

ABTSWH Information Request

Date of Request: May 4, 2023

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:

The SEM Working Group of the ABTSWH requests information from the Department of Labor and its SEM contractor on the questions listed below. We have reviewed the SEM material that the Department sent to us on February 15, 2023.

1. Who maintains and directs changes to the SEM? Is it the contractor or DOL? What position does this person hold?

Answer: Paragon Technical Services (PTS), a U.S. Department of Labor (DOL) contractor, provides maintenance, updates, and organization of the information contained in the Site Exposure Matrix (SEM). PTS is responsible mainly for obtaining and researching documents produced by the Department of Energy (DOE) and its contractors and subcontractors about the use of various toxic substances associated with the production of atomic weapons. The information obtained from PTS research is used to populate data fields within SEM that allows for generalizations about the likelihood that certain types of jobs, work processes, work locations or other factors relate to potential exposure to specific toxic substances.

PTS documentation collection efforts include traveling to DOE sites across the country to obtain documentation relating to current or past operations. Once records are obtained, PTS subject matter experts screen those records to identify probative exposure data used to update SEM. PTS personnel performing document research possess extensive experience in the fields of industrial hygiene, toxicology, and other medical health science specialties. Many staff also have direct experience working at facilities associated with the United States atomic weapons industry. The DOL relies on PTS experts to populate SEM with data that represents an accurate, comprehensive inventory of toxic substances utilized at the different facilities covered under Part E of the Act.

PTS activities are overseen by a federal Contract Officer's Representative (COR) to ensure PTS adheres to its contractual obligations. The function of the COR is to process invoices, review PTS interactions with program staff, and to act as liaison between the DEEOIC and PTS to direct work functions when necessary. While SEM is a DEEOIC database that is maintained by PTS, new information brought to the attention of DEEOIC at times justifies substantive changes to the SEM database which are directed by DEEOIC management through the COR. The COR however is not responsible for any direct management pertaining to how PTS staff performs day-to-day contractual functions including the validation of SEM data change controls. The current COR is a Policy Analyst within the

program's Policy Branch.

- 2. For a specific site data capture, is there an overall data capture plan? What is the review process with the DOE site personnel? Could you provide a couple of approved and implemented plans? Is there a process to ensure that the site information is kept current and, if so, describe the process. Are DOL and Paragon notified of facility status change, (i.e. demolished or taken out of service?)**

Answer: Document collection is accomplished using DOL-approved procedures and is authorized by the DOE Office of Health and Safety, Office of Worker Screening and Compensation Support (OWSCS). The SEM database contains descriptions of specific work processes, buildings (name, number, and/or title, including informal aliases) where they are performed, labor categories involved in the processes (including formal, informal, or site-specific titles), specific toxic substances involved in the processes, and incidents involving hazardous materials. When a major update and revision of a specific DOE site is undertaken, the approach to document requests from the site strives to be as least burdensome as possible. To achieve this, PTS uses a two-tiered process so that they can target requests as specifically as possible. The two tiers include an initial request for high level descriptive documents to identify facilities, buildings, processes, etc. that are not currently included in SEM, followed by a follow-up request for documents concerning the specific buildings, processes, labor categories, etc. limited to the elements not currently covered in the site profile. Usually, the update will apply only to major changes at the site since the last significant site update, usually a period of the last decade.

Once OWSCS provides PTS a Point of Contact (POC) for a site being updated, OWSCS and PTS normally have an initial conference with the POC, and any site personnel involved. This initial conference is intended to make introductions, share the scope of the profile update (time period, operations/D&D activities, area of the site), share contact information, and have a discussion of the types of documents and information needed to populate the SEM database for that site to provide DOL the information needed to adjudicate workers' claims from that site for compensation under EEOICPA.

The first tier requested documents include:

- Capital projects completed, changes in mission, or demolition/remediation during the scope period. A Project Office or Program Office can be a valuable resource in identifying those changes in mission/facilities/equipment.
- Current Site maps.
- Current facilities list indicating status (active/inactive/SSD, etc.).
- ORRs/RSAs for new facilities or revised processes completed during the scope period.
- The Site Industrial Hygiene Program/Plan.
- Current labor categories.

PTS will review these documents and compare them to the information in the current site

profile in SEM to identify elements at the site that are not currently covered by the SEM site profile. This information will allow PTS to target specific areas where more detailed document requests may be made while being the least burdensome as possible on the site.

Once PTS identifies facilities, equipment, or processes that have changed in the relevant time period, the following are types of documents that can hold information PTS would use to update the SEM.

