for OCAS to consider?</i>	N/A	Discussions with union organizers at the WSP meeting indicated that the meeting was scheduled sufficiently in advance to allow interested parties to attend. However, there were no public announcements or community outreach, and no indications that arrangements were made for those physically not able to travel to the meeting.
2.0	CONDUCTING OUTREACH: Determine whether OCAS is obtaining and documenting input from workers.		
2.1	Review all OCAS and contractor processes and procedures associated with obtaining and documenting worker input.		
2.1.1	<i>How does OCAS document worker input from information gathering meetings and other venues?</i>	1	PR-012 indicates that meeting minutes are the primary means of capturing pertinent worker input for later use. No minutes are available in OTS for review for any worker outreach meetings conducted since the implementation of PR-012.
2.1.2	<i>Does OCAS have a method for noting re-occurring issues associated with worker communication from various venues?</i>	1	The current procedure does not discuss a process for evaluating, tracking, or trending worker communication.
2.2	Review a sampling of interviews and meetings where the above-referenced processes and procedures were implemented by OCAS and its contractors to determine whether they were followed and effective in practice.		
2.2.1	<i>Was the desired information obtained and documented?</i>	1	No minutes are available in OTS for review for any worker outreach meetings conducted since the implementation of PR-012. SC&A attended an outreach meeting for WSP on September 2, 2009, but cannot compare its record of the meeting against NIOSH's documentation. NIOSH has posted worker input (meeting notes) from an SEC Worker Outreach Focus Group meeting; however, these were meeting notes taken by the Subject Matter Expert (SME), rather than outreach meeting minutes.
2.2.2	<i>Is the documentation of participants' comments accurate and complete?</i>	1	SC&A attended an outreach meeting for the WSP; however, the final meeting minutes from this meeting are not available for comparison to notes and actions captured by SC&A. The procedure requires destruction of information, i.e., the audiotapes of meetings are destroyed after finalization of the meeting. Furthermore, the OSC Team facilitator and/or OCAS staff representative is instructed to explain that copies of the audiotape are not available for public distribution if an individual requests a copy.

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No.	Description of Objective	Rating 1-5*	Comments
2.2.3	<i>Is the draft of the meeting record available for appropriate participant review?</i>	2	Historically, meeting minutes have been provided to the sponsoring union organization for review. There are no provisions in PR-012 for submitting draft meeting minutes to meeting participants for review. Of the meetings held since its release of PR-012 requiring meeting minutes, there are no letters requesting comments from the participants in the OTS.
2.2.4	<i>Did the participants avail themselves of the opportunity to comment on the draft meeting record?</i>	See comment	There are no provisions in PR-012 for submitting draft meeting minutes to meeting participants for review.
2.2.5	<i>Were comments incorporated into the final meeting record?</i>	See comment	There are no provisions in PR-012 for submitting draft meeting minutes to meeting participants for review.
2.2.6	<i>Was the finalized meeting record made available in a timely manner to participants requesting copies?</i>	N/A	SC&A cannot determine what information was provided to the participants, but there is a significant absence of documentation in the OTS. There are only five meetings that post-date PR-012, are currently logged into OTS, and would be expected to include meeting minutes (i.e., not counting DOL meetings, SEC Outreach Meetings, or Workshops). These five meetings took place between April and December of 2009. Four of the five meetings do not have meeting minutes or notes available in the OTS. One meeting has a file containing a NIOSH representative's meeting notes (not traditional minutes). None of these meetings is noted on the NIOSH website under Worker Outreach Activities. There is also no correspondence in the OTS requesting a review of minutes or notes.
2.3	Evaluate the conduct of outreach meetings.		
2.3.1	<i>Is technical staff present at information outreach meetings where appropriate?</i>	5	The procedure has provisions for the attendance of OCAS HPs, the SEC Petition Counselor, OSC staff, and/or the SEC ombudsman.
2.3.2	<i>Were appropriate introductory statements made at the beginning of the meeting?</i>	5	During the WSP meeting, appropriate introductory statements regarding the audiotapes were made. ATL also explained that there was a sign-in sheet, but it was used only for contacting the participants if needed. (See Attachment 1.)

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No.	Description of Objective	Rating 1-5*	Comments
2.3.3	<i>Was there an adequate time for presentations by OCAS?</i>	4	<p>The technical presentation at the WSP outreach meeting was approximately 1 hour long, which was too long for this audience and contained too many details in some sections (such as some of the information on Slides 10–16). The handouts containing the slides were helpful, and would have been even more helpful if they could have been projected on a screen for the audience to follow.</p> <p>At the September 22–23, 2010, workshop, participants indicated they would like to see more time spent on the presentation, “What You Can Do to Assist the Claimant?”</p>
2.3.4	<i>Were participants allowed adequate opportunity to provide comments?</i>	5	Based exclusively on the observation of the September 22–23, 2009, workshop, participants were provided with ample opportunity to provide comments and ask questions.
2.3.5	<i>Are provisions made that are appropriate for interviews in a classified setting should the need arise?</i>	2	The procedure does not provide an option for classified outreach meetings. For NNSA sites (e.g., Pantex Plant), conducting worker outreach activities in public locations introduces the potential for inadvertent disclosure of classified information by participants. In addition, the procedure does not provide instructions for classification review of meeting minutes in accordance with the DOE Security Plan either within the procedure, or by reference to an appropriate procedure.
2.3.6	<i>Are presentations developed at the appropriate level for the participants of the meeting?</i>	4	<p>The presentation at the WSP worker outreach meeting was at a level the participants could understand.</p> <p>At the workshop, participants found the presentations helpful, although several mentioned the IREP presentation needed to be shortened and simplified, with an emphasis placed on the “take-home message.”</p>
2.3.7	<i>Are sign-in sheets utilized for outreach meetings so that attendees can be contacted, if needed, with follow-up information or questions?</i>	2	Sign-in sheets are available for some outreach meetings prior to the implementation date of PR-012. For those meetings conducted since the implementation of PR-012, there are no sign-in sheets available in the OTS.
2.3.8	<i>Are questions appropriate to solicit the desired information?</i>	N/A	SC&A has not attended an information giving meeting. The notes from the April 2009 Mound SEC Focus Group did not include questions. No evaluation could be made.

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No.	Description of Objective	Rating 1-5*	Comments
2.4	Evaluate the completeness and adequacy of the Outreach Tracking System (OTS).		
2.4.1	<i>Does the OTS reflect the breadth and depth of the information provided by workers at the meetings?</i>	See Comment	Based on a review of the procedure and OTS, information provided by workers is documented within meeting minutes. Attendance at an information gathering meeting and a subsequent review of meeting minutes is necessary for evaluation of this objective.
2.4.2	<i>Did OTS integrate action items accepted by OCAS or its contractors during the course of the meeting?</i>	2	There are a total of six action items for 116 closed meetings in OTS. Action items may be reflected in the meeting minutes; however, they are not documented and tracked under the Action Item section of OTS. The minimal number of action items documented and tracked indicates a lack of consideration of worker comments in technical documents, as well as little follow-up with workers regarding questions and concerns. Further evaluation of this objective requires attendance at an outreach meeting.
2.4.3	<i>Were participant comments provided at information giving meetings included in OTS?</i>	2	The procedure does not require that worker input be captured during information giving meetings. As observed at the WSP outreach meeting, an action item was generated and put into OTS as a result of input provided by a worker. An e-mail response was provided for the worker. During the workshop, several comments provided by workers were not captured in the minutes, nor were they documented in OTS. In one case, NIOSH acknowledged the significance of a worker comment to the site profile, but told the worker to submit his comment through the docket, rather than capturing the comment as an action item.
2.4.4	<i>Is OTS an adequate method for documenting and tracking worker comments?</i>	2	The final meeting minutes for information gathering meetings are uploaded to OTS as part of the supporting documentation. OTS does not have a capability for tracking worker comments.

