A Basic Overview of the

ENERGY EMPLOYEES OCCUPATIONAL ILLNESS COMPENSATION PROGRAM ACT

Outreach & Awareness Series

Office of Health, Safety and Security (HSS)
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A Basic Overview of the

ENERGY EMPLOYEES OCCUPATIONAL ILLNESS COMPENSATION PROGRAM ACT (EEOICPA)

OVERVIEW

This pamphlet is developed by the Department of Energy (DOE) as an outreach and awareness tool to assist former and current DOE Federal, contractor, and subcontractor employees to become familiar with and utilize the services and benefits authorized under the Energy Employees Occupational Illness Compensation Program Act (EEOICPA).

There are several Federal entities that support implementation of EEOICPA. Each of these entities serves a critical and unique role in this process. Briefly, the Department of Labor's (DOL) Office of Workers' Compensation Programs (OWCP) is responsible for adjudicating and administering claims filed by current employees, former employees, or certain qualified survivors.

The National Institute for Occupational Safety and Health (NIOSH) and the Advisory Board on Radiation and Worker Health (Advisory Board) are responsible for conducting occupational radiation dose reconstructions for certain claims filed under EEOICPA. NIOSH and the Advisory Board are also responsible for conducting research and evaluating Special Exposure Cohort (SEC) petitions.

DOE's role is to work on behalf of the program claimants to ensure that all available worker and facility records and data are provided to DOL, NIOSH, and/or the Department of Justice (DOJ) upon request. These records serve as the basis for DOL and NIOSH to make informed decisions. DOE views this important function as a moral commitment to thousands of its workers who have dedicated their lives to maintaining the national security and advancing our country in the areas of science and technology.

DOE's support of EEOICPA is overseen by the Office of Health, Safety and Security (HSS). The Former Worker Medical Screening Program (FWP) and EEOICPA are two of the most important programs within the Department and have the unwavering commitment and support of DOE's senior leadership, both at DOE Headquarters and at DOE Program Offices and Field Sites.

I encourage you to explore this pamphlet, find out more by referring to the many information sources cited, and contact us if you have any questions regarding DOE's role in providing this important service.

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U.S. Department of Energy

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What is the Energy Employees Occupational Illness Compensation Program Act (EEOICPA)?

EEOICPA required implementation of a program to provide compensation to employees of DOE, its predecessor Agencies, and its contractors and subcontractors involved in nuclear weapons production and testing programs that develop an occupational-related illness. This also includes delivering benefits to certain beneficiaries of section 5 of the Radiation Exposure Compensation Act (RECA). EEOICPA is often referred to as part B or part E.

Part B was implemented in July 2001 to cover current and former workers who have been diagnosed with cancers, beryllium disease, or silicosis, and whose illness was caused by exposure to radiation, beryllium, or silica at a covered facility.

Individuals or their survivors found eligible under part B may receive a lump-sum compensation payment of $150,000 and medical expenses for their covered condition.

EEOICPA also has provisions for SEC, which allow eligible claims to be compensated without the completion of a radiation dose reconstruction or determination of the probability of causation. To qualify for compensation under SEC, a covered employee must have at least one of 22 "specified cancers" and worked for a specified period of time at one of the SEC worksites. To review the list of SECs and the list of specific cancers, please refer to the following link: http://www.cdc.gov/niosh/ocas/ocassec.html.

Part E of the Act was created as an amendment to EEOICPA in October 2004, transferring the old part D from DOE to DOL. Part E provides coverage to DOE contractor or subcontractor employees, or a RECA section 5 uranium worker who developed an illness, including cancer, beryllium disease, and silicosis, as a result of occupational exposure to a toxic substance at a covered DOE facility.

What is the Energy Employees Occupational Illness Compensation Program Act (EEOICPA)? *(continued)*

Workers found eligible under part E of EEOICPA receive payment of their medical expenses for their covered illness and may also be eligible for impairment and/or wage loss compensation. Survivors found eligible under part E receive a lump-sum compensation payment and may also be eligible to receive additional compensation if the worker experienced wage loss due to the accepted condition.

