



January 6, 2017

Laura S. Welch, MD
Chair
Advisory Board on Toxic Substances and Worker Health
Subcommittee on the Site Exposure Matrices
U.S. Department of Labor
Office of Workers' Compensation Programs
Room S-3522
200 Constitution Ave. NW.,
Washington, DC 20210

Subject: Example of Labor Category removed from SEM

Dear Dr. Welch:

I want to thank you and the members of the Subcommittee on Site Exposure Matrices (SEM) for your continued dedication to assist the Division of Energy Employees Occupational Illness Compensation (DEEOIC) to improve the program.

The final issue of today's teleconference involved a discussion of the lack of specific exposure records for non-radioactive materials in the workers' files. This has been an ongoing issue that has yet to be resolved to the advocates' satisfaction.

It was also mentioned by some Board members that it is not uncommon for the SEM to not include some labor categories or have a labor category, which was previously listed on the SEM, removed. I would like to provide the Subcommittee with an example of this issue.

Attached is a redacted letter from DEEOIC to a claimant. The claimant was a security guard at the Iowa Army Ammunition Plant (IAAP). The Recommended Decision approved the worker because the search of SEM, "...showed you potentially were exposed to...as a security guard at the Iowa Army Ammunition Plant and that these substances have the potential health effect of pneumoconiosis."

However, the Final Adjudication Branch remanded the claim back to the claims examiner because,

"...there has since been a change in the SEM database. It no longer lists security guard as a labor category for the Iowa Army Ammunition Plant. While it does list guard as a labor category and security activities as a work process, it does not show any hazardous chemicals potentially related to the labor category/work process."

It is my understanding that documents were provided to the SEM Administrator or the claims examiner, including the attached "Contractor's Job Description". Per this document, a guard at IAAP would have patrolled "on foot an interior or exterior area examining doors, windows, gates, vaults and safes to see that they have been properly secured...".

In other words, a guard was responsible for ensuring the security of the buildings, both outside, in the production areas and the vaults and safes where the nuclear materials were stored. Yet, the attached document, printed today, for Guard at IAAP still shows that a guard would not have been exposed to any toxic substances.

I hope these documents will be beneficial in your future deliberations.

Sincerely,



Terrie Barrie

For ANWAG Members

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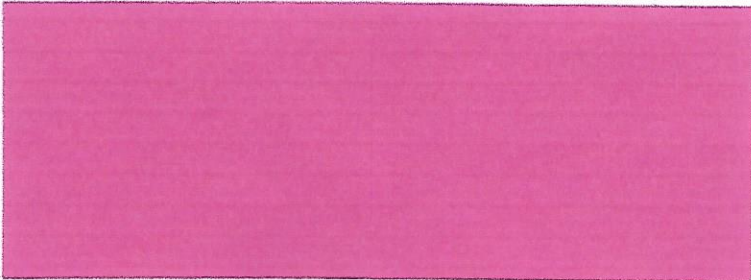
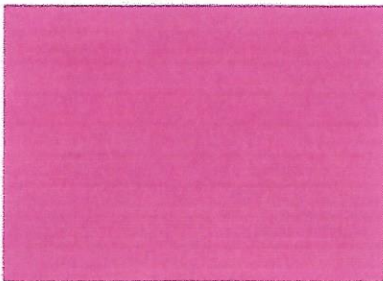


U. S. DEPARTMENT OF LABOR

OFFICE OF WORKERS' COMPENSATION PROGRAMS
DIVISION OF ENERGY EMPLOYEES OCCUPATIONAL ILLNESS COMPENSATION
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CLEVELAND, OHIO 44114
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May 30, 2013



As you are aware, on May 7, 2013 the Final Adjudication Branch issued a Remand Order returning your file to the Cleveland District Office for further development of your claim for employee benefits under Part E of the Energy Employees Occupational Illness Compensation Program Act (EEOICPA) for the claimed conditions of pneumoconiosis and pulmonary fibrosis.

The March 27, 2013 Recommended Decision to accept your claim partially was based on a search of the U.S. Department of Labor Site Exposure Matrices (SEM), a database including known potential health effects that may result from exposure to the toxic substances present at the Department of Energy (DOE) facilities covered under the EEOICPA. This search showed you potentially were exposed to carbon, talc and titanium dioxide as a security guard at the Iowa Army Ammunition Plant and that these substances have a potential health effect of pneumoconiosis. Based on this search, it was determined that you had sufficient exposure to these toxic substances at the Iowa Army Ammunition Plant to establish that the exposure was a significant factor in aggravating, contributing to or causing your pneumoconiosis and pulmonary fibrosis. As explained in the Remand Order, there since has been a change in the SEM database. It no longer lists security guard as a labor category for the Iowa Army Ammunition Plant. While it does list guard as a labor category and security activities as a work process, it does not show any hazardous chemicals potentially related to this labor category/work process.