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No.	Description of Objective	Rating 1-5*	Comments
2.5	Evaluate OCAS's tracking system for identifying trends in worker comments.		
2.5.1	<i>Has OCAS documented repetitive or reoccurring issues on a site-wide or program-wide basis?</i>	1	There is no mechanism for evaluation of individual worker comments.
3.0	CONSIDERING WORKER INPUT: Determine whether OCAS is giving thorough consideration to information received from workers through the worker outreach efforts; incorporating consideration of that material into its work products, as appropriate; and adequately communicating the impact of substantive comments to workers.		
3.1	Examine the process by which OCAS and its contractors evaluate worker input.		
3.1.1	<i>How does OCAS catalog and consider worker input for inclusion into its technical documents such as site profiles and SEC evaluation reports?</i>	1	Procedure does not describe a process for cataloging and considering worker input. This was removed when PROC-0097 was superseded by PR-012.
3.1.2	<i>What criteria are used to identify comments that deserve consideration for a response or action by NIOSH?</i>	2	There are no criteria for identifying comments that deserve a response or justify initiating an action item by NIOSH.
3.1.3	<i>Are the appropriate personnel evaluating the comments received?</i>	See Comment	Rating 1- For evaluating comments (responsibility is not assigned in PR-012). Rating 3- For determining and assigning action items – PR-012 assigns responsibility to qualified individuals to determine action items. The two action items recorded under PR-012 were assigned to individuals who were qualified to respond to the issues. The action items listed in OTS that pre-date PR-012 do not specify the personnel responsible for the action item.
3.1.4	<i>Were follow-up discussions held with participants providing substantive comments, when necessary?</i>	2	For meetings conducted under PROC-0097, there were letters submitted to organizations for review of meeting minutes. Since implementation of PR-012, there are no letters available to participants requesting reviews in OTS. There are a few examples of follow-up correspondence to specific workers related to action items.
3.1.5	<i>What processes and procedures are in place to ensure that NIOSH is following up on the response and action items?</i>	2	Procedure does not specify a process. One of the two action items recorded under PR-012 has been resolved. The other is "in progress" 7 months beyond the due date recorded in OTS.
3.1.6	<i>How is feedback provided to the workers in response to their comments?</i>	See Comment	General comment response cannot be evaluated. PR-012 does not specify a process, and there is minimal documentation available for review. Rating 3 - Action Item response: The one resolved action item from the PR-012 period has adequate documentation of an appropriate response.
3.1.7	<i>Did OCAS conduct research to evaluate substantive comments by participants and assess their impact on NIOSH documents, processes, and procedures?</i>	N/A	Cannot be determined by a review of the procedure and the limited documentation available in OTS.

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No.	Description of Objective	Rating 1-5*	Comments
3.2	Conduct a systematic review of worker outreach database(s) (at a point in time) in relation to its impact on technical documents.		
3.2.1	<i>Select a sample of Site Profiles and SEC Evaluation Reports where worker outreach meetings have been done to document whether and how worker input has been considered and included, and evaluate if exclusions were appropriate.</i>	See Comment	This action is pending further direction from the work group.
3.2.2	<i>Were the action items in OTS (or responses in WISPR and predecessor databases) appropriate to the comments received?</i>	2	There are provisions within the procedure for tracking action items in OTS. The procedure does not provide criteria for what constitutes an action item. The only information provided in the procedure is that action items will be identified by the OCAS HP or the SEC Counselor and entered into the "Meeting Action Item" screen of OTS. Worker comments were more thoroughly captured and tracked in WISPR and predecessor databases.
3.2.3	<i>Were recurrent issues appropriately responded to?</i>	1	The ability to track recurrent issues is not available with OTS. Prior to the termination of TopHats and WISPR, there was some ability to identify recurrent issues.
3.2.4	<i>Are comments applicable to the DOL portion of the process forwarded to DOL for consideration?</i>	1	There is no indication from material in OTS that comments have been forwarded to DOL or DOE. In some cases, DOL and DOE are present at the meetings (i.e., Town Hall, DOE Worker Outreach meetings, ABRWH meetings) and take the action themselves.

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No.	Description of Objective	Rating 1-5*	Comments
4.0	INFORMATION GIVING: Determine whether OCAS is effectively informing workers in relation to its various responsibilities related to the EEOICPA, including explaining dose reconstruction, the SEC petition process, etc.		
4.1	Examine the communication vehicles that OCAS has developed to communicate with workers, claimants, and petitioners and their representatives.		
4.1.1	<i>Does OCAS communicate the information needed by claimants and petitioners?</i>	4	<p>The procedure outlines the responsibilities for developing, distributing, and integrating informational material (e.g., presentations) into OTS.</p> <p>In the case of the workshop presentations at the September 22–23, 2009 workshop, the presentations were informative and useful in helping the participants understand the dose reconstruction and SEC processes. There was a good mix of lectures and practical exercise. The statistical discussion of IREP was confusing to most participants and needs to be simplified into layman terms. Handouts on the EEOICPA were provided by NIOSH and DOL (who participated) along with website and contact information, should additional questions arise. The appropriate subject matter experts did the presentations.</p> <p>Cannot exclusively be determined by a review of the procedure. Further evaluation requires attendance at an information giving outreach meeting.</p>
4.1.2	<i>Is this information communicated through appropriate means?</i>	4	Cannot exclusively be determined by a review of the procedure.
4.2	Evaluate whether OCAS's communications result in adequate understanding of dose reconstructions, the use of IREP, and SEC petitioning processes.		
4.2.1	<i>Do the participants understand what to expect in the dose reconstruction and petition processes?</i>	N/A	Cannot be determined by a review of the procedure.
4.2.2	<i>Do the participants understand the requirements for submitting and qualifying an SEC petition?</i>	N/A	Cannot be determined by a review of the procedure.
4.2.3	<i>Do the participants understand the process for evaluating an SEC petition and how it may be approved or denied?</i>	N/A	Cannot be determined by a review of the procedure.
4.2.4	<i>Are claimants notified that an Ombudsman Office exists and what services it provides?</i>	N/A	Cannot be determined by a review of the procedure.
4.2.5	<i>Is the Ombudsman Office responding to worker communications and forwarding the comments received to appropriate subgroups of OCAS and its contractors?</i>	N/A	Cannot be determined by a review of the procedure.

* Rating system of 1 through 5 corresponds to the following: 1 = No (Never), 2 = Infrequently, 3 = Sometimes, 4 = Frequently, 5 = Yes (Always), N/A indicates not applicable.

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5 REFERENCES

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ATTACHMENT 1: SC&A MEETING MINUTES AND NOTES FROM THE WELDON SPRING WORKER OUTREACH MEETING

**Weldon Spring Worker Outreach Meeting
Laborers Local 660 Union Hall
2633 West Clay Street
St. Charles, MO 63301
September 2, 2009, 7:00 pm**

SC&A Meeting Minutes and Notes

Participants: Mel Chew (ORAUT), Mark Lewis (ATL), Mary Elliot (ATL), Laurie Breyer (NIOSH), Stu Hinnefeld (OCAS), Denise Brock (CCI), Ron Buchanan (SC&A, Inc.), Karene Riley (SC&A, Inc.), and approximately 60 to 70 local union members.

The Weldon Spring Worker Outreach Meeting began at approximately 7:20 pm CST following a monthly local union meeting which started at 7:00 pm.

Introduction

Stu (OCAS) began the Weldon Spring Worker Outreach Meeting by explaining the purpose of the meeting and introducing the members of the NIOSH team including contractors. Stu explained that the purpose of the worker outreach meeting was to explain to workers that those who worked at the Weldon Spring Plant (WSP) site and have been diagnosed with cancer may be compensated for radiation exposure while working at the plant during a certain time period in accordance with the Energy Employees Occupational Illness Compensation Program Act (EEOICPA). Stu also explained that former workers or their spouses or dependents can submit a claim under EEOICPA. Stu discussed the purpose of the site profile document and how it is developed through a records search and worker input on exposure history. He also explained that it is a living document that is updated as necessary and the need for worker input for updating the document. Workers were told that the minutes made from the meeting, as well as comments would be provided to NIOSH who will post it on the OCAS website and individual names would not be used.

During the introduction, a question was posed by a member in the audience: Will this meeting only address cancer and not other diseases?

Response from Stu: Stu stated that the meeting will only address cancer caused from radiation exposure at the WSP site which is under Part B of EEOICPA. He stated that other diseases are addressed under Part E of the program and handouts on claims information are provided on the table.

Presentation:

Mel Chew (ORAUT) gave a presentation which included explaining the role of the team, the purpose of the site profile and what the site profile means. He stated that an emphasis on worker

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input is necessary for better dose reconstruction. A history of the Weldon Spring site and its uses since 1941 and the term “feed” was explained. Mel explained the timeframe that the U.S. Atomic Energy Commission (AEC) and the U.S. Department of Energy (DOE) held custody of the Weldon Spring Plant site and how these timeframes relate to worker claims submitted for this site.

Two people [out of approximately 70 meeting attendees] raised their hands as having worked at the WSP site during the 1957–1966 timeframe. Five people [out of approximately 70 meeting attendees] raised their hands as having worked at the WSP site during the 1985–2002 remediation timeframe. A couple of people in the audience began asking questions at this point in the presentation. The questions and responses are provided below.

Worker Questions/Comments

1. Worker 1 Question: Worker 1 asked, “Why has the Department of the Army neglected the time period of 1968 to 1985”? This worker was upset and stated that the 1968 to 1985 time period appears to be taboo and no one is willing to talk about it. He stated that it was a forgotten era and feels there is a big cover-up going on.