EEOICPA also pays workers who were approved for compensation under section 5 of RECA, or their eligible survivors, an additional $50,000 and future medical benefits related to the condition for which they were approved for compensation under RECA. Section 5 of the RECA statute covers uranium miners, uranium mill workers, and uranium ore transporters.

Where can you Obtain the Claim Forms and File a Claim?

To obtain more information about program eligibility, benefits for eligible workers, or how to file a claim, please refer to the DOL Web site at http://www.dol.gov/esa/owcp/energy/index.htm or contact your local DOL Resource Center. A list of DOL Resource Centers, along with contact information, is included at the end of this pamphlet in attachment 1.

What does DOE do on your Behalf?

Implementation of EEOICPA is supported by several Federal entities. These include DOL, DOE, NIOSH, the Advisory Board, and DOJ.

Each of these entities serves a unique and critical role in the administration of EEOICPA. Briefly, DOL's OWCP is responsible for adjudicating and administering claims filed by current employees, former employees, or certain qualified survivors. NIOSH is primarily responsible for conducting occupational dose reconstructions for cancer claims and for overseeing the petitioning process for adding additional classes of employees under SEC. DOJ manages and adjudicates claims filed under RECA.

The Advisory Board serves several important functions, including: (a) advise the Secretary, Department of Health and Human Services (HHS), on the development of guidelines under section 2(b)(i) of Executive Order 13179; (b) advise the Secretary, HHS, on the scientific validity and quality of dose reconstruction efforts performed for this Program; and (c) upon request by the Secretary, HHS, advise the Secretary on whether there is a class of employees at any DOE facility who were exposed to radiation, but for whom it is not feasible to estimate their radiation dose, and on whether there is reasonable likelihood that such radiation doses may have

DOE's main role is to provide records to DOL and NIOSH to support claim processing, dose reconstruction, and, ultimately, claim adjudication. To accomplish this important role in a timely fashion, DOE works with its contractors and subcontractors to identify and provide worker and facility records and data on radiological exposures and monitoring requested by NIOSH, DOJ, or DOL. **DOE supports claimants by providing three major services:**

1. Respond to DOL and NIOSH requests for information related to ***individual claims***. (employment verification, exposure records)
2. Provide support and assistance to DOL, NIOSH, and Advisory Board on ***large-scale records research*** and retrieval efforts at various DOE sites.
3. Conduct research, in coordination with DOL and NIOSH, on issues related to ***covered facilities designations***. (343 covered facilities)

DOE's Role Related to Individual Claims

DOE primarily responds to three different types of records requests from DOL and NIOSH in the following ways:

- Employment Verification – DOE searches human resources and other types of records to verify employment at one of the covered EEOICPA DOE facilities during a covered time period. The scope of this activity does not include atomic weapons employer (AWE) facilities or Beryllium Vendors, which are private entities.
- Document Acquisition Request (DAR) – These are requests for exposure information related to an individual and typically require information from many different departments/groups onsite, including industrial hygiene (IH), radiological (Rad) controls, Human Resources department, inactive records storage, medical, etc.
- Radiological Data Request – These involve NIOSH requests for individual-specific, radiological-monitoring data to support dose reconstruction.

DOE's Role in Large Scale Records Research

DOE works closely with NIOSH and the Advisory Board to identify potential sources of information necessary to make final recommendation. DOE helps locate relevant records, provide access to site subject matter experts and site records, conduct necessary classification reviews, and provide copies of documents. DOE also supports other large-scale records research projects for NIOSH, the NIOSH Advisory Board, and DOL.

DOE's Role Related to Covered Facility Designations

DOE has a team of records research experts that work closely with both DOL and NIOSH on covered facility research and designations.

The DOE Covered Facility Web site can be found at the following link:
http://www.hss.energy.gov/HealthSafety/FWSP/Advocacy/faclist/findfacility.cfm

How does DOE Locate your Records?

To make the record search process more effective, DOE has established an EEOICPA Point of Contact (POC) at each DOE EEOICPA covered facility. The site POCs serve as the EEOICPA Manager for the site, as well as the local liaison for DOE EEOICPA activities. In this role, they interact with DOL, NIOSH, the NIOSH Advisory Board, EEOICPA claimants, and DOE management.

