

NIOSH STATEMENT OF POLICY: MANAGEMENT OF CONFLICT OR BIAS IN THE RADIATION DOSE RECONSTRUCTION PROGRAM

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John Howard, M.D.

Director, National Institute for Occupational Safety and Health

Rev 1

1.0 PURPOSE

This document is a Statement of Policy¹ ("Policy") by the National Institute for Occupational Safety and Health (NIOSH) about conflicts or bias² (COB) of those persons and corporate entities disseminating scientific information as a part of the NIOSH Dose Reconstruction Program (Program).

Disclosure and exclusion of COB ensures and maximizes the quality, objectivity, utility and integrity of all scientific information disseminated by the Program.³ Achieving the highest level of scientific information quality is a core value of the President's Office of Management and Budget⁴ and the U.S. Department of Health and Human Services.⁵

Thus, it is crucial for Program integrity that each employee and corporate entity who performs any key Program function (Section 5.0) or Program support function (Section 6.0) disclose fully all past, current or planned future employment-related relationships, financial relationships, familial relationships, or supervisory or subordinate work relationships that could pose a COB. If such a COB is found, the individual or corporate entity is to be excluded from performing a key Program function for that site.

¹ This Statement of Policy is not intended to and does not create any right or benefit, substantive or procedural, enforceable at law or in equity, against the United States, its agencies or other entities, its officers, employees or any other such person.

² A "conflict or bias" means a potential, actual, or an appearance of a conflict and/or bias between the obligations of a person as a Program employee or contractor, and a personal or corporate interest. This Policy does not use the term "conflict of interest" as defined in 18 U.S.C. § 208 *et seq.*

³ Information Quality Act, Pub. L. No. 106-554, § 1(a) (3)[Title V, § 515](Dec. 21, 2000)(published at 44 U.S.C. § 3516 note).

⁴ "Guidelines for Ensuring and Maximizing the Quality, Objectivity, Utility, and Integrity of Information Disseminated by Federal Agencies." See <http://www.whitehouse.gov/fedreg/print/reproducible.html>.

⁵ "HHS Guidelines for Ensuring and Maximizing the Quality, Objectivity, Utility and Integrity of Information Disseminated to the Public." See <http://aspe.hhs.gov/infoquality/Guidelines/inde.shtml>.

This COB Policy Statement balances two competing values: ensuring all relevant information is gathered regardless of source, and developing key Program documents of the highest scientific quality.

First, NIOSH wants to ensure that it obtains all available factual information from all relevant sources about radiation doses received by workers having potential benefits under the Energy Employees Occupational Illness Compensation Program Act of 2000 (EEOICPA), including those individuals having any past or current employment-related relationships, financial relationships, familial relationships, or supervisory or subordinate work relationships with the Department of Energy (DOE), an Atomic Weapons Employer (AWE), contract operators of DOE facilities, or with other parties having a stake in the general or particular outputs or outcomes of the Program.

Second, NIOSH wants to ensure that all scientific judgments contained in key Program function documents made by NIOSH employees or contractor employees about dose reconstruction are free from COB.

NIOSH's COB Policy Statement is posted and will be updated on the NIOSH Web site at the following locations on the web: Under information about Dose Reconstruction activities at <http://www.cdc.gov/niosh/ocas/ocasdose.html> and under information About OCAS at <http://www.cdc.gov/niosh/ocas/ocasabt.html>. NIOSH reserves the right to amend this COB Policy at any time to take account of changed facts and circumstances.

2.0 COVERED ENTITIES

Scientific information disseminated by the Program is generated by both NIOSH⁶ and by contractors.⁷ If NIOSH cannot ensure the quality, objectivity, utility, and integrity of the scientific information contained in key Program documents, because of the occurrence of COB in those who generate the documents, those documents cannot be disseminated and the Program purposes cannot be carried out. Thus, NIOSH believes that the disclosure and exclusion provisions of this COB Policy Statement apply to all persons and corporate entities disseminating scientific information as a part of the Program.

Exceptions:

- 2.1 This Statement of Policy does not apply to members of the Advisory Board on Radiation and Worker Health ("ABRWH" or "Board"), who are appointed by, and serve at, the pleasure of the President. The Board is responsible for creating and administering its own COB policy to supplement existing Board-applicable, ethics-related restrictions contained in, among other sources, the Federal Advisory Committee Act (FACA) and Office of Government Ethics (OGE) regulations, should the Board choose to apply such a policy to its operations.

⁶ "NIOSH" includes individuals working on Program-related duties in the NIOSH Office of the Director (OD), the NIOSH Office of Compensation Analysis and Support (OCAS) [and the Department of Health and Human Services' Office of the General Counsel (OGC) Radiation Compensation Legal Team].

⁷ "Contractor" refers to any entity and its employees who have a contractual obligation to provide services to the U.S. Department of Health and Human Services related to radiation dose reconstruction.

- 2.2 This Statement of Policy also does not apply to any federal contractor, and its subcontractors, whose work for the Program is directed primarily by the Board's recommendations to HHS/NIOSH (*i.e.*, the Board's "audit contractor"). Those entities will conform to COB provisions as set forth by the Board, but are also encouraged to utilize the provisions of the NIOSH COB Policy Statement as a minimum standard.

3.0 DISCLOSURE AND EXCLUSION

3.1 Disclosure

All individuals and corporate⁸ entities performing any key Program function and any Program support function as set forth in Sections 5.0 and 6.0 are required to disclose fully all past, current or planned future employment-related relationships, financial relationships, familial relationships, or supervisory or subordinate work relationships that could pose a COB by providing answers to the questions in the COB Disclosure Form (Appendix II) at the following times:

- When the NIOSH COB Policy Statement is first implemented or when a new revision is implemented that substantially changes COB disclosure requirements;
- When first hired; and
- When a change occurs in an employment-related, financial, familial, or supervisory or subordinate work relationship that may pose a COB.