Response to Worker 1: Stu responded by stating that he does not know why the Dept. of the Army has not been responding to his inquiries and he can not speak for the Army, only for the DOE work-related timeframes. Stu referred this worker to the NIOSH website for information on e-mailing or writing to NIOSH in regards to the Dept. of the Army work-related exposures and illnesses.

2. Worker 2 Comment: Worker 2 stated he had two [relatives] who worked at the WSP site during the 1968 to 1985 timeframe and they were told that the “yellow cake” was fine and they got sick from it. He added that they were diagnosed with [cancer] and he can’t get a hold of the Army about his [relatives’] exposure cases.

Return to Presentation

After these two questions/comments, Mel returned to the presentation and explained the types of material processed at the WSP site. He asked Worker 3 who previously stated that he worked at the WSP site during the 1957–1966 timeframe, if he thought approximately 50% of the workers worked with uranium and Worker 3 stated “yes, every bit of half.” Worker 3 also provided the following comments:

3. Worker 3 Comment #1: Worker 3 stated that he was not sure if x-rays were provided when working at the plant.
4. Worker 3 Comment #2: Worker 3 stated that during the remediation period of 1985 to 2002, a lot of material from the pipes that were being dismantled was released into the air.

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5. Worker 3 Comment #3: Worker 3 stated that during the plant's operational period, no urine samples were taken from him. He also said that urine samples were only obtained when he started working and when he was laid him off and the plant closed.
6. Worker 3 Comment #4: Worker 3 stated he did not have a whole-body count while working at the plant.
7. Worker 3 Comment #5: Worker 3 stated that the workers did wear dosimeter badges and TLD badges later on.
8. Worker 4 Question: This worker asked for information on getting individual records released. He also asked if descendents are able to claim for radiation exposure for deceased parents.

Response: Mel and Stu responded to Worker 4 and told him "Yes, under Part B of EEOICPA, descendents can claim for their deceased parents.

9. Worker 5 Question: This worker asked how he could obtain records for a deceased family member. He stated he was unable to obtain medical records from the hospital that the family member went to.

Response: Stu responded to this worker's question by referring him to the NIOSH website and telling him he can request the worker's record if a claim had been submitted already. Stu said if a claim has been submitted, they can provide a copy of the records obtained from WSP. Stu also said he could talk to him more individually. Denise offered her assistance in helping him navigate the process of obtaining the family member medical record.

10. Worker 6 Comment: This worker stated that he was told no thorium was at the site during decommissioning.

Mel ended the presentation by re-iterating the importance of site worker input for developing a more relevant site profile. Stu asked if there were any additional questions or comments from the workers and thanked everyone for coming to the meeting. The Weldon Spring Worker Outreach Meeting ended at approximately 8:40 pm CST.

SC&A's Evaluation of the Meeting

As required by OCAS-PR-012, Mary Elliot (ATL) explained that the meeting would be recorded as a tool to provide verification of the minutes of the meeting and would not be made public. There were no objections to the meeting being recorded. Mary also explained that the sign-in sheet would not be made public, but only used for contacting participants if needed.

The Local 660 Union members had been invited to attend the meeting. SC&A's discussion with the union organizer and several of the participants after the meeting indicated that the meeting was scheduled sufficiently in advance to allow the interested union members to be informed of the meeting and to attend it. Apparently this was accomplished by including it in the union

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newspaper and by word of mouth. There was no public posting or community outreach concerning the meeting that anyone was aware of. There were no indications that arrangements were made for those that could not travel to the meeting.

For this Weldon Spring worker outreach meeting, it was difficult to obtain worker input (and interest) because the site only operated during the period 1957–1966 and only two of the union members present had worked there during that time, and five had worked there during the remediation period of 1985–2005. Therefore, the younger workers started leaving the meeting and attendance went from approximately 70 union members at 7:15 pm to approximately 18 by 8:30 pm. The initial union members present were not representative of the site workers because there are not many of the original Weldon Spring Site workers available to attend the meeting.

In general, the meeting was at a level the participants could understand. However, the technical presentation was approximately one hour long, which was too long for this audience and contained too many details in some sections (such as some of the information on Slide #10-16). The handouts containing the slides were helpful, and would have been even more helpful if they could have been projected on a screen for the audience to follow.

One very important point of controversy at the Weldon Spring Site that has plagued the site profile in the past, and this meeting also where one member was very vocal about the issue, is the period of 1967–1969 when the U.S. Army hired contractors to renovate the Weldon Spring Plant (WSP) for the anticipated use of producing herbicides (which was cancelled before any was produced at the WSP). Workers were potentially exposed to AEC-generated radioactive material in this renovation phase without the benefits of the EEOICPA, because the contractors were not AEC contractors. This issue needs to be addressed before any other meetings are held or Site Profile revisions are completed.

The few workers present provided some information concerning bioassays, external badging, occupational medical X-rays, and personal protection equipment during and after the meeting.

Various handouts and contact information was provided for the participants on a table along the wall.

The meeting appeared to be conducted in a manner that followed proper protocol (e.g., OCAS-PR-012) and was informative. The main problem is that most of the work force is no longer available; in this case, it would have been better to have a more brief presentation.

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ATTACHMENT 2: SC&A SUMMARY FROM NIOSH WORKSHOP ON DOSE RECONSTRUCTION AND SEC PROCESSES

**NIOSH Workshop on Dose Reconstruction and Special Exposure Cohort Processes
Cincinnati, Ohio
September 22–23, 2009**

SC&A Summary from the Workshop

Participants

Participants invited to this workshop included personnel from the Former Worker Medical Screening program at the Pantex Plant, Cincinnati, Oak Ridge (Y-12, K-25, X-10), University of Iowa (IAAP and Ames), INEEL, and RFP, union representatives from Oak Ridge, Kansas City, and the Building Trades Council participated, petitioners, and personnel from the DOL.

Summary of Feedback from Participants

- NIOSH did a good job at anticipating questions that have been previously raised and answering them.
- Participants found the work shop presentations and handouts helpful and informative.
- Participants indicated the information provided would be helpful in educating/helping the claimants understand what goes on when they file claims.
- Several participants found the presentation on the website and the sample CATI very helpful.

Summary of Recommendations from Participants

- Focus on the new developments in EEOICPA.
- Emphasize and allot more time for the portion of the work shop that provides advice on how to assist claimants.
- Simplify and shorten the IREP presentation emphasizing the “take-home” message.
- Include an exercise on dose reconstruction.
- Provide a glossary of terms commonly used in the presentations and keep the subjects in layman terms.
- Add the “take-home” message at the end of each presentation.

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- Shorten the work shop to 1.5 days. Some individuals cannot afford to be away from work for four days (two days of travel, two days of workshop.)
- Bring in a box lunch to facilitate discussions between participants.

In general, the participants would recommend the workshop to others.

Follow-up Actions for NIOSH/ATL

- (1) NIOSH took an action item to provide the Mound participant with additional information on whether plutonium was the only element for which Super S was considered.
- (2) NIOSH took an action item to determine why OTIB-62 and OTIB-63 were being referenced in LANL dose reconstruction when they were not yet available.

Information Gathering Statements

The workshop presents an opportunity for workers to provide comments on various sites which may benefit NIOSH technical documents or provide better understanding of processes and procedures at the sites.

- When additional comments were solicited by the interviewer, the interviewee indicated that at ORNL, workers wore pocket ionization chambers, and if the unit went off scale, the average of the pencil dosimeter results for the area was assigned to the individual. The CATI interview volunteer said during the interview exercise that this was not reflective of the exposure all individuals in that area received. He indicated that he was told that 3 out of 10 PIC readings were bad. He also noted that in some areas they took away the dosimeter and gave them only PICs. [This is an example of comments communicated to NIOSH during the workshop that are pertinent to dose reconstruction of multiple workers, which should be captured, documented, and tracked in OTS and investigated further.]
- An INEEL participant indicated that he carried two lunch boxes. One was a lunch box with the individual's lunch, and the second was a lunch box for his bioassay sample. He indicated he had to take the sample lunch box home, collect the sample, and bring it back to the site. This was especially true after an event. [This is the kind of information that should be verified against information in the site profile to ensure the information is correct.]
- A K-25 participant indicated that the enrichment process at K-25 and K-27 were wartime processes while the processes at K-29, K-31, and K-33 were used for peace time operation. He indicated that there were UF₆ releases from the cascades, and was supported in this statement by other K-25 workers attending the workshop. NIOSH (Larry) indicated that if there were issues with UF₆ releases into the work environment, it should be addressed in the site profile. The participant was told to submit his comment through the docket on the website.

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Comments like those provided above add to the institutional knowledge being provided by workers.

SC&A Observations from the Workshop

Evaluation Objective #1: Determine whether OCAS is taking appropriate measures to solicit worker input into site profiles, SEC petition evaluations, and other technical documents.