In light of the fact that most DOE sites have been in existence for 40, 50, or even 60 years, there are inherent variations in quality, complexity, and completeness of past recordkeeping practices. DOE makes every effort to identify and locate all available records. Records are maintained in a variety of formats, including: hardcopy paper records, electronic databases, microfilm, microfiche, badge cards, etc. In addition, sites may have records in anywhere from 10 to 30 different onsite locations, offsite storage, Federal Records Center, and the National Archives.

The DOE POCs manage an extensive search process designed to ensure that all available records are found and made available to DOL and NIOSH for informed decisionmaking. To ensure that DOE has exhausted all possible efforts to support claimants, a multitude of records and information sources may be searched, including:

Employment Records

- Employment Personnel Files
- Personnel Action Forms
- Employee Position Descriptions
- Job Assignment Outlines
- Performance Appraisals/Annual Reviews
- Job Acceptance Notices
- Termination Notices
- Human Resources Personnel Databases
- Personnel Security Badges
- Personnel Security Badging Databases
- Training Records/Training Records Database
- Job Position Descriptions

Toxic Exposure Records

- Industrial Hygiene Sampling Data
- Industrial Hygiene Hazard Assessments
- Industrial Hygiene Databases
- Safety Reports
- Daily Area Exposure Reports
- Quarterly Area Exposure Reports
- Whole Body Reports
- Urinalysis Reports
- Bioassay Results
- Radiological and Environmental Sciences Lab Reports
- Visitor Dosimetry Badging Reports
- Incident/Accident Reports
- Various Radiological Control Databases
- Various Indexed Details Databases

How does DOE Locate your Records? *(continued)*

Facility Records

- Facility Maps, Building Maps/Floor Plans/Drawings
- Facility Descriptions
- Facility-Based Hazard Assessment/Inventory Records

Databases

- Site-Developed Area Descriptions and Associated Hazards
- Site-Developed Job Descriptions and Associated Hazards

Medical Records

- Occupational Medical Files
- Incident/Accident Reports
- X-Ray Reports
- General Physicals
- Various Lab Work Results
- Notice of Injuries
- Notice of Return to Work
- Letters to/from Physicians
- Occupational Medical Databases
- Worker's Comp File/Database

Dose Exposure Records

- Annual Summary Dose Reports
- Locator Cards (indicating dates, location and contractor/subcontractor of dosimeter assigned)
- Facility-Monitoring Records/Databases
- Facility Safety Analysis Reports
- Facility/Building Closeout Records

Project Records (For Projects involving Radiation/Hazardous Materials)

- Contracts
- Project Reports
- Hazard Assessments
- Monitoring Data
- Project Closeout Records

Environmental Records

- Annual Site Environmental Reports (ASER)
- Environmental-Monitoring Databases Contractor Closeout Records
- Due Diligence Reports/Records

How does DOE Locate your Records? *(continued)*

DOE support to SEC Petitions is another critical facet of DOE support to EEOICPA implementation. This support requires identification of a large amount of data on a specific DOE facility. Relevant information can include historical records and data on radiological exposures and radiological monitoring. DOE works closely with NIOSH and the Advisory Board to identify relevant site Subject Matter Experts (SME) to provide information and answer questions. SMEs may include Health Physicists or other radiation experts, IH specialists, union representatives, records managers, and workers/managers in site departments with knowledge of specific site operations of interest to NIOSH. For example, for one SEC research project, over 200 boxes of records (approximately 200,000 pages) were reviewed by NIOSH, the Advisory Board, and contractor staff. This required DOE staff to perform extensive searches in various databases, hardcopy records indices, site departmental records collections, as well as onsite and offsite records archives.

DOE has improved its recordkeeping practices to support current and future workers; for example, DOE has updated its records schedules and has implemented a moratorium on the destruction of records related to worker health and safety. Records are generated, maintained, and dispositioned in accordance with Government guidelines.