3.2 Exclusion

The existence of a COB excludes the individual or corporate entity from performing a Key Program Function associated with a site where a COB exists.⁹ Persons or entities excluded from performing a key Program function may perform a Program support function after disclosing the COB.

4.0 IDENTIFYING CONFLICT OR BIAS

The following 12 questions are designed to assist covered entities in determining whether a COB may exist arising from a past, current or planned employment-related, financial, familial and/or a supervisory relationship. Question 4.1 pertains to covered individuals only; all other questions pertain to

⁸ This COB Policy Statement applies not only to individuals performing Program-related duties, but also to their employers. Therefore, all such employers shall disclose to NIOSH any past, present, or planned future contracts with or for DOE, AWEs, DOE and AWE contractors, Department of Defense (DOD), or other departments and agencies of the federal government that involve the management, direction, or implementation of radiation protection and/or health physics program policies, practices or procedures; or that involve DOE- or other federal government agency-funded or -directed dose assessments, reconstructions, or related duties for individual workers at or for a DOE, AWE or other federally-owned or -operated site.

⁹ Key Program functions are described in Section 5.0 of this document.

covered individuals and corporate entities. Questions 4.2 through 4.10 speak to employment-related relationships between the covered entity and the Department of Energy (DOE), Atomic Weapons Employer (AWE) or DOE or AWE site operator, and questions 4.11 through 4.12 relate to financial, familial and subordinate relationships.

4.1 Are you¹⁰ currently engaged in any capacity (paid or unpaid) by the U.S. Department of Energy (DOE)?

If yes, a COB exists and the individual with the COB cannot perform any key Program function for any site.¹¹ If no, proceed to Question 4.2.

4.2 Do you, or did you, work¹² either at or for this DOE or Atomic Weapons Employer (AWE) site?

If yes, a COB exists and the individual with the COB cannot perform a key Program function related to that site. If no, proceed to Question 4.3.

4.3 Do you, or did you, work for any of the past or current operators¹³ of this site?

If yes, then proceed to Question 4.4. If no, then proceed to Question 4.6.

4.4 During the time you worked for that operator, was that operator responsible for this site?

If yes, then proceed to Question 4.5. If no, then proceed to Question 4.6.

4.5 Did your work for the operator have an impact¹⁴ on this site?

If yes, then a COB exists and the individual with the COB cannot perform a key Program function for that site. If no, then proceed to Question 4.6.

4.6 Did you work for DOE in the past¹⁵?

¹⁰The term "you" used in question 4.1 includes just individuals. It includes both individuals and corporate entities for questions 4.2 through 4.12.

¹¹ "Site" and "facility" are defined to include DOE, AWE, and other federally-owned or -operated sites. For purposes of brevity, the "other federally-owned or -operated sites" category shall be referred to in this document as "other" sites.

¹² "Work" means employment at or for the site, site contractor, or site subcontractor that includes management, direction, or implementation of radiation protection and/or health physics program policies, procedures or practices related to atomic weapons activities at the site.

¹³ "Operator" refers to the governmental and/or corporate entities, including their subcontractors, responsible for performing and overseeing day-to-day work activities at the site.

¹⁴ "Impact" means that your work involved decision-making authority over management, direction, or implementation of radiation protection and/or health physics program policies, procedures, or practices related to atomic weapons activities at the site.

If yes, then proceed to Question 4.7. If no, then proceed to Question 4.9.

4.7 Did the time period you worked for DOE overlap *at all* with the covered period of this site?

If yes, then proceed to Question 4.8. If no, then proceed to Question 4.9.

4.8 Did your work for DOE have an impact on this site?

If yes, then a COB exists and the individual with the COB cannot perform a key Program function for that site. If no, then proceed to Question 4.9.

4.9 Do you have a familial relationship¹⁶ or subordinate work relationship¹⁷ with an EEOICPA claimant whose claim involves this site?

If yes, then a COB exists and the individual with the COB cannot perform a key Program function for the site or sites. If no, then proceed to Question 4.10.

4.10 Do you have a familial relationship or subordinate work relationship with anyone who has had an impact on this site?

If yes, then proceed to Question 4.11. If no, then proceed to Question 4.12.

4.11 If you have a subordinate relationship to someone who has or had an impact on the site, has a different person been designated to review your job performance as it relates to the site?

If no, then a COB exists and the individual with the COB cannot perform a key Program function for the site or sites. If yes, then proceed to Question 4.12.

4.12 Do or did you have a familial, financial or non-financial professional (e.g., providing expert advice) relationship with any attorney at the time the attorney represented an EEOICPA claimant, DOE or operator?

¹⁵ "Work for DOE in the past" does not include work for DOE of less than four months' continuous duration as a student intern, graduate fellow, or in another primarily educational capacity; it also does not include having received a financial stipend from DOE for graduate study, a fellowship in the context of an established DOE fellowship program intended to support graduate-level work, or receipt of a federal government retirement pension for prior DOE service.

¹⁶ "Familial relationship" encompasses a current spouse, child, parent, sibling, or grandparent that worked at or for the site; or any survivors of a current spouse, child, parent, sibling, or grandparent that are eligible to file claims under the Program.

¹⁷ "Subordinate work relationship" is one where an individual is supervised by an individual with a COB who is within two organizational levels above the subordinate; and (b) where "work" is defined as in Footnote 12.

If yes, then a COB exists and the individual with the COB cannot perform a key Program function for that site. If no, then no COB exists and the individual can perform a key Program function.

5.0 KEY PROGRAM FUNCTIONS

Note: Key Program functions are those activities that must be performed by individuals who do not have a COB as defined in the questions set forth in Section 4.0. Because the questions in Section 4.0 relate to both key Program functions and covered sites, it is important that disclosure of COB relate to a covered site. It is acceptable, then, to exclude a covered entity who discloses a COB in Section 4.0 from performing any and all key Program functions for that site regardless of the period during which he was conflicted or biased at the site.

