

WORKER ADVOCACY ADVISORY COMMITTEE

U.S. DEPARTMENT OF ENERGY

PUBLIC MEETING MINUTES

Meeting via Conference Call

July 20, 2001

MEETING PARTICIPANTS

Committee Members Present:

Emily Spieler, Chair, West Virginia University
Leslie I. Boden, Boston University
John F. Burton, Jr., Rutgers University
Jeanne Cisco, Portsmouth Uranium Enrichment Plant
Donald Elisburg, Esq., Attorney
James Ellenberger, PACE
Steven Markowitz, Queens College
Kathryn Mueller, State of Colorado
Iris J. Post, State of Iowa
Glenn Shor, State of California
Gregory Wagner, National Institute for Occupational Safety and Health

Department of Energy Participants:

Roger Anders, Office of Worker Advocacy
Steven Cary, Office of Environment, Safety and Health
Jeff Eagan, Office of Worker Advocacy
Joe Falco, Office of Worker Advocacy
Judy Keating, Office of Worker Advocacy
Kate Kimpan, Office of Worker Advocacy
Paul Seligman, Acting Director, Office of Worker Advocacy
Loretta Young, Worker Advocacy
Mary Jo Zacchero, Office of Management and Administration

Other Participants:

Courtney Atchison, Westinghouse Safety Management Solutions
Carrie Callahan, Physicians for Social Responsibility
Larry Elliott, National Institute of Occupational Safety and Health
William Elson, ITT Industries
Liz Epstein, U.S. Department of Justice
Linda Gass, Citizens for a Healthy Environment
Angela Herman, American Insurance Association
Richard Miller, Government Accountability Project
Roberta Mosier, U.S. Department of Labor
Mark Olsen, Bechtel BWXT Idaho, LLC
Gail Williams, Nevada Test Site Medical Surveillance Project

PROCEEDINGS

The meeting was called to order at 1:01 p.m. by Emily A. Spieler, Chair of the Worker Advocacy Advisory Committee and a roll call was conducted. Committee members in attendance included Spieler, Elisburg, Ellenberger, Wagner, Cisco, Burton, Shor, Markowitz, Martinez, and Mueller. Staff from the Worker Advocacy Office and other federal agencies also present included, among others, Seligman, Falco, Elliott, Mosier, Eagan, Young, Keating and Anders.

Mr. Seligman noted that Andrea Kidd Taylor and Linda Rudolph had resigned from WAAC, and since there is a moratorium in the Department of Energy at present, these positions will not be filled soon.

Mr. Seligman then discussed the Denver meeting scheduled for August 28th and 29th and the format of the meeting.

Roberta Mosier from the Department of Labor discussed the town hall meetings that had been held at a total of 28 locations and 61 meetings total. Information packets have been handed out at the meetings, and there has been very good attendance.

She noted that effective July 31st, the four Department of Labor-Energy Employees' Occupational Illness Compensation Program District Offices will begin to process claims.

Larry Elliott with NIOSH, Health and Human services, Centers for Disease Control, made a presentation on the responsibilities that have been delegated to NIOSH for the Compensation Program.

The rules on probability of causation and dose reconstruction that DOL will implement for determination of cancer-related claims are completing departmental level at present. The Secretary will be examining the rules in the coming week and will provide an unofficial copy to OMB to get the process started, with the hope that the rules will be published before July 31st.

He noted there was a proposed slate of nominees for the Advisory Board on Worker and Radiation Health, which is now within the Department of Health and Human Services, awaiting the President making the appointments.

He noted another responsibility to provide a list of qualified physicians for appointment to the DOE Physician Panels to review state-based claims.

Liz Epstein from the Department of Justice then gave the Department of Justice Report. DOJ has been tasked with three responsibilities: to develop procedures to notify claims or survivors of the availability of the supplemental compensation and benefits

under the program, to identify and notify the eligible covered uranium employees or survivors of the availability, and that, upon request of the Secretary of Labor, to provide information needed to adjudicate the claims.

Paul Seligman, Acting Director, Office of Worker Advocacy, gave his report. He also noted that he will no longer be occupying his office at the Department of Energy as of July 31st.

He then discussed the hotline and that it would remain operational with the intent of obtaining information about potential state claimants, and that there is no backlog in terms of answering calls.

Mr. Seligman then turned to the issue of the resource centers which have begun opening across the country. He noted that Larry Hoss will serve as the resource center liaison at DOL, and Virginia Johnson at DOE will be federal resource center official.

Mr. Seligman then discussed records management. \$2.6 million has been invested in the operations offices to support the burden of employment verification, pulling radiation reports, job records, medical records, etc.

He noted that he is working closely with Social Security to come to closure on how best to verify employment for atomic weapons employers and beryllium vendor employers using SSA.

He mentioned a video-teleconference with DOE public affairs and records management and safety and health and radiation health folks for two days on July 30th and 31st, and he also mentioned the facilities list, and that a searchable database of the list has been posted. He also noted that things have moved from a proactive mode to a reactive mode in now responding to inquiries from the public and that training sessions are being held for resource center staff.

Ms. Spieler brought up the written comment submitted by Sylvia Carlsson regarding the State Workers Compensation Program in Alaska, and she asked that staff follow up with a response to Ms. Carlsson.

Ms. Keating indicated the meeting was being held under the Federal Advisory Committee Act, and that she was present at the meeting as the designated federal officer.

The meeting was adjourned by Emily Spieler at 2:49 p.m.