- Workshops are held a couple times a year to inform advocates, petitioners, union representatives, DOL personnel and other interested parties about topics such as the dose reconstruction process, telephone interviews, the OCAS website, the SEC process, the IREP model, and limited information on Part E benefits. The goal is to educate the attendees such that they can, in turn, assist claimants in either the DR or SEC process. Some information provided is purely information, such as suggestions on how to help the claimant to the fullest extent, or how to access and navigate the website and the IREP code. The other focus of the workshop seems to be an emphasis on demonstrating how claimant favorable the process is from the assumptions made in dose reconstruction, to the expanded evaluations of petitions beyond petitioner issues, to the favorability built into the IREP code.
- In the case of the workshop observed, NIOSH and/or ATL personnel invited petitioners, union members, and worker surveillance personnel to attend. These workshops are in high demand by individuals wanting to attend and there is a waiting list. Letters were sent out to central contacts at union and worker surveillance programs so they could identify individuals they would like to attend. Attendance at these meetings is reimbursable by NIOSH, at least in the case of the September 22-23, 2009 Workshop.
- The workshop along with presentations is included in OTS. Any phone calls made to individuals regarding the participation in the workshop are not documented in OTS.
- There are no arrangements made for interested parties who would like to participate in the workshop who are either not physically able to attend, or who are unable to travel to workshops. There is no call-in number provided for workshops.
- OCAS-PR-012 provides only generic guidance on how workshops are to be conducted, or the documentation is typically associated with workshops. Based on the vague direction provided by the procedure, it is difficult to evaluate whether the workshop complied with procedures.
- Workshops are by invitation only. This was a somewhat targeting meeting primarily for individuals involved in the Worker Surveillance program. Attendees represented Oak Ridge National Laboratory, the Oak Ridge Gaseous Diffusion Plant, the Y-12 Plant, the Pantex Plant, IAAP, Idaho National Engineering Laboratory, the Kansas City Plant, Los Alamos National Laboratory (LANL), the Mound Plant, and the Cincinnati area worker

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surveillance personnel. There is a waiting list for these workshops, but there are additional workshops planned in the future.

Evaluation Objective #2: Determine whether OCAS is obtaining and documenting input from workers.

- When workers had comments specific to their site, they were encouraged to enter these comments into the docket. NIOSH and ATL personnel were not taking notes on these comments being provided by the participants. There were a few questions, which NIOSH indicated they would follow-up on after the meeting. These action items are listed below.
- The workshop is designated under “other forms of worker communication” in OCAS-PR-012. The procedure is designated as an information giving meeting which for the most part is true. NIOSH encourages workers in ask questions during the presentations and exercises. The questions are in many cases related to the processes being explained. Clearly, former workshops have raised a number of questions, which were anticipated by NIOSH and answered at the beginning of the workshop. In our observation of the workshop, several generic and site-specific comments were provided by the workers. In one case, a worker who brought up information which was pertinent to the K-25 site, was told by NIOSH the item should be addressed in the site profile, and was told to submit his comments through the public docket. This is certainly one method for getting worker-provided documents recorded; however, NIOSH should be entering these comments into the docket and database on behalf of the workers so it can be tracked.
- Although the workshop was primarily an information giving meeting, there were several comments provided by participants that were relevant to site profiles and dose reconstructions, and comments which required action be taken by NIOSH. The action items are listed later in this document.
- There were no minutes taken at the workshop. The information was not formally documented. No audiotaped recordings were taken during the workshop.
- NIOSH/ATL provided adequate opportunity to comment or ask questions. Participants were encouraged to ask questions and provide comments throughout the workshop.
- The meeting was held in a union facility in Cincinnati, Ohio. There were participants there from NNSA sites or sites involving classified processes (e.g., Pantex, IAAP, LANL, Oak Ridge Gaseous Diffusion Plant, the Y-12 Plant). No statement was made up front regarding limiting comments and questions to unclassified information. Since documentation was not kept by NIOSH, it is not available for classification review.

Evaluation Objective #3: Determine whether OCAS is giving thorough consideration to information received from workers through the worker outreach efforts, incorporating consideration of that material into its work products, as appropriate, and adequately communicating the impact of substantive comments to workers.

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- Since no meeting minutes were taken during the workshop, it was difficult to determine whether adequate consideration was given to work comments. OTS identified no action items from this meeting. SC&A identified a few actions items taken by NIOSH in their own notes. These are specified in a separate section.

Objective #4: Determine whether OCAS is effectively informing workers in relation to its various responsibilities related to the EEOICPA, including explaining dose reconstruction, the SEC petition process, etc.

- In the case of the workshop, the participants were provided with a book of handouts including exercises and copies of the presentation. The handouts were put together by NIOSH. In the case of the interview demonstration, NIOSH failed to provide a list of the interview questions to be used in the demonstration. This made it more difficult to follow along with the interview/interviewer. In some cases, the presentation material was not written at the level of the audience. DOL also provided informative brochures and a handout for their Part E presentation.
- There was an informative presentation on the NIOSH website and where to find information, followed by a hands-on exercise.
- Based on observation, the participants understood the claim process, what to expect from the process, and the difference between Part B and Part E claims. NIOSH, in one of its presentations, addressed the turnaround time for dose reconstruction claims. The difference between the dose reconstruction process and the SEC process was explained effectively.
- NIOSH provided a presentation which took the participant from the initiation of filing an SEC petition through final approval by Congress.
- NIOSH explained that the 180-day limit is started from the time the petition is received and qualified. They indicated that typically they are able to meet this time limit, but that there are times they must request additional time from the petitioner. This is particularly true of large, complicated sites.
- The Ombudsman Office provided a presentation in the workshop which included the purpose of the Ombudsman and the contact information.
- The Ombudsman Office is responding to worker calls and communications within the limit of their capability.
- The NIOSH Ombudsman staff is not large enough to handle all the incoming requests.

General SC&A Comments

- Representatives from the Department of Labor, who were attending the workshop, provided a brief presentation on Part E. The inclusion of a presentation on Part E was

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beneficial. Many of the comments provided by workers include those associated with toxic substances, and having someone there to answer questions was helpful. In addition to the presentation, DOL representatives handed out information on Part E and provided contact information for the DOL Ombudsman Office.

- In the discussion about Super S plutonium, it was not specified that this applied only to Pu-239 at the present time, and excluded other isotopes of plutonium.

SC&A Recommendations

- The CATI interview questions should be included in the booklet provided to the participants.
- The dose reconstruction process was, in general, communicated in a way which was understandable to the participants. Numerous participants indicated in their Workshop Evaluation that they had difficulty understanding the discussion of the Probability of Causation (POC). The presentation should be simplified and possibly made more understandable with the use of a practical exercise in statistics.
- The workshop should include a review of a dose reconstruction report, which is the primary documentation sent to the claimant at the end of the dose reconstruction process.
- Offer up additional information such as TIBs for individuals that are more knowledgeable with their questions. For example, LANL worker was interested in the details of the Super S model.

**ATTACHMENT 3: WORKER OUTREACH MEETINGS/EVENTS
CONDUCTED UNDER OCAS-PR-012**

ID	Meeting Type	Meeting Date	Meeting Location	Covered Site/s	Meeting Audience	Meeting Note	Info Giv	Info Gath
37	Worker Outreach	3/3/2009	NIOSH Workshop on Dose Reconstruction and the Special Exposure Cohort (multi-site representation), Health and Safety Training Center, International Chemical Workers Union (ICWU) Council/UFCW of Food and Commercial Workers Union, 329 Race Street, Cincinnati, OH	Feed Materials Production Center (FMPC), Hanford, INL, KCP, LANL, NTS, ORNL (X-10), Pantex Plant, SNL, SRS, Y-12 Plant	Invited attendees from multiple sites within the nuclear weapons complex learned about the EEOICPA dose reconstruction and SEC petitioning processes during this workshop.	ATL Worker Outreach Team (Vernon McDougall, Mark Lewis, Buck Cameron, Mary Elliott) hosted the 12-hour workshop on Tuesday, March 3, 2009 and Wednesday, March 4, 2009. Participants included representatives from labor organizations at several DOE sites, representatives from several Building Trades Medical Screening Programs, a representative from NIOSH OD, and the Director of the NM Office of Nuclear Worker Advocacy. NIOSH: Larry Elliott, Laurie Breyer, Grady Calhoun, LaVon Rutherford, Dave Allen, and Denise Brock presented information on EEOICPA Part B, dose reconstruction, and the SEC petitioning process. Mark Lewis and Buck Cameron led a small group activity so the attendees could apply what they had learned.	X	