5.1 Document Approval Authority

The **Document Approval Authority** exercises approval authority by signature to permit use by the Program of a Dose Reconstruction Report, Site Profile Document, SEC Petition Evaluation Report, Site-Specific and Multiple-Site Technical Information Bulletin (TIB), and any other key Program function document created for use by the Program. Any exercise of such approval authority is treated as a key Program function under this policy, and the individual who exercises that authority shall ensure that the exclusions and attributions required by this COB Policy Statement have been met before signing the document and approving it for use in the Program.

5.2 Dose Reconstructionist

A **Dose Reconstructionist** is responsible for conducting dose reconstructions for the Program which include, but are not limited to, analyzing monitoring methods, performing uncertainty analyses, estimating organ or effective dose from available monitoring data, and incorporating any comments from Dose Reconstruction Report Reviewers. A Dose Reconstructionist is responsible for any and all revisions to a Dose Reconstruction Report.

5.3 Dose Reconstruction Report Peer Reviewer

A **Dose Reconstruction Report Peer Reviewer** is responsible for conducting a review of the Dose Reconstruction Report to ensure that all appropriate sources of information for possible doses are included and that all calculations are accurate.

5.4 NIOSH COB Officer

The **NIOSH COB Officer**, who reports directly to the NIOSH Director, is responsible for ensuring that any key Program function document disseminated by NIOSH conforms substantively and procedurally to all the provisions contained in this COB Policy Statement. In addition, the COB Officer manages the process to ensure that all key Program function

documents conform to the NIOSH COB Policy Statement. For example, the COB Officer will review all disclosures; investigate and resolve complaints about failure to disclose; may examine key Program documents for proper attribution; and examine the roles of the document owner, site, and subject experts in key Program documents.

5.5 Site Profile Document Owner

A **Site Profile Document¹⁸ Owner** is responsible for coordinating and drafting all Site Profile Documents, ensuring that all relevant information is captured in the document, evaluating information, and establishing or setting forth specific findings or conclusions. The Site Profile Document Owner is the primary writer/editor of the Site Profile Document. The Site Profile Document Owner has an affirmative duty to seek out all relevant data and to objectively evaluate all relevant input with no special consideration given due to the source (e.g., site expert or subject expert).

All narrative or quantitative input to Site Profile Documents shall be clearly attributed¹⁹ to each source(s) wherever it appears or is relied upon within a Site Profile document. In addition, both Site and Subject Experts shall be clearly identified on the approval page of every Site Profile Document to which they contributed. A Site Profile Document Owner is responsible for any and all revisions to a Site Profile Document.

5.6 Site-Specific Technical Information Bulletin Owner

A **Site-Specific Technical Information Bulletin Owner** is responsible for coordinating and drafting a TIB which addresses a technical issue or concern regarding dose reconstructions for a specific exposure that may occur at one or more specific DOE or AWE facilities²⁰, ensuring that all relevant information is captured in the document, evaluating information, and establishing or setting forth a specific approach to resolve the technical issue or concern. The Site-Specific TIB Owner is the primary writer/editor of the subject TIB. The Site-Specific TIB Owner has an affirmative duty to seek out all relevant information, and to objectively evaluate all relevant input with no special consideration given due to the source (e.g., site expert or subject expert).

All narrative or quantitative input to a Site-Specific TIB shall be clearly attributed to each source(s) wherever it appears or is relied upon within a TIB. The specific DOE or AWE site to which the TIB applies shall be listed in the TIB. In addition, both Site and Subject Experts shall be

¹⁸ "Site profile document" also includes any "Technical Basis Documents," or TBDs, related to the site.

¹⁹ "Attributed" means the inclusion of footnotes, endnotes, a list of references, or other markings to identify the person, organization, or document sources for information in Program documents. The level of specificity of the attribution shall be appropriate to the importance of the information and may include, for example, document sections, paragraphs, tables or figures, or other key components of the document.

²⁰ "Site-Specific" TIB is one that applies to a single site, or a limited number of sites where those sites are identified by name in the document.

clearly identified on the approval page of every Site-Specific TIB to which they contributed. A Site-Specific Technical Information Bulletin Owner is responsible for any and all revisions to a Site-Specific TIB.

5.7 Special Exposure Cohort Petition Evaluation Report Owner

A **Special Exposure Cohort (SEC) Petition Evaluation Report Owner** is responsible for leading and documenting the evaluation of a qualified SEC petition to determine the feasibility of performing dose reconstruction. This individual is the primary writer/editor of the SEC Petition Evaluation Report. The SEC Petition Evaluation Report Owner has an affirmative duty to seek out all relevant data and to objectively evaluate all relevant input with no special consideration given due to the source (*e.g.*, site expert or subject expert).

All narrative or quantitative input to SEC Petition Evaluation Reports shall be clearly attributed to each source(s) wherever it appears or is relied upon within the SEC Petition Evaluation Report. In addition, both Site and Subject Experts shall be clearly identified on the approval page of every SEC Petition Evaluation Report to which they contributed. A SEC Petition Evaluation Report Owner is responsible for any and all revisions to an SEC Petition Evaluation Report.

6.0 PROGRAM SUPPORT FUNCTIONS

6.1 Implementation Guide Owner

An **Implementation Guide Owner** is responsible for providing basic guidelines on the general methods employed in reconstructing either internal or external doses. These methods acknowledge the claim-specific circumstances that may require a best estimate of dose, or for efficiency purposes, an underestimate or an overestimate of the actual radiation dose received. The Implementation Guide Owner is the primary writer/editor of the Implementation Guide and is responsible for coordinating and drafting the Implementation Guide. The Implementation Guide Owner has an affirmative duty to seek out all relevant information, and to objectively evaluate all relevant input with no special consideration given due to the source (*e.g.*, site expert or subject expert).