Additionally, DOE has launched an aggressive outreach and awareness campaign to ensure that current DOE contractors and subcontractors recognize the importance of the records they generate and are committed to providing access to these records.

Where can you Find Additional Information and Assistance?

There are several ways for you to receive additional information and assistance. Specifically, if you are interested in the DOE role in EEOICPA, you can directly contact:

- Office of Former Worker Screening Programs, HS-15, Office of Health and Safety, U.S. Department of Energy, 1000 Independence Avenue, SW, Washington DC 20585.
  - Mr. Gregory Lewis, EEOICPA Program Manager
    Phone: (202) 586-2407
    gregory.lewis@hq.doe.gov
- If you are seeking information about DOL and NIOSH-administered aspects of EEOICPA, including, but not limited to:
  - How to obtain claim forms or file a claim;
  - Survivor eligibility;
  - Documents and information needed to file a claim;
  - The dose reconstruction process;
  - Special Exposure Cohort Petitions;
  - Claims Adjudication;
  - Probability of Causation;
  - DOL Site Exposure Matrices;
  - Site Profile documents; and
  - Offset between EEOICPA and State workers compensation awards.

  Contact the following resources for additional information:
  - A listing of DOL Division of Energy Employees Occupational Illness Compensation (DEEOIC) Resource Centers and District Offices is provided in attachment 1; and
  - Web-based resources are provided in attachment 2.

Attachment 1: DOL Division of Energy Employees Occupational Illness Compensation (DEEOIC) Resource Centers and District Offices

Resource Centers				
Name	Site	Address	Office Manager	Telephone
Hanford Resource Center	Hanford	303 Bradley Blvd., Suite 104 Richland, WA 99352	Name: Steve Beehler E-mail: hanford.center@rrohio.com	Telephone: (509) 946-3333 Fax: (509) 946-2009 Toll Free: (888) 654-0014
California Resource Center	California	2600 Kitty Hawk Road, Suite 101 Livermore, CA 94551	Name: Joe Krachenfels E-mail: California.center@rrohio.com	Telephone: (925) 606-6302 Fax: (925) 606-6303 Toll Free: (866) 606-6302
Las Vegas Resource Center	Las Vegas	Flamingo Executive Park 1050 East Flamingo Road, Suite W-156 Las Vegas, NV 89119	Name: Joe Krachenfels E-mail: vegas.center@rrohio.com	Telephone: (702) 697-0841 Fax: (702) 697-0843 Toll Free: (866) 697-0841
Idaho Resource Center	Idaho Falls	Exchange Plaza 1820 East 17th Street, Suite 375 Idaho Falls, ID 83404	Name: Steve Beehler E-mail: idaho.center@rrohio.com	Telephone: (208) 523-0158 Fax: (208) 557-0551 Toll Free: (800) 861-8608
Denver Resource Center	Rocky Flats	8758 Wolff Court, Suite 101 Westminster, CO 80031	Name: Janele Horner E-mail: denver.center@rrohio.com	Telephone: (720) 540-4977 Fax: (720) 540-4976 Toll Free: (866) 540-4977
Espanola Resource Center	Espanola	412 Paseo De Onate, Suite "D" Espanola, NM 87532	Name: Karen Martinez E-mail: espanola.center@rrohio.com	Telephone: (505) 747-6766 Fax: (505) 747-6765 Toll Free: (866) 272-3622
Oak Ridge Resource Center	Oak Ridge	Jackson Plaza Office Complex 800 Oak Ridge Turnpike, Suite C-103 Oak Ridge, TN 37830	Name: Susan Adkisson E-mail: or.center@rrohio.com	Telephone: (865) 481-0411 Fax: (865) 481-8832 Toll Free: (866) 481-0411
Paducah Resource Center	Paducah	Barkley Center, Unit 125 125 Memorial Drive Paducah, KY 42001	Name: Jim Monahan E-mail: paducah.center@rrohio.com	Telephone: (270) 534-0599 Fax: (270) 534-8723 Toll Free: (866) 534-0599
Portsmouth Resource Center	Portsmouth	1200 Gay Street Portsmouth, OH 45662	Name: Jackie Sensue E-mail: portsmouth.center@rrohio.com	Telephone: (740) 353-6993 Fax: (740) 353-4707 Toll Free: (866) 363-6993

