



NIOSH Dose Reconstruction Project Meeting On INEEL Site Profile

Date:

April 28, 2004

Meeting with:

Idaho Building and Construction Trades Council, AFL-CIO

Attendees:

Ned Jones	International Brotherhood of Electrical Workers Local 449
Clay Atwood	International Union of Operating Engineers Local 370
Robert Stone	International Union of Painters and Allied Trades District Council 5
Bertha Jones	Idaho Falls Resource Center
Ann Jones	Department of Labor Seattle
Brent Moore	Sheet Metal Workers' International Association, Local 60
Layne Gough	International Brotherhood of Teamsters Local 983
Rod Fuger	United Association of Journeymen and Apprentices of the Plumbing, Pipefitting, and Sprinkler Fitting Industry of the United States and Canada Local 648
Mike Schiess	Laborers International Union of North America Local 155
Sherry Fladeland	Idaho Falls Resource Center
Mark Hansen	Idaho Falls Resource Center
John Hoyrup	United Brotherhood of Carpenters and Joiners of America Local 808

NIOSH and ORAU Team Representatives:

Stuart Hinnefeld – National Institute for Occupational Safety and Health (NIOSH)/Office of Compensation Analysis and Support (OCAS)

William Murray – Oak Ridge Associated Universities (ORAU)

Norman Rohrig – INEEL Site Profile Team Leader

Mark Lewis – ATL, Inc.

Dawn Catalano – ATL, Inc.

Proceedings

Mark Lewis opened the meeting at 9:00 a.m. by thanking all attendees for allowing the National Institute for Occupational Safety and Health (NIOSH) and the Oak Ridge Associated Universities (ORAU) Team to be part of their regular monthly meeting. He introduced himself as the Union Outreach Specialist and gave an overview of his professional background and goals of the program. He stressed that the meeting was to help NIOSH and ORAU gather information to supplement or improve the Site Profile with data from those experienced in the workplace thus



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rendering it more accurate and useful in dose reconstruction efforts. He then introduced Stuart Hinnefeld as the NIOSH representative and turned the floor over to him.

Mr. Hinnefeld also thanked the attendees for making time in the meeting agenda for the presentation and reiterated that NIOSH wanted to make the Site Profile as beneficial as possible for the union members. He characterized the meeting as partially educational since there would be an explanation of radiation dose reconstruction, as well as an outreach asking for assistance to improve the accuracy of site documentation. Mr. Hinnefeld then acknowledged attendees from the Local Resource Center and the Department of Labor (DOL), thanking them for taking the time to be there. He further explained the relationship between NIOSH and ORAU and introduced Bill Murray to begin the presentation.

Mr. Murray extended his own greetings and thanks for making time for the presentation. He summarized the topics to be covered, including the claims process and what happens in dose reconstruction. He invited everyone to introduce themselves and asked that everyone be sure to sign in on the sheet that was going around. Once each person introduced themselves, Mr. Murray made specific mention of Norman Rohrig's contribution to the document as Team Leader and how his first hand knowledge as a local resident was a key advantage to the accuracy in the site profile. He also introduced Dawn Catalano, whose objective is to capture minutes that would be available to anyone present once completed.

Mr. Murray's presentation started with an overview of the program objectives, primarily that NIOSH/ORAU was seeking input to document issues and concerns of the workers. He again pointed out that DOL representatives were in attendance to help answer questions regarding the claim process. He mentioned the Energy Employees Occupational Illness Compensation Program Act (EEOICPA) and said that NIOSH is involved only with Subpart B concerning radiation. He explained that when DOL receives a claim, it is forwarded first to NIOSH then to ORAU. Acknowledging the sensitivity of information involved with processing claims, Mr. Murray then discussed ORAU's commitment to protecting the claimant's privacy and the training required by all Project employees on the Privacy Act. He also described precautions taken to avoid conflict of interest in the development of the Site Profile.