6.2 Multiple-Site Technical Information Bulletin Owner

A **Multiple-Site Technical Information Bulletin Owner** is responsible for coordinating and drafting a TIB which addresses a technical issue or concern regarding dose reconstructions for a specific exposure that may occur at multiple DOE or at AWE facilities²¹, ensuring that all relevant information is captured in the document, evaluating information, and establishing or setting forth a specific approach to resolve the technical

²¹ A "multiple-site" TIB is one that applies in a generic fashion to a number of sites that are not designated as such in the document.

issue or concern. The Multiple-Site TIB Owner is the primary writer/editor of the TIB. The Multiple-Site TIB Owner has an affirmative duty to seek out all relevant information, and to objectively evaluate all relevant input with no special consideration given due to the source (e.g., site expert or subject expert). All narrative or quantitative input to a Multiple-Site TIB shall be clearly attributed to each source(s) wherever it appears or is relied upon within such a TIB. Each DOE or AWE site to which the TIB applies shall be listed in the TIB. In addition, both Site and Subject Experts shall be clearly identified on the approval page of every TIB to which they contributed. A Multiple-Site Technical Information Bulletin Document Owner is responsible for any and all revisions to a Multiple-Site TIB.

6.3 Scientific/Technical Peer Reviewer

A Scientific/Technical Peer Reviewer is responsible for conducting a scientific and technical review of the key Program documents (e.g., Dose Reconstruction Report, Site Profile Document, SEC Petition Evaluation Report, Site-Specific or Multiple-Site TIB), and any other Program document created for use by the Program.

6.4 Site Expert

A Site Expert is responsible for advising on site-specific issues and incidents as necessary to ensure the completeness and accuracy of Site Profile Documents and Special Exposure Cohort Petition Evaluation Reports. Site Experts are those individuals who, because of current or prior work experience (including consulting) at or for the site, possess or are aware of information that is relevant for reconstructing radiation doses experienced by claimants who worked at the site.

Because of their work experience at or for sites under Program review and the need to prevent COB, site experts shall play only a very limited role in accomplishing key Program functions. They may be used by a document owner in crafting a key Program document, to provide both data and opinions on data to that document owner. In all cases where such information or prior studies or writings are included or relied upon by a key Program document owner, those materials shall be both fully attributed to the Site Expert and reprinted, if at all, only in an Appendix of the key Program document.

Site Experts are not permitted to serve as document owners or authors, or to make formal public presentations on a key Program document. However, at a formal public presentation, a Site Expert may be called upon to answer questions and serve as a source of information to the presenter in response to questions that arise during a presentation.

6.5 Subject Expert

A Subject Expert is responsible for advising on scientific and technical issues and incidents as necessary to ensure the completeness and

accuracy of Site Profile Documents and SEC Petition Evaluation Reports. In contrast with Site Experts, Subject Experts are those individuals who have expertise in the subject matter of the activities performed at the site, but do not have any current or prior work experience at or for the subject site itself.

7.0 COMPLIANCE

7.1 Procedures

All covered entities are required to demonstrate to NIOSH that they are complying with the COB Policy Statement. Each covered entity, through its Contract Officer or designee, shall:

- (a) Post on its website, within sixty (60) days of final publication of the COB Policy, and within 60 days of any subsequent revisions, its own procedures demonstrating compliance with the COB Policy;
- (b) Require that its Contract Officer inform the entity's employees of the COB Policy and the entity's procedures implementing the Policy, and ensure that each employee and the corporate entity complete the COB Disclosure Form or its equivalent;
- (c) Post on its website, with a link on the NIOSH website, an electronic copy of all completed individual and corporate COB Disclosure Forms within two days of completion (subject to redaction as needed to comply with the Privacy Act and to protect trade secrets and other "business confidential" information of the type permitted to be withheld from disclosure by the Freedom of Information Act); and
- (d) Ensure that information on the COB Disclosure Form is updated according to Section 3.0.

7.2 Verification of Adherence to Information Quality

Verification of NIOSH employee and federal contractor COB disclosures shall be the responsibility of NIOSH and each federal contractor, respectively. To ensure greater compliance and accuracy, NIOSH will audit the completed COB Disclosure Forms periodically as a quality assurance measure. Any errors discovered in forms filed at or after the time this COB Policy Statement takes effect shall be corrected immediately at the filing employer's or contractor's expense. The cost to remediate errors discovered in forms filed prior to this COB Policy taking effect shall be determined on a case-by-case basis. Such corrective actions may include, but are not limited to, filing corrected forms, transferring or removing workers found to have exclusionary conflicts, and redrafting and/or re-reviewing documents as needed.

If a federal employer, federal contractor, federal employee, EEOICPA claimant, member of the general public, or any other person, wishes to

submit a complaint regarding a missing or erroneous disclosure, that party may do so by calling the NIOSH COB Officer at 1-800-CDC-INFO1-800-232-4636).

7.3 Contract Obligations Related to Information Quality

Failure by a contractor and/or its employee(s) to comply with this COB policy renders the scientific information generated by the contractor unable to be disseminated by NIOSH. Failure to generate utilizable scientific information may result in penalties including, but not limited to, removal of the contractor itself and/or the employees of a contractor from employment in the Program, reduction in contract payments, and/or termination of contracts, as determined by NIOSH.

NIOSH intends that the provisions of this COB Policy Statement be incorporated as a contract provision for all covered entities and tracked as a contract deliverable and is pursuing that aspect of implementation with the CDC Procurement and Grants (PGO) Office.

7.4 Compliance Information Contacts

All questions from individuals and employers regarding compliance with this COB Policy should first be directed to the respective employer's COB manager or person with equivalent responsibilities.

Questions may also be directed to the NIOSH COB Officer at CDC-INFO1-800-232-4636). In the event of a dispute between NIOSH and an employee or contractor, NIOSH alone shall make the final decision on any question of compliance.

Appendix I

Advisory Board on Radiation and Worker Health

42 U.S.C. § 7384o establishes the Advisory Board on Radiation and Worker Health ("ABRWH" or "Board") and grants the President the power to appoint individual members "in consultation with organizations with expertise on worker health issues in order to ensure that the membership of the Board reflects a balance of scientific, medical, and worker perspectives."