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ID	Meeting Type	Meeting Date	Meeting Location	Covered Site/s	Meeting Audience	Meeting Note	Info Giv	Info Gath
39	SEC	3/18/2009	Springville Townhall, 65 Franklin St, Springville, NY	West Valley Demonstration Project	Members of International Association of Machinists and Aerospace Workers (IAM) Local Lodge 2401	An informal non-public meeting requested by IAM Local Lodge 2401 Association of Machinists and Aerospace Workers Local Lodge 2401. They asked NIOSH to provide information about the Special Exposure Cohort, the petitioning process, and the impact of adding a class to the SEC. No minutes.	X	
113	SEC	4/28/2009	Dayton, Ohio	Mound Plant	Former workers from the Mound site	Meeting with a small focus group to gather information on the dosimetry program in support of Mound SEC evaluation. NIOSH/ORAU Team: Brant Ulsh, Tim Taulbee, Bob Morris, Karin Jessen.		X
117	Worker Outreach	8/11/2009	Greater Kansas City Building and Construction Trades (KCBCTC), Independence, MO	Kansas City Plant	KCBCTC leadership	Buck Cameron will make a short informational presentation on EEOICPA to the KCBCTC during their regular meeting. (This is not a traditional worker outreach meeting.)	X	
118	Non-NIOSH	8/11/2009	Receptions Conference Center 5975 Boymel Drive Fairfield, OH 45014	Feed Materials Production Center (FMPC)	This meeting is being held by the DOL Ombudsmans Office for former and current Fernald Workers.	DOE Former Worker Program, DOL Ombudsmans Office, Denise Brock, and DOL resource center will all be in attendance.	X	
119	Non-NIOSH	8/11/2009	Receptions Conference Center, 5975 Boymel Drive, Fairfield, OH 45014	Feed Materials Production Center (FMPC)	This is a DOL Ombudsmans Office meeting for former and current workers at Fernald.	DOE Former Worker Program, DOL Ombudsmans Office, Denise Brock, and DOL resource center will all be in attendance.	X	

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ID	Meeting Type	Meeting Date	Meeting Location	Covered Site/s	Meeting Audience	Meeting Note	Info Giv	Info Gath
120	Non-NIOSH	8/12/2009	Holiday Inn - Dayton Mall, 31 Prestige Plaza Drive, Miamisburg, OH 45342	Mound Plant	This is a DOL Ombudsmans Office meeting for Mound workers	Will include individuals from the DOL Ombudsmans Office, DOE Former Worker Program, Denise Brock, and NIOSH, and DOL Resource Center.	X	
121	Non-NIOSH	8/12/2009	Holiday Inn - Dayton Mall, 31 Prestige Plaza Drive, Miamisburg, OH 45342	Mound Plant	This is a DOL Ombudsmans Office meeting for former Mound workers	Will include individuals from the DOL Ombudsmans Office, DOE Former Worker Program, Denise Brock, and NIOSH, and DOL Resource Center.	X	
116	Worker Outreach	8/13/2009	IAMAW Local Lodge 778, 9404 Grandview Rd., Kansas City, MO 64132	Kansas City Plant	International Association of Machinists and Aerospace Workers (IAMAW) Local Lodge 778, Voluntary Protection Program (VPP) committee	This is a non-public meeting at the request of the IAMAW Local Lodge 778, which represents workers at the Kansas City Plant. The NIOSH Team will present information on EEOICPA Part B and the Kansas City Plant site profile to an audience comprised primarily of the local union's VPP committee and its occupational health and safety trainers.	X	
122	Worker Outreach	9/2/2009	Laborers Local 660 Union Hall, 2633 W Clay St, St Charles, MO 63301	Weldon Spring Plant	Member of Laborers Local 660. (This union supplied laborers and other trades workers to the Weldon Spring Plant during the operating period, as well as during the clean up period).	This is a traditional worker outreach meeting to present the Weldon Spring site profile during the union's regular monthly meeting. NIOSH Worker Outreach team: Stu Hinnefeld, Mel Chew (ORAU), Mark Lewis, and Mary Elliott. Laurie Breyer may also attend. Mel Chew will give the site profile presentation.	X	

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ID	Meeting Type	Meeting Date	Meeting Location	Covered Site/s	Meeting Audience	Meeting Note	Info Giv	Info Gath
125	Non-NIOSH	9/16/2009	Shawnee State University, 740 Second Street, Sodexo Ballroom, Portsmouth, OH 45662	Portsmouth Gaseous Diffusion Plant	Individuals invited by the DOL Ombudsmans office	This is a DOL Ombudsman meeting. The purpose of these meetings is to offer assistance to current and former workers of the Portsmouth Gaseous Diffusion Plant with respect to the processing of Part E claims, and to hear your grievances and complaints concerning this program.	X	
126	Non-NIOSH	9/16/2009	Shawnee State University, 740 Second Street, Sodexo Ballroom, Portsmouth, OH 45662	Portsmouth Gaseous Diffusion Plant	Individuals invited by DOL Ombudsman	This is a DOL Ombudsman meeting. The purpose of these meetings is to offer assistance to current and former workers of the Portsmouth Gaseous Diffusion Plant with respect to the processing of Part E claims, and to hear your grievances and complaints concerning this program.	X	
127	Non-NIOSH	9/17/2009	Ohio University (Chillicothe Campus) 101 University Drive Bennett Hall Auditorium Chillicothe, OH 45601	Portsmouth Gaseous Diffusion Plant	Individuals invited by DOL Ombudsmans office	This is a DOL Ombudsman meeting. The purpose of these meetings is to offer assistance to current and former workers of the Portsmouth Gaseous Diffusion Plant with respect to the processing of Part E claims, and to hear your grievances and complaints concerning this program.	X	

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ID	Meeting Type	Meeting Date	Meeting Location	Covered Site/s	Meeting Audience	Meeting Note	Info Giv	Info Gath
128	Non-NIOSH	9/17/2009	Ohio University (Chillicothe Campus) 101 University Drive Bennett Hall Auditorium Chillicothe, OH	Portsmouth Gaseous Diffusion Plant	Individuals invited by DOL Ombudsmans office	This is a DOL Ombudsman meeting. The purpose of these meetings is to offer assistance to current and former workers of the Portsmouth Gaseous Diffusion Plant with respect to the processing of Part E claims, and to hear your grievances and complaints concerning this program.	X	
123	Worker Outreach	9/22/2009	NIOSH Workshop on Dose Reconstruction and the Special Exposure Cohort (multi-site representation, others to be added as confirmed), Center for Worker Safety & Health Education, International Chemical Workers Union Council (ICWUC)/United Food and Commercial Workers Union	Oak Ridge National Laboratory (X-10)	Invited attendees from Former Worker Medical Screening Programs at DOE nuclear weapons facilities will learn about EEOICPA dose reconstruction and the SEC petitioning processes.	The ATL Worker Outreach team will host the 2-day workshop on Tuesday, September 22, and Wednesday, September 23, 2009. The NIOSH/OCAS Team will present information on EEOICPA Part B, dose reconstruction, and the SEC petitioning process. The ATL team will conduct interactive exercises based on OCAS presentations.	X	
124	Non-NIOSH	9/22/2009	The times and location of these meetings have not yet been determined. The OTS will be updated as the information becomes available.	Area IV of the Santa Susana Field Laboratory	DOL Ombudsmans Office meeting for workers from Santa Susana Field Laboratory.	DOL meetings on September 22 and 23, 2009 to provide information regarding the SEC class that was recently added for the Santa Susana Field Laboratory. Stu Hinnefeld and possibly Lara Hughes will attend to represent NIOSH.	X	

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ID	Meeting Type	Meeting Date	Meeting Location	Covered Site/s	Meeting Audience	Meeting Note	Info Giv	Info Gath
129	Worker Outreach	12/7/2009	USW Local 550 Union Hall, 2525 Cairo Rd., Paducah, KY 42001	Paducah Gaseous Diffusion Plant	United Steelworkers of America (USW) Local 550 members	This is a non-public meeting. The purpose of the meeting is to discuss changes made to the Paducah Site Profile since the ORAU Worker Outreach Team met with the union in February 2005.	X	
130	Worker Outreach	12/8/2009	Western Kentucky Building Trades Council, 1930 N. 13th St. Paducah, KY 42001	Paducah Gaseous Diffusion Plant	Western Kentucky Building Trades Council affiliate members	Non-public meeting to discuss the changes made to the to the Paducah Site Profile since the NIOSH/ORAU team last met with the Council in February 2005.	X	
Pending Meetings								
132	Worker Outreach	3/23/2010	United Steelworkers of America (USW) Local 40 Union Hall, 712 Buffington St., Huntington, WV 25702	Reduction Pilot Plant [Identified as Huntington Pilot Plant on NIOSH website]	USW Local 40 Steelworkers Organization of Active Retirees (SOAR)	This is an non-public meeting with retirees, some of whom may have worked at the Reduction Pilot Plant, also known as Huntington Pilot Plant. NIOSH will discuss the EEOICPA, as well as the Huntington Pilot Plant Site Profile.		
131	Worker Outreach	4/20/2010	NIOSH Workshop on Dose Reconstruction and the Special Exposure Cohort (multi-site representation, others to be added as confirmed), International Chemical Workers Union Council (ICWUC)/United Food and Commercial Workers Union (UFCW) Center for Worker Safe	Hanford, Reduction Pilot Plant	Invited attendees from Former Worker Medical Screening Programs at DOE nuclear weapons facilities will learn about the EEOICPA dose reconstruction and SEC petitioning processes in a 2-day workshop.	The ATL Worker Outreach Team will facilitate the 2-day workshop on Tuesday, April 20, and Wednesday, April 21, 2010. The NIOSH/OCAS Team will present information on EEOICPA Part B, dose reconstruction, and the SEC petitioning process. The ATL Team will conduct interactive exercises based on the OCAS presentations. At this time, ATL anticipates that attendees representing workers from Hanford, Iowa Ordnance Plant,		

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ID	Meeting Type	Meeting Date	Meeting Location	Covered Site/s	Meeting Audience	Meeting Note	Info Giv	Info Gath
						Paducah and Portsmouth Gaseous Diffusion Plants, Mound Plant, and the Huntington Pilot plant may attend.		