Mr. Murray described the dose reconstruction process, stressing that when in doubt, all assumptions would be claimant favorable. He described the components of the site profile, and that the site profile is a 'living document' that can be updated as new information becomes available. He added that NIOSH and ORAU are specifically seeking input for revisions, and that the information will be helpful for dose reconstruction. The primary goals of dose reconstruction are consistency, fairness, and accuracy in processing claims. Mr. Murray next described the development of the Site Profiles in more detail, stating that experts with specific site knowledge work on the documents. But the documents are also subject to a thorough formal review process and require approval by NIOSH and ORAU before the document is accepted. Further, the author is responsible to respond to each comment on official forms and follow through to satisfactory resolution before any section of the Site Profile can be approved.

The INEEL profile was discussed next, pointing out that Norman Rohrig, the primary author, was present to answer questions. Mr. Murray stated that the Introduction section had been approved and was included in the handouts. The Site Description, Occupational Medical Dose, Occupational Environmental Dose, and Occupational External Dosimetry are approved. The



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Occupational Internal Dose section is being completed by different authors. Mr. Murray proceeded with the presentation once the questions were answered satisfactorily. He had reached the discussion of the site profile and details of dose reconstruction from 1951 to present.

Discussion Session

Concern:

Does NIOSH/ORAU revisit claims when revisions are made to site profiles?

Stuart Hinnefeld:

The evaluation of claims is conducted in accordance with the version of the site profile that has been accepted by NIOSH. When a site profile is revised, dose reconstructions that resulted in a probability of causation of < 50% and which might be affected by that revision are evaluated to determine the impact of the revision.

Comment:

What are revisions generally based on?

William Murray:

Revisions can be generated from a number of sources, and NIOSH and ORAU keep learning about new venues. For example, in the cases of the Site Profiles on the Savannah River Site and Portsmouth Gaseous Diffusion Plant, information discovered at previous meetings led us to new sources of information for revision of those documents.

Concern:

Will union leadership receive any notification of revisions?

William Murray:

NIOSH posts versions of the document on the website with revisions numbered (REV001, REV002)

Stuart Hinnefeld:

Old versions of a Site Profile are on the OCAS website at a link called "Archive of Previous Versions of Site Profile Documents. Currently active versions are located on the website, organized by site. I am not aware of any broad notification of revisions, but it is a good idea and something that could happen in the future.

Concern:

Can claims still be revised now that sections are being approved?

William Murray:

The best way to time the claims during the approval process is to delay submitting the claim until the site profile is complete. That would save time in the long run, avoiding re-evaluations after revisions.

Norman Rohrig:

There is currently a total of between 500-600 INEEL claims waiting for review.



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Stuart Hinnefeld:

NIOSH has had some difficulty retrieving records but is working hard to improve the process. The focus on individual exposure data has made the search slow in the past.

Comment:

People have a tendency to give up easily if they do not get an answer back about a claim right away.

Stuart Hinnefeld:

When the Act first passed Congress, claims started to arrive with no staff or capability in place for processing them. We have been getting better at it as we process more claims.

Comment:

One problem we encountered was that the rules did not seem to apply to sub-contractors; medical screening was conducted for employees of the prime contractor only and people confused the medical screening program with the EEOICPA program.

Stuart Hinnefeld:

The original plan was to have DOE offer an educational program. The Resource Centers and this outreach program are geared towards getting the word out.

Comment:

The amendment that changed the qualification rule to include adult children as survivors was not widely known.

Mark Lewis:

That was very confusing and not uncommon that it was misunderstood since the rules did a complete turn around.

Comment:

Another problem survivors have is determining exactly what their parents did on the job. Back in the old days, all anyone ever said was that they worked 'at the site' and left it at that. Construction workers were in a similar situation, since they did not have a designated work location.

William Murray:

ORAU talks to each survivor on the claim and we have made provisions to conduct classified interviews.

Concern:

What about survivors who just don't have that information?

Comment/Suggestion:

Talking with co-workers might be a better alternative since they would have been working side-by-side with the claimant.

Norman Rohrig:

Telephone interviews specifically ask who the person worked with on the site.



Mark Lewis:

The interview also includes questions designed to get as much contact information as possible such as phone numbers and addresses of co-workers, if known.

Concern:

(Union) Dispatch does not generally list site assignments, plus contractors come and go with no real tracking of who has been where. Searching for information regarding where claimants worked can be very tough with these limitations.

