U.S. Department of Labor

Office of Workers' Compensation Programs
Division of Energy Employees Occupational
Illness Compensation
Washington, DC 20210

June 2, 2020

Dr. Steven Markowitz, Chair
Advisory Board on Toxic Substances and
Worker Health
Queens College, Remsen Hall
65-30 Kissena Boulevard
Flushing, NY 11367

Dear Dr. Markowitz:

I am writing in response to a documentation request made at the April 15-16, 2020 meeting of the Advisory Board on Toxic Substances and Worker Health (Advisory Board or Board).

In follow up to that meeting, on April 28, 2020 the Board requested the following

> *We request all underlying documentation that was used to support the listing of toxic substances linked to security guards (or relevant aliases) and health physics technician (or relevant aliases) at the gaseous diffusion plants at Portsmouth, Paducah, and K-25 in the Site Exposure Matrices. This documentation includes DOE records and all communications between OWCP, the SEM contractor, DOE and all parties that are relevant to the selection of the toxic substances for these particular job titles at these specific DOE sites.*
> *We also seek to understand from the industrial hygiene experts at or contracted by the Department of Labor how they view such variation in listings across sites and whether such variation is considered in their evaluation of claims.*

Supporting its request, the Board provided the following rationale:

> *The statute mandates that the Board advise the Department with regard to the Site Exposure Matrices, which were developed and are used by the EEOICP in the claims evaluation process. The Board notes an appreciable discrepancy in the number of toxic substances for selected job titles at different DOE sites. For security guards, there are 61, 29, and 10 toxic substances listed at the Portsmouth, Paducah, and K-25 sites, respectively. For health physics technicians, there are 4, 18, and 36 toxic substances listed at the Portsmouth, Paducah, and K-25 sites, respectively. Since these DOE sites were reasonably similar in many respects, the Board wishes to understand the sources of such variation and how such variation is noted and considered in the claims evaluation process.*

By way of an overview, there are essentially two ways to create a SEM labor category profile, and often the profile is a combination of both. Because there are some jobs that are unique to DOE facilities, such as nuclear weapons assembly & disassembly, DOE possesses specific information about those processes. As such, DOE documents form the basis of the profile. As facility-specific documentation inform the profiles for security guard and health physics technicians, the number of corresponding toxic substances for each profile are different. For jobs not unique to DOE, such as roofers, DOE did not maintain specific information and therefore the SEM team has used industry information to create a profile.

In response to the Board's document request, my staff will coordinate with DOE to produce any of the underlying documentation used to support the listing of toxic substances linked to the SEM profiles for security guards and health physics technicians. Once the Board has had an opportunity to review, I would be happy to have a dialog about any variation in the listings across sites.

I will note that a document used for developing the guard profile is available online. The Board may access, *The DOE Former Worker Medical Surveillance Program at Department of Energy Gaseous Diffusion Plants, Phase I: Needs Assessment* using the following web link:

https://www.energy.gov/sites/prod/files/2013/10/f3/Portsmouth_Paducah_K25ProductionWorkers_NeedsAssessment.pdf

I look forward to continuing to work with the Board in improving the quality of SEM profile data.

Sincerely,

RACHEL POND Digitally signed by RACHEL POND
Date: 2020.06.02 11:10:43 -04'00'

Rachel D. Pond
Director,
Division of Energy Employees
Occupational Illness Compensation