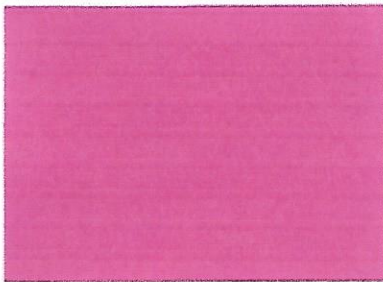
During your July 26, 2012 occupational history interview, you stated that you were exposed to PETN, PBX, TNT, plutonium, uranium, asbestos, silica, fiberglass and cleaning solvents while working as a security guard at the Iowa Army Ammunition Plant. None of these substances have a potential health effect of pneumoconiosis or pulmonary fibrosis. If you were exposed to any other toxic substances while working as a security guard at the Iowa Army Ammunition Plant, please provide a list of those substances to the District Office and explain the frequency, duration and extent of each exposure. You also may submit statements from your co-workers at the Iowa Army Ammunition Plant substantiating these exposures.

Finally, you may submit medical evidence explaining the causal relationship between your exposure to toxic substances at the Iowa Army Ammunition Plant and your pneumoconiosis and pulmonary fibrosis. This evidence must be of a programmatic nature (i.e., broad-based epidemiological studies conducted by a university or peer-reviewed articles in a reputable medical journal) or claim-specific (i.e., a well-reasoned and medically rationalized opinion from a treating physician).

Under the Act, it ultimately is your responsibility to submit the necessary information to establish a claim under the EEOICPA. If you need additional time to collect relevant evidence regarding your claim, please contact us. If no response is received from you within thirty (30) days, the DEEOIC will proceed with an evaluation of your case and the issuance of a recommended decision.

If you have any questions about this letter or about your claim in general, please contact me. My direct telephone number is (216) 802-1534, or you may call this office toll free at (888) 859-7211 and ask for me by name. You also may write to me at the District Office address shown at the top of this letter.

Respectfully,



authorized representative

If you would like to complete an anonymous customer service survey, please visit our web site at www.dol.gov/owcp/energy.

CONTRACTOR'S JOB DESCRIPTION

Installation: <u>Iowa Ordnance Plant</u>		Submission Number: <u>IOP-162</u>	
Mason & Hanger-		W-49-010-ORD-68	
Operating Contractor: <u>Silas Mason Co., Inc.</u>		Contract No.: <u>DA-11-173-ORD-85</u>	
Job Title: <u>GUARD</u>		Code Number: <u>NE-43</u>	
Proposed Rate or Rate Range: -----		<u>\$2.26 - \$2.41 - \$2.53</u>	
Number of Incumbents:		Present: <u>103</u>	Anticipated: <u>103</u>
		Exempt	Non Exempt
Fair Labor Standards Act			<u>X</u>
Walsh-Healey Act			<u>X</u>
Type of Exemption: Executive: () Administrative: () Professional: ()			

STATEMENT OF DUTIES

Under the supervision of a Guard officer, is charged with the enforcement of protective and security regulations of the area at a designated post or patrol area as follows:

- (1) Admits authorized employees and visitors and refuses admittance to unauthorized and unwanted persons;
- (2) Conducts searches of persons and vehicles as required;
- (3) Patrols on foot an interior or exterior area examining doors, windows, gates, vaults and safes to see that they have been properly secured and have not been tampered with and confirms that all persons, including employees, are authorized to be within area and that all activities are in conformance with regulations;
- (4) Records progress of tour on clock system;
- (5) When assigned to motor patrol, covers area in a radio-equipped vehicle, examining gates, fences, etc., to see that they are properly secured and have not been tampered with;
- (6) Determines that all persons, including employees, are authorized to be within area and that all activities conform with regulations;
- (7) Answers all radio calls directed to his car, taking necessary action upon arrival at the location and reporting by radio to the dispatcher;
- (8) Acts as reserve at Guard Headquarters and must be able to assume responsibility of any post or patrol or assist the Desk Sergeant in performance of those duties.

Must satisfactorily complete the required phases of the Guard training program to assure familiarity with the rules and regulations and with the equipment required for the performance of his duties.

The site specific information in this database reflects available data and may not be complete. The results should be used with a full understanding of the limitations of the current dataset.

Labor category: (button must be clicked after changing any selection in order to update results.)

^{or} [Click here](#) to locate a labor category by alias or description, if you cannot find the labor category you are looking for in the list above.

Secondary filters to apply to lists of related items (from Iowa Ordnance Plant (Line 1 and Associated Activities)) :

Health effect (per associated toxics):

Site: Iowa Ordnance Plant (Line 1 and Associated Activities)

Labor Category: Guard

DETAILS	SiteJobAlias: Guard Sergeant; Lieutenant of Guards
RECORD HISTORY	Facility Data Last Updated: Nov 9, 2015 (Note: Toxic substance/disease relationships may have changed after this date.)
RELATED ITEMS IN SITE EXPOSURE MATRIX	
Secondary filters applied -- <i>none</i>	
HAZARDOUS CHEMICALS POTENTIALLY ENCOUNTERED BY LABOR CATEGORY	<i>none listed</i>
PROCESSES/ACTIVITIES PERFORMED BY THIS LABOR CATEGORY	<i>none listed</i>
AREAS IN WHICH THIS LABOR CATEGORY WAS INVOLVED	<i>none listed</i>
BUILDINGS IN WHICH THIS LABOR CATEGORY WAS INVOLVED	<i>none listed</i>
INCIDENTS INVOLVING THIS LABOR CATEGORY	<i>none listed</i>