The enumerated duties of members of the Board include developing guidelines for performing technical reviews; providing advice on the scientific validity and quality of dose estimation and reconstruction efforts being performed for the Program; and advising on other relevant Program matters. Specifically, Board members perform many key Program functions, *e.g.*, review of Dose Reconstruction Reports, Site Profile Documents and SEC Petition Evaluation Reports. Notwithstanding the currently-applicable restrictions on Board conduct contained in, among other sources, the Federal Advisory Committee Act (FACA) and Office of Government Ethics (OGE) regulations, NIOSH recommends that the Board supplement those restrictions by developing its own written Conflict or Bias Statement of Policy, including, but not limited to, provisions for disclosure and exclusion, to ensure that its decisions are, to the maximum extent possible, free of any actual or perceived COB.

Appendix II -- Conflict or Bias Disclosure Form

Section A. Identification

1. Name of Individual or Corporate Entity: _____

2. Name of Employer: _____

3. Today's Date: _____

Section B. Program Function Assignments.

Check all key Program functions and Program support functions which you (or your employees, if you are a corporate entity) perform.

Note: It is acceptable to base COB on *site* rather than key Program or Program Support function. Using this approach, the designation of the key Program functions and Program Support functions is not necessary because a COB individual will be prohibited from performing **all** key program functions for that site regardless of the period during which he was conflicted or biased at the site.

Key Program Functions:

- Document Approval and Review Authority
- Dose Reconstructionist
- Dose Reconstruction Report Reviewer
- NIOSH COB Officer
- Site Profile Document Owner
- Site-Specific Technical Information Bulletin Owner
- Special Exposure Cohort Petition Evaluation Document Owner

Program Support Functions:

- Implementation Guide Owner
- Multi-Site Technical Information Bulletin Owner
- Scientific/Technical Peer Reviewer
- Site Expert
- Subject Expert

Section C. Questions to Identify a Conflict or Bias

1. Are you²² currently engaged in any capacity (paid or unpaid) by the U.S. Department of Energy (DOE)? Check Yes or No.

Yes _____, a COB exists; please check in Section D. each DOE location at which you are currently engaged, then and proceed to Section E. If No _____, proceed to Question 2.

²² The term "you" used in question 1 includes just individuals. It includes both individuals and corporate entities for questions 4.2 through 12.

2. Do you, or did you, work either at or for this DOE or Atomic Weapons Employer (AWE) site? Check Yes or No.

Yes _____, a COB exists; please check in Section D. each relevant DOE or AWE and then proceed to Section E. If No _____, proceed to Question 3.

3. Do you, or did you, work for any of the past or current operators of this site? Check Yes or No.

Yes _____, a COB exists; please check in Section D. each relevant DOE or AWE site, indicate below the names of the operators, and then proceed to Section E. If No _____, proceed to Question 6.

4. During the time you worked for that operator, was that operator responsible for this site? Check Yes or No.

If Yes _____, proceed to Question 5. If No _____, proceed to Question 6.

5. Did your work for the operator have an impact on this site? Check Yes or No.

If Yes _____, a COB exists. Please provide details about the nature of the impact your work for the operator had on the site and then proceed to Section E. If No _____, proceed to Question 6.

6. Did you work for DOE in the past? Check Yes or No.

If yes _____, please check in Section D. each DOE location at which you worked in the past, then and proceed to Question 7. If No _____, proceed to Question 9.

7. Did the time period you worked for DOE overlap *at all* with the covered period of this site? Check Yes or No.

If Yes _____ please specify both the exact (starting and stopping) dates of your employment at DOE and the time periods covered by the key Program function document. Then, please proceed to Question 8. If No _____, then proceed to Question 9.

8. Did your work for DOE have an impact on this site? Check Yes or No.

If Yes _____, then a COB exists. Please provide details about the nature of the impact your work for the operator had on the site and then proceed to Section D. If No _____, then proceed to Question 9.

9. Do you have a familial relationship or a subordinate work relationship with an EEOICPA claimant whose claim involves this site? Check Yes or No.

If Yes _____, then a COB exists. Proceed to Section D. If No _____, then proceed to Question 10.

10. Do you have a familial relationship or subordinate work relationship with anyone who has had an impact related to this site? Check Yes or No.

If Yes _____, then proceed to Question 11. If No _____, then proceed to Question 12.

11. If you have a subordinate relationship to someone who has (had) an impact on this site, has a different person been designated to review your job performance as it relates to the site? Check Yes or No.

If Yes _____, a COB does not exist. Proceed to Section E. If No _____, then a COB exists.

12. Do or did you have a familial, financial or non-financial professional (e.g., providing expert advice) relationship with any attorney at the time the attorney represented an EEOICPA claimant, DOE or the operator?

If Yes _____, then a COB exists. Please provide details about the relationship with the attorney, to include (if applicable) a list of cases for which you assisted the attorney as well as the names of parties on whose behalf you testified or otherwise provided assistance and then proceed to Section E. If No, _____, then a COB does not exist.

Section D. Covered Sites Under EEOICPA

Please indicate next to the name of each site either "COB," which means you may have a conflict or bias at that particular site (based on your answers to the Questions in Section C.), or an "N/A" which means you do not believe that you have a COB at that particular site. Any details can be added at the end of Section D.