- Hazard assessments of new/modified processes and equipment.
- Operations procedures for new/modified processes and equipment.
- Procedures pertaining to managing, storing, handling, and using hazardous chemicals.
- Current Site maps with building numbers.
- Current labor category job descriptions and work locations.
- Standing work instructions for facility maintenance, operations, or other activities, including labor category assignments and chemicals and processes used (welding, soldering, lubrication with lubricants used, etc.).
- Accident and injury illness records (ORPS, CAIRS, OSHA 300 Logs), internal or external assessment reports, and enforcement history, to identify incidents involving potential or actual chemical exposures or spills.

Also included is the most recent Paragon Annual Report which should adequately address how Paragon targets updates.



OY1 Annual Report
Final 6-8-22.pdf

3. How are buildings identified for inclusion, since it appears that not all site buildings are included in the site's SEM? Is that included in the site data capture plan?

Answer: Information is only entered into SEM if it is identified in official DOE site documentation. This would include aliases, building numbers, and processes contained in those locations. Building and area level descriptors are important data elements that are screened in any material obtained through data capture efforts. Thus, information is not entered into SEM for specific buildings unless that information is supported by official DOE documents.

4. Please describe the process for identifying information to be deleted from the SEM, work processes/activities, labor categories, chemicals, etc.

Answer: When legacy processes are discovered, new processes are introduced, new documents are obtained, or additional information is otherwise discovered by, or provided to PTS, PTS analysts thoroughly research the information and initiate a revision to the affected site profile(s) to capture that information. PTS rarely changes or deletes existing

information in SEM, and in those few cases, it is thoroughly documented with the same change processes used for new information as discussed in the following procedures previously provided to the Board:

- Managing Input into the Internet Accessible SEM Website (Public) Standard Operating Procedure (SOP-SEM-01, Rev. 3, June 25, 2020)
- Compiling and Entering Toxic Substances into the Site Exposure Matrices (SEM) Standard Operating Procedure (SOP-SEM-02, Rev. 7, July 7, 2020)
- Compiling, Entering, and Managing DOE Site Information in the DOL SEM Database Standard Operating Procedure (SOP-SEM-03, Rev.16, November 23, 2022)
- SEM Database Pre- and Post-Entry Quality Control: Data Changes and Additions Standard Operating Procedure (SOP-SEM-07, Rev. 9, April 6, 2022), and
- Site Exposure Matrices Records Management System (SEMRMS) Standard Operating Procedure (SOP-SEM-11 Rev 11, November 21, 2022)

5. When additions/updates/deletions are approved, how are those data and provenance archived? Is there a process for announcing additions/deletions to the SEM database to the public/AR/etc?

Answer: PTS makes changes in the SEM using a multitude of written guidelines, instructions, rules, requirements, and tracking records. The overwhelming majority of changes to SEM consist of adding information to the database, not changes to existing data. All changes are made in accordance with established standard operating procedures and contract obligations.

Extensive records are kept for each piece of data in the SEM, including source documents, researcher notes, and change logs. Documents supporting all SEM entries, both new and in support of changes, are stored in the SEM library.

The public SEM is updated twice yearly after review by the DOE to ensure no classified information is contained in the database. Major changes to the SEM during that time period are highlighted on the SEM homepage for public consumption. Additionally, a “Record History” is provided with individual SEM search results identifying when the specific record was updated in SEM. A sample screenshot is provided below.

U.S. DEPARTMENT OF LABOR

Office of Workers' Compensation Programs

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: Cable Fabricator | Submit Labor Category selection and filters (button must be clicked after changing any selection in order to update results.)

#? 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 Rocky Flats Plant) :

Toxic substance: | Health effect (per associated toxics): | Process:

Site: Rocky Flats Plant
Labor Category: Cable Fabricator

DETAILS	no additional information listed
RECORD HISTORY	Facility Data Last Updated: Jul 22, 2022 (Note: Toxic substance/disease relationships may have changed after this date.)
RELATED ITEMS IN SITE EXPOSURE MATRIX	
Secondary filters applied -- none	
HAZARDOUS CHEMICALS POTENTIALLY ENCOUNTERED BY LABOR CATEGORY (4 matching criteria)	<p>Laysan CAS: 25038-59-9 Aliases: Poly(oxy-1,2-ethanedioxydicarbonyl-1,4-phenylenecarbonyl); Polyethylene terephthalate; Poly(ethylene terephthalate); Poly(oxyethyleneoxyterephthaloyl); Mylar; Amilar; Arnite A; Arnite G; Cassapret SR; Celanar; Cleartuf; Clertuf; Crastin S 330; Crastin S 350; Crastin S 440; Daiya foil; Dowlex; E 20; Estrofol; Estrofol B; Ethylene terephthalate oligomer; Ethylene terephthalate polymer; Fiber V; Hectarlin; Hectarhan; Tamhlon; KIT 40; Lawconite</p>

6. We appreciate the material given to us on February 15, 2023. Is there additional material that describes how the SEM works? For example, is there an operating?