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**ATTACHMENT 4: DOCUMENTATION AVAILABLE IN OTS FOR CLOSED WORKER OUTREACH
EVENTS CONDUCTED UNDER OCAS-PR-012**

ID	Meeting Type	Date	Action Items Assigned	Notification of Meeting	Sign-in Sheet File	Presentation File	Review Request Minutes	Final Meeting Minutes OTS	Meeting Minutes on NIOSH Website
37	Worker Outreach (Workshop)	3/3/2009	No	Yes	Yes	Yes	NR	NR	NR
39	SEC (SEC Outreach Meeting)	3/18/2009	No	No	No	No	No	NR	NR
113	SEC (SEC Worker Outreach Focus Group)	4/28/2009	Action Item #3	No	No	No	No	There are "meeting notes" in OTS, rather than traditional meeting minutes. Advance notice of this meeting was not provided to SC&A or the Advisory Board.	No
117	Worker Outreach (SEC Outreach Meeting)	8/11/2009	No	No	No	No	No	NR	NR
118	Non-NIOSH [Invited Forum (DOL Town Hall)]	8/11/2009	No	NR	NR	NR	NR	NR	NR
119	Non-NIOSH [Invited Forum (DOL Town Hall)]	8/11/2009	No	NR	NR	NR	NR	NR	NR

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ID	Meeting Type	Date	Action Items Assigned	Notification of Meeting	Sign-in Sheet File	Presentation File	Review Request Minutes	Final Meeting Minutes OTS	Meeting Minutes on NIOSH Website
120	Non-NIOSH [Invited Forum (DOL Town Hall)]	8/12/2009	No	NR	NR	NR	NR	NR	NR
121	Non-NIOSH [Invited Forum (DOL Town Hall)]	8/12/2009	No	NR	NR	NR	NR	NR	NR
116	Worker Outreach (Worker Outreach Town Hall)	8/13/2009	No	No	No	No	No	No	No
122	Worker Outreach (Worker Outreach Town Hall)	9/2/2009	Action Item #11	There was no correspondence informing individuals of the meeting.	No	No	No	No	No
125	Non-NIOSH [Invited Forum (DOL Town Hall)]	9/16/2009	No	NR	NR	NR	NR	NR	NR
126	Non-NIOSH [Invited Forum (DOL Town Hall)]	9/16/2009	No	NR	NR	NR	NR	NR	NR
127	Non-NIOSH [Invited Forum (DOL Town Hall)]	9/17/2009	No	NR	NR	NR	NR	NR	NR

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ID	Meeting Type	Date	Action Items Assigned	Notification of Meeting	Sign-in Sheet File	Presentation File	Review Request Minutes	Final Meeting Minutes OTS	Meeting Minutes on NIOSH Website
128	Non-NIOSH [Invited Forum (DOL Town Hall)]	9/17/2009	No	NR	NR	NR	NR	NR	NR
123	Worker Outreach (Workshop)	9/22/2009	No	NR	NR	NR	NR	NR	NR
124	Non-NIOSH [Invited Forum (DOL Town Hall)]	9/22/2009	No	NR	NR	NR	NR	NR	NR
129	Worker Outreach (Worker Outreach Town Hall)	12/7/2009	No	No	No	No	No	No	No
130	Worker Outreach (Worker Outreach Town Hall)	12/8/2009	No	No	No	No	No	No	No

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ATTACHMENT 5: SUMMARY OF ACTION ITEMS FOR ALL WORKER OUTREACH MEETINGS IN THE OUTREACH TRACKING SYSTEM THROUGH MARCH 12, 2010

No.	Facility	Detail	Commitment Date	Current Status	Resolution Detail	Resolution Date	OTS Comments
3	Mound	Look into aqueous source term for polonium processing.	8/28/2009	In process	None		
7	Chapman Valve	Former workers and their representatives provided NIOSH/ORAU with new/additional information: (1) date of fire; (2) existence/location of an incinerator used to burn uranium chips from lathing operations; (3) presence of enriched uranium (2.16%) on site; (4) questioned intake assumptions; (5) questioned upper bounds for internal exposure; (6) questioned air concentrations in comparison with other sites (NUMEC).	2/14/2005	Legacy	OCAS/ORAU revised the Chapman Valve Site Profile to include additional information based on worker input and data from the meeting and a subsequent e-mail from an attendee.	10/16/2006	TBD Update
8	Fernald	Meeting attendee commented that plant announcements were made concerning elevated radon levels following a project; stated that adding the information would be claimant favorable.	6/28/2004	Legacy	FMPC Site Profile Environmental Section revised (ORAU-TKBS-0017-4-Rev. 00 to Rev. 01): (1) Added totals to Tables 4.2a and 4.2b; (2) revised Tables 4.9a and 4.9b to include radon-222; (3) revised Table 4.10a to include intakes for uranium and non-uranium radionuclides; (4) revised table 4.10b to include site-wide intakes of radon-222; (5) added radon-222 concentrations to Table 4A in Appendix A.	2/7/2006	TBD Update

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No.	Facility	Detail	Commitment Date	Current Status	Resolution Detail	Resolution Date	OTS Comments
9	Hanford	Worker comments on Internal Dosimetry section of the Hanford Site Profile (ORAUT-TKBS-0006-5-Rev. 00): (1) Noted missing references for sources of data for calculations; (2) noted that Section 5.2.10 indicates that bioassay was considered "sufficient" and asked what NIOSH considers that to be; (3) ask how NIOSH determines exposures to isotopes such as neptunium that are harder to detect in bioassay (for unmonitored workers). A follow-up letter from the PACE local union provided more questions and additional information, as well as stating that the union disagrees with characterizations such as "strong radiation protection program" and "rigorous workplace monitoring."	4/22/2004	Legacy	Revision of Hanford Internal Dosimetry Section (ORAUT-TKBS-0006-5 Rev00 to Rev. 01) revised to address worker input. Excerpt from Whisper: "discuss historical limits and tolerance dose; discuss separations plant (1944–1946) and 231-Z (1945–1946); clarify intakes in the 300 Area uranium fabrication and the laundry facilities; expand information on 241-Am and 241-Am MDAs for 1946 and 1967–6/1969; add section 5.2.4.1 on assignment of tritium doses; add Table 5.2.5-5 (MDAs for non-routine uranium excreta analyses); revise Table 5.2.6-1 (Routine fission product analysis detection levels): add discussion of 214-Bi and 208-Tl in whole-body counting (section 5.3.1); expand section 5.7 on unmonitored workers; add tables and instruction to dose reconstructors for specific areas on the site; and include reference list that was inadvertently left out of the initial version."	11/24/2004	TBD Update

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No.	Facility	Detail	Commitment Date	Current Status	Resolution Detail	Resolution Date	OTS Comments
10	Hanford	Worker asked how information in the Site Description (ORAUT-TKBS-0006-2-Rev. 00) is validated. Stated that he worked in the B plant (during recovery operations) until Spring 1984. A subsequent letter from PACE local union concurs that the strontium and cesium recovery processes in 221-B operated until 1984, as well as pointing to conflicting information regarding dates for the operation. The letter also requests information on the ventilation problems in Building 303-J.	4/22/2004	Legacy	Revision of ORAUT-TKBS-0006-2-Rev. 00 to Rev. 00 PC-1: A sentence was added on page 10 to reflect the fact that the 137-Cs and 90-Sr recovery operations at the B Plant were completed in September 1983 and February 1985, respectively. Also revised sentence on page 11 regarding the 137-Cs and 90-Sr recovery operations; changed the date from 1979 to 1978 on page 12; added one paragraph on page 14, section 2.3.5, discussing the ventilation problems in Building 303-L; deleted items on page 32.	12/29/2004	TBD Update
11	Weldon Springs Plant	[Redacted] worked during the initial cleanup. During the September 2 meeting, he stated that he was told during that time that there was not thorium in the disposal cell. Mel Chew responded that he would get back with [redacted] to let him know whether Th was present at the time. ([redacted] gave permission to be contacted, both in writing on the sign-in sheet and verbally to Mark Lewis).	9/30/2009	Closed	Mel Chew called [redacted] with the information regarding thorium at Weldon Spring during the initial cleanup period. See e-mail in Action Item File.	10/13/2009	Feedback to EE.