"COB" or "N/A"	Your Name:	Date:	
	Covered Site	City	State
	AC Spark Plug	Flint	MI
	Aeroprojects, Inc.	West Chester	PA
	Aja Magnathermic Corp.	Youngstown	OH
	Alba Craft	Oxford	OH
	Albany Research Center	Albany	OR
	Albuquerque Operations Office	Albuquerque	NM
	Aliquippa Forge	Aliquippa	PA
	Allegheny-Ludlum Steel	Watervliet	NY
	Allied Chemical and Dye Corp.	North Claymont	DE
	Allied Chemical Corp. Plant	Metropolis	IL
	Allis-Chalmers Co.	West Allis, Milwaukee	WI
	Aluminum Co. of America (Alcoa) 1	New Kensington	PA
	Aluminum Co. of America (Alcoa) 2	Garwood	NJ
	Amchitka Island Nuclear Explosion Site	Amchitka Island	AK
	AMCOT	Fort Worth	TX
	American Bearing Corp.	Indianapolis	IN
	American Chain and Cable Co.	Bridgeport	CT
	American Machine and Foundry	Brooklyn	NY
	American Machine and Metals, Inc.	E. Moline	IL
	American Peddinghaus Corp.	Moonachle	NJ
	American Potash & Chemical	West Hanover	MA
	Ames Laboratory	Ames	IA
	Anaconda Co.	Waterbury	CT
	Area IV of the Santa Susana Field Laboratory	Santa Susana	CA
	Argonne National Laboratory - East	Argonne	IL
	Argonne National Laboratory - West	Scoville	ID
	Armco-Rustless Iron and Steel	Baltimore	MD
	Armour Fertilizer Works	Bartow	FL
	Armour Research Foundation	Chicago	IL
	Arthur D. Little Co.	San Francisco	CA
	Ashland Oil	Tonawanda	NY
	Associated Aircraft Tool and Manufacturing Co.	Fairfield	OH
	B & T Metals	Columbus	OH
	Baker and Company	Newark	NJ
	Baker and Williams Warehouses	New York	NY

	Baker Brothers	Toledo	OH
	Baker-Perkins Co.	Saginaw	MI
	Battelle Laboratories - King Avenue	Columbus	OH
	Battelle Laboratories - West Jefferson	Columbus	OH
	Bell Telephone Laboratories	Murray Hill	NJ
	Bendi Aviation (Pioneer Division)	Davenport	IA
	Beryllium Production Plant (Brush)	Luckey	OH
	Besley-Wells	South Beloit	WI
	Bethlehem Steel	Lackawanna	NY
	Birdsboro Steel & Foundry	Birdsboro	PA
	Bliss & Laughlin Steel	Buffalo	NY
	Blockson Chemical Co. (Building 55 and related activities)	Joliet	IL
	Bloomfield Tool Co.	Bloomfield	NJ
	BONUS Reactor Plant	Punta Higuera	PR
	Bowen Engineering, Inc.	North Branch	NJ
	Bridgeport Brass Co., Adrian	Adrian	MI
	Bridgeport Brass Co., Havens Lab	Bridgeport	CT
	Brookhaven National Laboratory	Upton	NY
	Brush Beryllium Co. 1	Detroit	MI
	Brush Beryllium Co. 4	Cleveland	OH
	BWT	Lynchburg	VA
	C - B Tool Products Co.	Chicago	IL
	C. G. Sargent & Sons	Graniteville	MA
	C. H. Schnorr	Springdale	PA
	C. I. Hayes, Inc.	Cranston	RI
	California Research Corp.	Richmond	CA
	Callite Tungsten Co.	Union City	NJ
	Canoga Avenue Facility (Vanowen Building)	Los Angeles	CA
	Carboloy Co.	Detroit	MI
	Carborundum Company	Niagara Falls	NY
	Carnegie Institute of Technology	Pittsburgh	PA
	Carpenter Steel Co.	Reading	PA
	Chambersburg Engineering Co.	Chambersburg	PA
	Chapman Valve	Indian Orchard	MA
	Chemical Construction Co.	Linden	NJ
	Chupadera Mesa	Chupadera Mesa	NM
	Cincinnati Milling Machine Co.	Cincinnati	OH
	Clarksville Facility	Clarksville	TN
	Clinton Engineer Works (CEW)	Oak Ridge	TN
	Colonie Site (National Lead)	Colonie (Albany)	NY
	Combustion Engineering	Windsor	CT
	Connecticut Aircraft Nuclear Engine Laboratory	Middletown	CT
	Copperweld Steel	Warren	OH
	Crane Co.	Chicago	IL
	Crucible Steel Co.	Syracuse	NY

	Dana Heavy Water Plant	Dana	IN
	De Soto Avenue Facility	Los Angeles	CA
	Dorr Corp.	Stamford	CT
	Dow Chemical Co.	Walnut Creek	CA
	DOW Chemical Co. (Madison Site)	Madison	IL
	Downey Facility	Los Angeles	CA
	Du Pont - Grasselli Research Laboratory	Cleveland	OH
	Du Pont Deepwater Works	Deepwater	NJ
	Edgerton Germeshausen & Grier, Inc.	Boston	MA
	Electro Circuits, Inc.	Pasadena	CA
	Electro Metallurgical	Niagara Falls	NY
	Elk River Reactor	Elk River	MN
	Environmental Measurements Laboratory	New York	NY
	ERA Tool and Engineering Co.	Chicago	IL
	Extruded Metals Co.	Grand Rapids	MI
	Extrusion Plant (Reactive Metals Inc.)	Ashtabula	OH
	Feed Materials Production Center (FMPC)	Fernald	OH
	Fenn Machinery Co.	Hartford	CT
	Fenwal, Inc.	Ashland	MA
	Fermi National Accelerator Laboratory	Batavia	IL
	Foote Mineral Co.	East Whiteland Twp.	PA
	Gardinier, Inc.	Tampa	FL
	General Atomics	La Jolla	CA
	General Electric Company	Cincinnati / Evendale	OH
	General Electric Plant	Shelbyville	IN
	General Electric -Ray Division	Milwaukee	WI
	General Electric Vallecitos	Pleasanton	CA
	General Steel Industries	Granite City	IL
	Grand Junction Operations Office	Grand Junction	CO
	Great Lakes Carbon Corp.	Chicago	IL
	Green Sludge Plant	Uraven	CO
	Gruen Watch	Norwood	OH
	GSA 39th Street Warehouse	Chicago	IL
	Hallam Sodium Graphite Reactor	Hallam	NE
	Hanford	Richland	WA
	Harshaw Chemical Co.	Cleveland	OH
	Heald Machine Co.	Worcester	MA
	Heppenstall Co.	Pittsburgh	PA
	Herring - Hall Marvin Safe Co.	Hamilton	OH
	High Energy Rate Forging (HERF) Facility	Onard	CA
	Hooker Electrochemical	Niagara Falls	NY
	Horizons, Inc.	Cleveland	OH
	Hunter Douglas Aluminum Corp.	Riverside	CA
	Huntington Pilot Plant	Huntington	WV

