

ABTSWH Case or Data Request

Date of Request: April 28, 2020

1. **Delineation of Requested Data\information:** As specifically as possible, please explain exactly what specific data or case characteristics the Board is requesting (in order to assure the Program provides accurate and timely information) Please complete one form for each unique data or case request and which Board sub-group will be reviewing the information:

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.

2. **Statutory Authority:** The Board's scope is defined in Section 3687(b)(1)(A-D) of the EEOICPA. Please identify the statutory mandate(s) the data or cases being requested fulfill (for convenience you can refer to them as Subsection A, Subsection B etc.):

This falls under Subsection A "the Site Exposure Matrices of the Department of Labor."

3. **Supporting Rationale:** Please provide an explanation for this information as it relates to the statutory authority identified above:

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.

4. **Intended Use:** Please advise what the Board is hoping to accomplish or learn from the requested data or cases:

The Board aims to understand the consistency and quality of the SEM listings and advise on whether any opportunity to improve the SEM might be available.

NOTE: all data and case specific information containing claimant personal and health information is protected by the Privacy Act, and any unauthorized release of that information (accidental or otherwise) must immediately be reported to the Designated Federal Official.

DEEOIC requested the Board look at this topic?

DEEOIC has requested assistance with the creation of more presumptions.

Steven Markowitz, Chairman, ABTSWH