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ATTACHMENT 6: ORAUT-PROC-0097 FINDING DISPOSITION RECOMMENDATIONS

Date	Procedure No.	Finding No./Page No.	Rating	Procedure Title	Status in Working Group Process
11/9/07	ORAUT-PROC-0097	PROC-0097-09	2	Conduct of Worker Outreach	Open
11/9/07	SC&A Finding: There is a two-track process of interviews seeking site expert information. One is formal and relates mainly to unions. It is the subject of PROC-0097. The other is informal and appears to concern interviews with health physics personnel and others whom NIOSH regards as site experts. There is no formal documentation procedure for these interviews.				
4/1/10	Recommended Action to Procedures Working Group: ORAUT-PROC-0097 was canceled and replaced with OCAS-PR-012, <i>Worker Outreach Program</i> . OCAS-PR-012 did not resolve this finding. Finding 4 of the OCAS-PR-012 procedure review includes a discussion on the multiple track process for documenting and evaluating comments collected from outreach activities and site expert interviews. SC&A recommends this finding be closed since it is duplicated under Finding 4 of the OCAS-PR-012 procedure review.				

Date	Procedure No.	Finding No./Page No.	Rating	Procedure Title	Status in Working Group Process
11/9/07	ORAUT-PROC-0097	PROC-0097-08	1	Conduct of Worker Outreach	Open
11/9/07	SC&A Finding: The procedure requires the audiotapes of the interviews to be destroyed after the minutes are finalized. Minutes may be finalized without an affirmative sign-off from the interviewees or their representatives, though such a response is sought.				
4/1/10	Recommended Action to Procedures Working Group: ORAUT-PROC-0097 was canceled and replaced with OCAS-PR-012, <i>Worker Outreach Program</i> . OCAS-PR-012 did not resolve this finding. Finding 5 of the OCAS-PR-012 procedure review includes discussion on destruction of audiotapes. SC&A recommends this finding be closed, since it is duplicated under Finding 5 of the OCAS-PR-012 procedure review.				

Date	Procedure No.	Finding No./Page No.	Rating	Procedure Title	Status in Working Group Process
11/9/07	ORAUT-PROC-0097	PROC-0097-07	4	Conduct of Worker Outreach	Open
11/9/07	SC&A Finding: This procedure does not provide a mechanism for all stakeholders to provide comments.				
4/1/10	Recommended Action to Procedures Working Group: ORAUT-PROC-0097 was canceled and replaced with OCAS-PR-012, <i>Worker Outreach Program</i> . OCAS-PR-012 does not resolve this issue. Mechanisms such as the docket are available for submitting comments; however, there is no formalized process for considering these comments. Improvement can be made in this area. SC&A recommends this finding be closed, since it is duplicated under Observation 4 of the OCAS-PR-012 procedure review.				

Date	Procedure No.	Finding No./Page No.	Rating	Procedure Title	Status in Working
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					Group Process
11/9/07	ORAUT-PROC-0097	PROC-0097-06	3	Conduct of Worker Outreach	Open
11/9/07	SC&A Finding: This procedure clearly focuses on union and advocate organizations and does not define a method for establishing contact with other stakeholders (e.g., former and current non-union personnel). Also, although the procedure requires conflict of interest disclosures for the WOTL, these are not made available to participants either in writing or on the appropriate web site.				
4/1/10	<p>Recommended Action to Procedures Working Group: ORAUT-PROC-0097 was canceled and replaced with OCAS-PR-012, <i>Worker Outreach Program</i>. OCAS-PR-012 has expanded the opportunities for workers outside unions and organizations to provide input into the dose reconstruction and SEC process through workshops, SEC Worker Outreach meetings, invited forums, and town hall meetings. These same opportunities provide opportunities for participants to receive information from NIOSH. SC&A recommends that this aspect of the finding be closed.</p> <p>OCAS-PR-012 does not correct the issue associated with disclosure of conflict of interest at worker outreach meetings. SC&A recommends this finding be closed, since it is duplicated under Observation 4 of the OCAS-PR-012 procedure review.</p>				

Date	Procedure No.	Finding No./Page No.	Rating	Procedure Title	Status in Working Group Process
11/9/07	ORAUT-PROC-0097	PROC-0097-05	4	Conduct of Worker Outreach	Open
11/9/07	SC&A Finding: Worker outreach meetings are specific to a particular site. In some cases, the location of the meeting solicits workers from other facilities. NIOSH should make an effort to put the correct SPTL in contact with the participant.				
	Recommended Action to Procedures Working Group: ORAUT-PROC-0097 was canceled and replaced with OCAS-PR-012, <i>Worker Outreach Program</i> . OCAS-PR-012 has provisions for attendance of OCAS and ORAUT Health Physicists, the SEC Petition Counselor, the Outreach Support Contractor staff, and/or the SEC ombudsman. SC&A recommends closing this finding.				

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Date	Procedure No.	Finding No./Page No.	Rating	Procedure Title	Status in Working Group Process
11/9/07	ORAUT-PROC-0097	PROC-0097-04	4	Conduct of Worker Outreach	Open
11/9/07	SC&A Finding: The procedure does not explicitly require worker outreach meetings for all sites where site profiles are being prepared, but it refers to ORAUT-PLAN-0010, which has such a specification.				
4/1/10	Recommended Action to Procedures Working Group: ORAUT-PROC-0097 was canceled and replaced with OCAS-PR-012, <i>Worker Outreach Program</i> . Under ORAUT-PROC-0097, the focus of outreach meetings was dominated by site profile development. ORAUT-PLAN-0010, which provided an implementation plan for ORAUT-PROC-0097 is also no longer effective. The current outreach program is predominated with activities related to SEC petitions and site profile updates, many of which are information giving meetings. Generic criteria are provided for when to schedule and conduct outreach meetings in OCAS-PR-012. Legacy issues exist from the period of time when ORAUT-PROC-0097 was in effect. The lack of worker outreach meetings supporting site profile development, historically, has not been resolved and, in some cases, has led to gaps in current site profiles. A specific example was addressed in the SC&A Sandia National Laboratory Livermore site profile review. SC&A recommends that a review of those site profiles, where no worker outreach was conducted be re-evaluated to determine whether the site profile would benefit from an information gathering meeting.				

Date	Procedure No.	Finding No./Page No.	Rating	Procedure Title	Status in Working Group Process
11/9/07	ORAUT-PROC-0097	PROC-0097-03	4	Conduct of Worker Outreach	Open
11/9/07	SC&A Finding: Some guidance is provided in relation to which comments require a response. Also, there is some room for subjective judgment as to who is included in the worker outreach program. A de facto two-track system—one governed by ORAUT-PROC-0097 for labor organizations and one for site experts, such as health physicists—appears to exist. However, the site expert track is not formally addressed in the procedure.				
	Recommended Action to Procedures Working Group: ORAUT-PROC-0097 was canceled and replaced with OCAS-PR-012, <i>Worker Outreach Program</i> . ORAUT-PROC-0097 was canceled and replaced with OCAS-PR-012, <i>Worker Outreach Program</i> . OCAS-PR-012 has actually eliminated any guidance in relation to comment response. Finding 1 and Finding 4 of the OCAS-PR-012 procedure duplicate and expand on this finding. SC&A recommends this finding be closed, since it is covered under Finding 1 and Finding 4 of the OCAS-PR-012 procedure review.				

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Date	Procedure No.	Finding No./Page No.	Rating	Procedure Title	Status in Working Group Process
11/9/07	ORAUT-PROC-0097	PROC-0097-02	3	Conduct of Worker Outreach	Open
11/9/07	SC&A Finding: There is linkage between ORAUT-OTIB-0097 and ORAUT-PROC-0031 (Site Profile and Technical Basis Document Development). Also, this is the only procedure that requires destruction of information, i.e., the audiotapes of the meetings are destroyed after finalization of the minutes.				
4/1/10	Recommended Action to Procedures Working Group: ORAUT-PROC-0097 was canceled and replaced with OCAS-PR-012, <i>Worker Outreach Program</i> . OCAS-PR-012 did not mitigate this finding. Finding 5 of the OCAS-PR-012 procedure review includes discussion on destruction of audiotapes. SC&A recommends this finding be closed, since it is duplicated under Finding 5 of the OCAS-PR-012 procedure review.				