	Idaho National Laboratory	Scoville	ID
	International Minerals and Chemical Corp.	Mulberry	FL
	International Nickel Co., Bayonne Laboratories	Bayonne	NJ
	International Rare Metals Refinery, Inc.	Mt. Kisco	NY
	International Register	Chicago	IL
	Iowa Ordnance Plant	Burlington	IA
	Ithaca Gun Co.	Ithaca	NY
	J. T. Baker Chemical Co.	Phillipsburg	NJ
	Jessop Steel Co.	Washington	PA
	Joslyn Manufacturing and Supply Co.	Ft. Wayne	IN
	Kaiser Aluminum Corp.	Dalton	IL
	Kansas City Plant	Kansas City	MO
	Kauai Test Facility	Kauai	HI
	Kelle/Pierpont	Jersey City	NJ
	Kerr - McGee	Guthrie	OK
	Kirtland Operations Office	Albuquerque	NM
	Koppers Co., Inc.	Verona	PA
	La Pointe Machine and Tool Co.	Hudson	MA
	Laboratory for Energy-Related Health Research	Davis	CA
	Laboratory of Biomedical and Environmental Sciences	Los Angeles	CA
	Laboratory of Radiobiology and Environmental Health	San Francisco	CA
	LaCrosse Boiling Water Reactor	LaCrosse	WI
	Lake Ontario Ordnance Works	Niagara Falls	NY
	Landis Machine Tool Co.	Waynesboro	PA
	Latty Avenue Properties	Hazelwood	MO
	Lawrence Berkeley National Laboratory	Berkeley	CA
	Lawrence Livermore National Laboratory	Livermore	CA
	Linde Air Products	Buffalo	NY
	Linde Ceramics Plant	Tonawanda	NY
	Lindsay Light and Chemical Co.	W. Chicago	IL
	Los Alamos Medical Center	Los Alamos	NM
	Los Alamos National Laboratory	Los Alamos	NM
	Lovelace Respiratory Research Institute	Albuquerque	NM
	Magnus Brass Co.	Cincinnati	OH
	Mallinckrodt Chemical Co., Destrehan St. Plant	St. Louis	MO
	Massachusetts Institute of Technology	Cambridge	MA
	Mathieson Chemical Co.	Pasadena	TX
	Maywood Chemical Works	Maywood	NJ
	McKinney Tool and Manufacturing Co.	Cleveland	OH
	Medart Co.	St. Louis	MO
	Medina Facility	San Antonio	TX
	Metallurgical Laboratory	Chicago	IL
	Metals and Controls Corp	Attleboro	MA
	Middlesex Municipal Landfill	Middlesex	NJ
	Middlesex Sampling Plant	Middlesex	NJ
	Midwest Manufacturing Co.	Galesburg	IL

Mill at Moab Utah	Moab	UT
Mitchell Steel Co.	Cincinnati	OH
Mitts & Merrel Co.	Saginaw	MI
Monsanto Chemical Co.	Dayton	OH
Mound Plant	Miamisburg	OH
Museum of Science and Industry	Chicago	IL
National Bureau of Standards, Van Ness Street	Washington	DC
National Guard Armory	Chicago	IL
National Research Corp.	Cambridge	MA
Naval Research Laboratory	Washington	DC
Nevada Site Office	No. Las Vegas	NV
Nevada Test Site	Mercury	NV
New Brunswick Laboratory	New Brunswick	NJ
New England Lime Co.	Canaan	CT
New York University	New York	NY
Norton Co.	Worcester	MA
Nuclear Materials and Equipment (NUMEC) - Parks Township	Parks Township	PA
Nuclear Materials and Equipment Corp. (NUMEC) - Apollo	Apollo	PA
Nuclear Metals, Inc.	Concord	MA
Oak Ridge Gaseous Diffusion Plant (K-25)	Oak Ridge	TN
Oak Ridge Hospital	Oak Ridge	TN
Oak Ridge Institute for Science Education	Oak Ridge	TN
Oak Ridge National Laboratory (X-10)	Oak Ridge	TN
Oak Ridge Thermal Diffusion Plant (S-50)	Oak Ridge	TN
Oliver Corp.	Battle Creek	MI
Ore Buying Station at Crooks Gap	Crooks Gap	WY
Ore Buying Station at Edgemont	Edgemont	SD
Ore Buying Station at Globe	Globe	AZ
Ore Buying Station at Grants	Grants	NM
Ore Buying Station at Marysvale	Marysvale	UT
Ore Buying Station at Moab	Moab	UT
Ore Buying Station at Monticello	Monticello	UT
Ore Buying Station at Riverton	Riverton	WY
Ore Buying Station at Shiprock	Shiprock	NM
Ore Buying Station at White Canyon	White Canyon	UT
Pacific Northwest National Laboratory	Richland	WA
Pacific Proving Ground	Marshall Islands	MH
Paducah Gaseous Diffusion Plant	Paducah	KY
Painsville Site (Diamond Magnesium Co.)	Painsville	OH
Pantex Plant	Amarillo	TX
Peek Street Facility	Schenectady	NY
Penn Salt Co.	Philadelphia / Wyndmoor	PA
Philadelphia Naval Yard	Philadelphia	PA
Pinellas Plant	Clearwater	FL
Piqua Organic Moderated Reactor	Piqua	OH