Stuart Hinnefeld:

The interview issue caused more consternation than it should have. It was well intended as a means for the claimant to tell NIOSH/ORAU what they know. It may be worth it to include a referral to the Resource Center with whatever information is known about what the claimant did.

Question:

Do any records show badging?

Stuart Hinnefeld:

Not always – these are also hard to chase down. Many, but not all, records do show badging results. Complete badge results were some of the items that were hard to retrieve, but that issue seems to be resolved now.

Comment/Suggestion:

Old organizational charts could be helpful in this regard to at least give an idea of the claimant's position in the management chain.

Question:

Does NIOSH currently have any method of tracking or determining who worked with whom?

Stuart Hinnefeld:

I am not aware of any existing system for tracking such information within the organization.

Comment/Suggestion:

Social Security records could be helpful in jogging memories when discussing this issue with management.

Concern:

Construction workers are hard to track by project; they have no idea what doses they received and are not told what readings are in the areas they have been assigned to.

Comment:

The company keeps these things quiet – contractors are used as 'fresh meat' to make up for the (dose) burn-out factor.



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Question:

Are these the kinds of comments NIOSH/ORAU wants and will unions need to provide documentation to support them?

Stuart Hinnefeld:

It is unrealistic to expect documents to support personal experience. A list of names of people who could concur would be helpful, especially for the building trades.

Concern:

Only site production workers are represented; there is a need to accommodate construction or non-production workers.

Concern:

There are undocumented doses from the tank farm at ICPP; doses were not counted because of a special badge program that ran between about 1993 and 1997. Badges were wiped clean as of January 1 of each year, so people would get high exposures through the end of the year since it would not be cumulative into the next month.

Stuart Hinnefeld:

Frequent badge exchanging is an important factor in reconstruction, especially when the badges were zeroed out. NIOSH/ORAU needs to know if you got new badges every day.

Comment:

There were administrative controls that gave more consideration according to the priority of the project. For example, if there was a high priority project that people were assigned to, they could receive an entire year's dose in December then *another* year's dose in January because the badge had been wiped clean.

Stuart Hinnefeld:

Reconstructions will always assume the high dose rate when information is lacking regarding the circumstances of the dose.

Question:

What year did badging start?

Stuart Hinnefeld:

Badging was initiated from day one in Idaho, but not everyone received a badge.

William Murray:

Monitoring has been in effect since 1951.

Question:

Naval Reactor exempt construction workers did jobs for both facilities and the doses from the reactor program did not count for dose reconstruction. How do NIOSH and ORAU differentiate doses from the two locations?

Stuart Hinnefeld:

The NRF exemption is due to a statute, not DOE rules. They have their own qualifications and rules in place.



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Comment:

Regarding medical dosing, contractors never did any more than they were absolutely required and X-rayed only when mandated. Many doses were not counted.

Comment:

NRF production did the same thing as maintenance – they used up dose levels at the end of the year.

William Murray:

Occupational medical doses are not included in the DOE records. They are added in by NIOSH and ORAU. Environmental data that is already known from release information is also added to the record in order to make the claims as claimant favorable as possible, especially for unmonitored workers.

Question:

Do medical exposures such as medically-administered isotopes or multiple X-rays required by an on-the-job injury factor into the reconstruction?

William Murray:

Medical X-rays for workplace injuries do not count – only employer-required chest X-rays.

Stuart Hinnefeld:

The X-rays are excluded from the count because receiving them was not a condition of employment. Despite the fact that it was an employment-related injury, it is not associated with the nature of the work.

Comment:

High readings from medical exposure did not show in the dose reading even though it probably should have since there was radiation therapy for a thyroid problem.

Stuart Hinnefeld:

It would be difficult to comment on a particular situation without specifics and documentation.

Norman Rohrig:

There is a possibility of an effective whole body dose in comparison to a higher area concentration that is not acceptable to DOE – this is a prime example.

Mr. Murray concluded asking if there were any further questions or comments. He thanked the participants again and the meeting adjourned at 10:25 a.m.

Attachments:

- Sign-in Sheet
- Presentation by William Murray: *Development of the Idaho National Engineering and Environmental Site Profile*
- Technical Basis Document for Idaho National Engineering and Environmental Laboratory – Introduction