Attachment 1: DOL Division of Energy Employees Occupational Illness Compensation (DEEOIC) Resource Centers and District Offices *(continued)*

Resource Centers *(continued)*

Name	Site	Address	Office Manager	Telephone
Savannah River Resource Center	Savannah	1708 Bunting Drive North Augusta, SC 29841	Name: Karen Hillman E-mail: srs.center@rrohio.com	Telephone: (803) 279-2728 Fax: (803) 279-0146 Toll Free: (866) 666-4606
New York Resource Center	New York	6000 North Bailey Avenue Suite 2A, Box #2 Amherst, NY 14226	Name: David San Lorenzo E-mail: newyork.center@rrohio.com	Telephone: (716) 832-6200 Fax: (716) 832-6638 Toll Free: (800) 941-3943

District Offices

District Office	Address	Telephone	Directors
District Office 4 -- Seattle, Washington	U.S. Department of Labor, DEEOIC 719 2nd Avenue, 6th floor, Suite 601 Seattle, WA 98104	Telephone: (206) 373-6750 Fax: (206) 373-6798 Toll Free: (888) 805-3401	Regional Director: Sharon Tyler District Director: Joyce Vail Assistant District Director: Tracy Johnson
District Office 3 -- Denver, Colorado	U.S. Department of Labor, DEEOIC 1999 Broadway, Suite 1120 Denver, CO 80202-5711	Telephone: (720) 264-3060 Fax: (720) 264-3099 Toll Free: (888) 805-3389	Regional Director: E. Martin Walker District Director: Janet Kapsin Assistant District Director: Ron Sanchez
District Office 2 -- Cleveland, Ohio	U. S. Department of Labor, DEEOIC 1001 Lakeside Avenue Suite 350 Cleveland, OH 44114	Telephone: (216) 802-1300 Fax: (216) 802-1308 Toll Free: (888) 859-7211	Regional Director: Nancy Jenson District Director: Annette Prindle Assistant District Director: Catherine Buttolph
District Office 1 -- Jacksonville, Florida	U.S. Department of Labor, DEEOIC 400 West Bay Street, Room 722 Jacksonville, FL 32202	Telephone: (904) 357-4705 Fax: (904) 357-4704 Toll Free: (877) 336-4272	Regional Director: Richard Brettell District Director: Jim Bibeault Assistant District Director: David Miller

Attachment 2:
Available Web-based Resources and Information Sources

Source/Material	Url/Web Address
DOL Energy Employees Occupational Illness Compensation Program (EEOICP)	http://www.dol.gov/esa/owcp/energy/index.htm
DOL Office of the Ombudsman for Part E of EEOICPA	http://www.dol.gov/eeombd/
DOE Former Worker Medical Screening Program (FWP)	http://www.hss.energy.gov/HealthSafety/FWSP/FormerWorkerMed
Checklist for Individuals with an Abnormal Be-LPT	http://www.hss.energy.gov/HealthSafety/FWSP/formerworkermed/checklist.pdf
Medical Facilities with Experience Evaluating Chronic Beryllium Disease	http://www.hss.energy.gov/HealthSafety/FWSP/formerworkermed/Medical_Facilities.pdf
NIOSH Office of Compensation Analysis and Support	http://www.cdc.gov/niosh/ocas/
DOE Beryllium Affected Workers Web Resources	http://www.hss.energy.gov/healthsafety/berylliumaffectedworkers/

Points of Contact

For additional information or assistance, please contact:

- Patricia R. Worthington, PhD
  Director, Office of Health and Safety, HS-10
  Office of Health, Safety and Security
  Phone: (301) 903-5926
  pat.worthington@hq.doe.gov

- Regina G. Cano
  Director, Office of Former Worker Screening Programs, HS-15
  Office of Health and Safety
  Phone: (202) 586-2407
  regina.cano@hq.doe.gov