Date	Procedure No.	Finding No./Page No.	Rating	Procedure Title	Status in Working Group Process
11/9/07	ORAUT-PROC-0097	PROC-0097-01	4	Conduct of Worker Outreach	Open
11/9/07	SC&A Finding: The procedure emphasizes outreach to union representatives and should be expanded to include all workers and stakeholders. In addition, there is no provision for classified interviews.				
4/1/10	<p>Recommended Action to Procedures Working Group: ORAUT-PROC-0097 was canceled and replaced with OCAS-PR-012, <i>Worker Outreach Program</i>. OCAS-PR-012 has expanded the opportunities for workers outside unions and organizations to provide input into the dose reconstruction and SEC process through workshops, SEC Worker Outreach meetings, invited forums, and town hall meetings. These same opportunities provide opportunities for participants to receive information from NIOSH.</p> <p>OCAS-PR-012 does not require that participants be told not to disclose classified or potentially classified information when providing comments. There are no requirements to notified participants that alternative arrangements can be made should they want to share classified or potentially classified information. SC&A recommends this finding be closed, since it is covered under Observations 1 and 2 of the OCAS-PR-012 procedure review.</p>				

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ATTACHMENT 7: MISSION STATEMENT AND DRAFT IMPLEMENTATION PLAN FOR THE WORKER OUTREACH WORK GROUP

The Advisory Board of Radiation and Worker Health Work Group on Worker Outreach Implementation Plan

Presented to the Advisory Board February 11, 2010

Mission Statement

The Worker Outreach Working Group defined the following mission statement.

The mission of the Advisory Board on Radiation and Worker Health's Worker Outreach Work Group is to evaluate the effectiveness of NIOSH activities in obtaining and making use of information from current and former workers and their representatives. The mission also includes monitoring and evaluating the effectiveness of NIOSH sources of assistance to assure this information is available to as many potential EEOICPA claimants as possible.

To supplement this mission statement, the Advisory Board requested an implementation plan from the working group for further definition of the tasks to be completed. Unless otherwise specified, the term “worker” in this document includes nuclear weapons workers, claimants, petitioners, as well as representatives of any of them.

Scope of Worker Outreach Working Group

The current worker outreach procedure, OCAS-PR-012, *Worker Outreach Program*, issued on March 2, 2009, redefines the scope of worker outreach (OCAS 2009a). The procedure identified four types of outreach meetings: Worker Outreach Focus Group meetings, SEC Worker Outreach Focus Group meetings, Worker Outreach Town Hall meetings, and SEC Outreach meetings. Other types of meetings mentioned in OCAS-PR-012 include dose reconstruction workshops, and participation in meetings held by the Department of Labor (DOL). Detailed descriptions of meeting types are available in OCAS-PR-012. Further clarification of the definition of worker outreach was requested by the working group on June 16, 2009. OCAS provided input to the working group on June 24, 2009 (OCAS 2009b). Based on the definition of worker outreach provided by NIOSH, there are two general types of outreach meetings; information gathering meetings and information giving meetings. Some types of meetings both provide as well as gather information from workers, petitioners, and advocates. OCAS outreach meetings specifically include the following:

Information Gathering

- SEC Petition Evaluation Report Issues
- Site Profile/Technical Basis Document Development

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Information Giving/Gathering

- SEC Petition Process Education
- Town Hall Meetings to Educate about Changes in Site Profile/TBD

Other Outreach Venues (information giving and gathering)

- Dose Reconstruction Workshops
- Advisory Board Meetings
- Invited Forums
- Website/Docket

In addition to the worker and public outreach meetings, there are several sources of recurring information which should be collected and tracked for potential use in NIOSH technical work documents. Among those sources are Computer Assisted Telephone Interviews (CATIs), Public Health Advisor (PHA) meetings, Closeout Interviews (COIs), worker outreach databases (e.g., Top Hats, WISPR), and information letters. Reports from the NIOSH Ombudsman and SEC Petition Counselor should also be scanned for similar repetitive data. Tracking would focus on information provided by site operations, radiation protection, and incident reports, as distinguished from comments on individual cases.

Objectives

The evaluation will be conducted by the work group under the following framework.

Evaluation Objective #1: Determine whether OCAS is taking appropriate measures to solicit worker input into site profiles, SEC petition evaluations, and other technical documents.

Examine the procedures and processes by which OCAS solicits the involvement of workers by reviewing the following:

- How does OCAS determine whether an outreach meeting is to be conducted for a facility?
- How does OCAS identify and inform workers of the opportunities for input and follow-up to secure participation?
- Is the Outreach Tracking System (OTS) scheduling and notification system adequate?
- Are participants in outreach meetings notified in a timely manner?
- Are arrangements made to participate for those interested but unable to travel to outreach meetings?

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Examine several examples of OCAS solicitations and follow-up associated with several particular work products.

- Were the procedures followed and effective in practice?
- Did OCAS make an appropriately extensive effort to elicit broad and substantial participation from workers?
- Are there additional or improved methods for OCAS to consider?

Evaluation Objective #2: Determine whether OCAS is obtaining and documenting input from workers.

Review all OCAS and contractor processes and procedures associated with obtaining and documenting worker input.

- How does OCAS document worker input from information gathering meetings and other venues?
- Does OCAS have a method for noting re-occurring issues associated with worker communication from various venues?

Review a sampling of interviews and meetings where the above-referenced processes and procedures were implemented by OCAS and its contractors to determine whether they were followed and effective in practice.

- Was the desired information obtained and documented?
- Is the documentation of participants' comments accurate and complete?
- Is the draft of the meeting record available for appropriate participant review?
- Did the participants avail themselves of the opportunity to comment on the draft meeting record?
- Were comments incorporated into the final meeting record?
- Was the finalized meeting record made available in a timely manner to participants requesting copies?

Evaluate the conduct of outreach meetings.

- Is technical staff present at information outreach meetings where appropriate?
- Were appropriate introductory statements made at the beginning of the meeting?

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- Was there adequate time for presentations by OCAS?
- Were participants allowed adequate opportunity to provide comments?
- Are provisions made that are appropriate for interviews in a classified setting should the need arise?
- Are presentations developed at the appropriate level for the participants of the meeting?
- Are sign-in sheets utilized for outreach meetings so that attendees can be contacted, if needed, with follow-up information or questions?
- Are questions appropriate to solicit the desired information?

Evaluate the completeness and adequacy of the Outreach Tracking System (OTS).

- Does the OTS reflect the breadth and depth of the information provided by workers at the meetings?
- Did OTS integrate action items accepted by OCAS or its contractors during the course of the meeting?
- Were participant comments provided at information giving meetings included in OTS?
- Is OTS an adequate method for documenting and tracking worker comments?

Evaluate OCAS's tracking system for identifying trends in worker comments.

- Has OCAS documented repetitive or reoccurring issues on a site-wide or program-wide basis?

Evaluation Objective #3: Determine whether OCAS is giving thorough consideration to information received from workers through the worker outreach efforts, incorporating consideration of that material into its work products, as appropriate, and adequately communicating the impact of substantive comments to workers.

Examine the process by which OCAS and its contractors evaluate worker input.

- How does OCAS catalog and consider worker input for inclusion into its technical documents such as site profiles and SEC evaluation reports?
- What criteria are used to identify comments that deserve consideration for a response or action by NIOSH?
- Are the appropriate personnel evaluating the comments received?

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- Were follow-up discussions held with participants providing substantive comments, when necessary?
- What processes and procedures are place to ensure that NIOSH is following up on the response and action items?
- How is feedback provided to the workers in response to their comments?
- Did OCAS conduct research to evaluate substantive comments by participants and assess their impact on NIOSH documents, processes, and procedures?

Conduct a systematic review of worker outreach database(s) (at a point in time) in relation to its impact on technical documents.

- Select a sample of Site Profiles and SEC Evaluation Reports where worker outreach meetings have been done to document whether and how worker input has been considered and included and evaluate if exclusions were appropriate.
- Were the action items in OTS (or responses in WISPR and predecessor databases) appropriate to the comments received?
- Were recurrent issues appropriately responded to?
- Are comments applicable to the DOL portion of the process forwarded to DOL for consideration?

References

ABRWH, 2007, *Transcripts from Meeting 44 of the Advisory Board on Radiation and Worker Health, Volume IV, Day Three*, Mason, Ohio, February 9, 2007.

OCAS, 2009a, *Worker Outreach Program*, OCAS-PROC-012, Office of Compensation and Analysis, National Institute for Occupational Safety and Health, Cincinnati, Ohio, March 2, 2009.

OCAS, 2009b, *Types of NIOSH Public Meetings*, National Institute for Occupational Safety and Health, Cincinnati, Ohio, June 24, 2009.