Answer: The SEM User Guide can be found at the following website:
<https://www.sem.dol.gov/expanded/Help.cfm>

7. Please provide a copy of DOL-19-0021 (Criteria for Occupational Disease-Agent Relationship in the SEM and Haz-Mat)

Answer: The below attachment explains the criteria used by Dr. Jay Brown to enter occupational disease links to substances in Haz-Map and how PTS coordinates Haz-Map disease links to SEM and updates new disease associations published in Haz-Map. It does not address disease links in SEM that do not originate in Haz-Map. Those include disease links established by organizations such as the International Association for Research on Cancer or the National Toxicology Program or other scientific sources when identified and accepted by DOL. SEM includes 130 toxic substances with 150 disease links not in the Haz-Map database.



Relationships for HAZ and SEM__SEN

8. Please provide a copy of the SEM training manual for the Claims Examiners.

Answer: Claims staff have access to reference materials to assist them in the proper utilization of SEM. The SEM User Guide referenced previously in bullet point #6 of this document as well as the Federal (EEOICPA) Procedure Manual (PM), specifically Chapter

15, sections 7 through 9 which can be found here:

https://www.dol.gov/sites/dolgov/files/OWCP/energy/regs/compliance/PolicyandProcedures/procedure_manual_7.1-2023.3.pdf

Additionally, the DEEOIC maintains a self-guided presentation which claims staff can use to:

- Gain a basic understanding of the SEM
- Explore claimant data and define how that information can be identified for good use
- Identify the SEM data search categories
- View a video demonstration example of a SEM search, and
- Familiarize with important tips to remember when using SEM for exposure development

That presentation is available only on the DOL network and due to technical limitations cannot be viewed outside of that environment. We will work to convert that presentation into a format suitable for viewing outside the DOL network. In the interim, DEEOIC also offers an additional training video for the public which is very similar and can be found here:

<https://www.dol.gov/agencies/owcp/energy/regs/compliance/seminfo>

Additionally, DEEOIC also offers webinars which claims staff can attend which can be found here:

<https://www.dol.gov/agencies/owcp/energy/regs/compliance/Outreach/UpcomingEventsWeb>

9. Are denied claims (due to lack of toxic material identification at a facility) re-reviewed after additional information is added to the SEM?

Answer: DEEOIC does not maintain an inventory of occupational exposures assessed during the case adjudication process in the Energy Compensation System (ECS). As such, changes to the SEM which may impact a previously denied claim must be brought to the attention of the DEEOIC by the claimant and/or their representative via the established reopening process which is detailed in the PM Chapter 27. If any claim undergoes a reevaluation due to the addition of a new claim or a reopening, the reviewer will consider information available currently within SEM.

10. Are claims referred to an IH because there is no evidence of toxic exposure, or if there is exposure information that requires interpretation?

Answer: An Industrial Hygiene (IH) referral may occur if there is a potential exposure established in SEM which requires characterization of the route, extent, and frequency of

the identified exposure. Additionally, referrals are made if analysis of a possible health effect is presented based on the medical opinion from a claimant's qualified physician that communicates a particular toxic substance exposure contributed to or aggravated a claimed, diagnosed illness.

11. Chapter 15.8.e.1 (Page 122) indicates that, if the CE identifies more than 7 toxins based on the facts of the claim, then the CE will consult with National Office Industrial Hygienist (NO IH) to "identify which toxins on the list of substances were most likely to have been encountered and which would likely have greatest impact on the claimants' claim, and include as many of those as is necessary". What percentage of claims are referred to the NO IH for the reason that there are more than 7 potential toxins? Are the chemicals listed on the claimants EE-3 taken into consideration?

Answer: DEEOIC does not maintain electronically available data on the number of toxic substances referenced in individual referrals. All exposures identified by the claimant either on Form EE-3, in the Occupational History Questionnaire (OHQ), or by other means identified as relevant to the claim adjudication process which help inform the analysis of the claim are considered. In other words, chemicals listed on an EE-3 are evaluated during claim adjudication.

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 information request falls under the first task given to the Board in its Charter.

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

The information requests are closely tied to Board discussion of the SEM.

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

The Board aims to better understand the nature and performance of EEOICP.

DEEOIC requested the Board look at this topic?

No, this is a request from the Board.



Steven Markowitz, Chair, ABTSWH

Date: May 4, 2023

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.