	Podbeliniac Corp.	Chicago	IL
	Portsmouth Gaseous Diffusion Plant	Piketon	OH
	Precision Extrusion Co.	Bensenville	IL
	Princeton Plasma Physics Laboratory	Princeton	NJ
	Project Chariot Site	Cape Thompson	AK
	Project Faultless Nuclear Explosion Site	Central Nevada Test Site	NV
	Project Gasbuggy Nuclear Explosion Site	Farmington	NM
	Project Gnome Nuclear explosion Site	Carlsbad	NM
	Project Rio Blanco Nuclear Explosion Site	Rifle	CO
	Project Rulison Nuclear Explosion Site	Grand Valley	CO
	Project Shoal Nuclear Explosion Site	Fallon	NV
	Puerto Rico Nuclear Center	Mayaguez	PR
	Purdue University	Lafayette	IN
	Quality Hardware and Machine Co.	Chicago	IL
	R. Krasburg and Sons Manufacturing Co.	Chicago	IL
	R. W. Leblond Machine Tool Co.	Cincinnati	OH
	Radium Chemical Co.	New York	NY
	Rare Earth/W. R. Grace	Wayne	NJ
	Reed Rolled Thread Co.	Worcester	MA
	Revere Copper and Brass	Detroit	MI
	Rocky Flats Plant	Golden	CO
	Roger Iron Co.	Joplin	MO
	Ross Aviation	Albuquerque	NM
	Sacandaga Facility	Glenville	NY
	Salmon Nuclear Explosion Site	Hattiesburg	MS
	SAM Laboratories, Columbia University	New York City	NY
	Sandia Laboratory-Salton Sea Base	Imperial County	CA
	Sandia National Laboratories - Livermore	Livermore	CA
	Sandia National Laboratory	Albuquerque	NM
	Savannah River Site	Aiken	SC
	Sciaky Brothers, Inc.	Chicago	IL
	Seaway Industrial Park	Tonawanda	NY
	Separations Process Research Unit (at Knolls Lab)	Schenectady	NY
	Seymour Specialty Wire	Seymour	CT
	Shattuck Chemical	Denver	CO
	Shippingport Atomic Power Plant	Shippingport	PA
	Shpack Landfill	Norton	MA
	Simonds Saw and Steel Co.	Lockport	NY
	South Albuquerque Works	Albuquerque	NM
	Southern Research Institute	Birmingham	AL
	Spencer Chemical Co., Jayhawks Works	Pittsburg	KS
	Sperry Products, Inc.	Danbury	CT
	St Louis Airport Storage Site (SLAPS)	St. Louis	MO
	Standard Oil Development Co. of NJ	Linden	NJ
	Stanford Linear Accelerator Center	Palo Alto	CA

Star Cutter Corp.	Farmington	MI
Staten Island Warehouse	New York	NY
Stauffer Metals, Inc.	Richmond	CA
Superior Steel Co.	Carnegie	PA
Sutton, Steele and Steele Co.	Dallas	TX
Swenson Evaporator Co.	Harvey	IL
Sylvania Corning Nuclear Corp - Bayside Laboratories	Bayside	NY
Sylvania Corning Nuclear Corp - Hicksville Plant	Hicksville	NY
Tech-Art, Inc.	Milford	OH
Tennessee Valley Authority	Muscle Shoals	AL
Texas City Chemicals, Inc.	Texas City	TX
Thomas Jefferson National Accelerator Facility	Newport News	VA
Titanium Alloys Manufacturing	Niagara Falls	NY
Titus Metals	Waterloo	IA
Tocco Induction Heating Div	Cleveland	OH
Tonopah Test Site	North Las Vegas	NV
Torrington Co.	Torrington	CT
Trinity Nuclear Explosion Site	White Sands	NM
Tube Reducing Co.	Wallington	NJ
Tyson Valley Powder Farm	St. Louis	MO
U.S. Steel Co., National Tube Division	McKeesport	PA
United Lead Co.	Middlesex	NJ
United Nuclear Corp.	Hematite	MO
University of California	Berkeley	CA
University of Denver Research Institute	Denver	CO
University of Florida	Gainesville	FL
University of Michigan	Ann Arbor	MI
University of Rochester Atomic Energy Project	Rochester	NY
University of Virginia	Charlottesville	VA
Uranium Mill in Durango	Durango	CO
Uranium Mill in Monticello	Monticello	UT
Utica St. Warehouse	Buffalo	NY
Ventron Corporation	Beverly	MA
Virginia-Carolina Chemical Corp.	Nichols	FL
Vitro Corp. of America, Chattanooga	Chattanooga	TN
Vitro Corp. of America, West Orange	West Orange	NJ
Vitro Manufacturing	Canonsburg	PA
Vulcan Tool Co.	Dayton	OH
W. E. Pratt Manufacturing Co.	Joliet	IL
W. R. Grace	Erwin	TN
W. R. Grace and Company	Curtis Bay	MD
W. R. Grace Co., Agricultural Chemical Div.	Ridgewood	FL
Wah Chang	Albany	OR
Waste Isolation Pilot Plant	Carlsbad	NM
Watertown Arsenal	Watertown	MA

	Weldon Spring Plant	Weldon Spring	MO
	West Valley Demonstration Project	West Valley	NY
	Westinghouse Atomic Power Development Plant	East Pittsburgh	PA
	Westinghouse Electric Corp.	Bloomfield	NJ
	Westinghouse Nuclear Fuels Division	Cheswick	PA
	Winchester Engineering and Analytical Center	Winchester	MA
	Woburn Landfill	Woburn	MA
	Wolff - Alport Chemical Corp.	Brooklyn	NY
	Wolverine Tube Division	Detroit	MI
	Wyckoff Drawn Steel Co.	Chicago	IL
	Wyckoff Steel Co.	Newark	NJ
	Y-12 Plant	Oak Ridge	TN
	Yucca Mountain Site Characterization Project	Yucca Mountain	NV

Section E. Signatures

Signature: _____

Date: _____

Print Name: _____

Witness Signature: _____

Date: _____

Print Name: _____