

FINAL MEETING SUMMARY

**HANFORD ADVISORY BOARD
HEALTH, SAFETY, AND ENVIRONMENTAL PROTECTION COMMITTEE MEETING
January 9, 2007
Richland, WA**

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This is only a summary of issues and actions in this meeting. It may not represent the fullness of ideas discussed or opinions given, and should not be used as a substitute for actual public involvement or public comment on any particular topic unless specifically identified as such.

Welcome and Introductions

Keith Smith, Health, Safety, and Environmental Protection Committee Chair, welcomed committee members and introductions were made.

There were no changes to the October meeting summary and the summary was adopted.

Committee Discussion on Worker’s Compensation Advice

The committee discussed draft advice on Hanford worker’s compensation. Worker’s compensation issues came to the forefront during a Hanford State of the Site (SOS) meeting in early 2006, where several workers provided comment on issues with worker’s compensation claims management and the claims process. Karen Lutz, Department of Energy – Richland Operations Office (DOE-RL), said Keith Klein, DOE-RL manager, committed to follow-up with individuals who made comments on worker’s compensation at these meetings. Keith Klein sent letters to these individuals, outlining the steps DOE has taken to address the worker’s compensation issues and to improve customer service. Karen added that Contract Claims Services, Inc (CCSI) has also made its own improvements to management of worker’s compensation claims services, such as adding more staff and setting up an internal claims review.

Committee Discussion

- Harold Heacock commented that many of the claims problems stem from individuals misunderstanding how to fill out forms. He recommended that someone from DOE-RL review Board advice about the worker’s compensation program audits.

- Tim Jarvis underscored the importance of the procedural improvements Keith Klein said DOE-RL would put in place, such as reviewing claims every 30 days. However, he noted that he has heard from workers that such improvements fall short of dealing with the problem. For example, he said a chemically exposed worker must prove they have been exposed, which puts the onus on the worker to approach the contractor to obtain industrial hygiene data. He expressed concern that this system makes it easy for contractors to decline such requests. He said that current workers have recently told him, that contractors have denied requests for industrial hygiene data. Tim commented that according to legislation enacted in 1970, contractors are required to collect and maintain industrial hygiene data. He noted that it is reasonable to assume that from 1985 to the present there should be exhaustive industrial hygiene records, including job-specific chemical data. Tim believes DOE should consider workers, for whom CCSI does not have adequate industrial hygiene data, to have been over-exposed.
- Keith Smith commented that when he participated in the Integrated Safety Management System (ISMS) review, CH2M Hill (CHG) was congratulated on their having a robust database of industrial hygiene data. Tim believes CHG is not using officially acceptable occupational exposure levels, and did not have a toxicologist on the team that set their exposure levels. He commented that some workers performing tank farm monitoring during intrusiveness work were at a pit opening directly above waste, but the industrial hygiene monitors were not taking readings in those areas. For this reason, he said industrial hygiene levels are not accurate for all workers. He emphasized that if DOE is going to base worker's claims on industrial hygiene data, the quality of data needs to be evaluated.
- Jim Trombold said the quality of a contractor's industrial hygiene data is important, and worker's compensation claims has to use these data. Tim suggested the onus should be on the contractor to prove a worker was not exposed. Keith noted that could be problematic in terms of dealing with the injury, it is unclear what caused the injury. Jim added that the worker's compensation claims program is designed more for straightforward injuries.
- Due to the myriad different classes of employees, for whom the compensation claims process is different, Harold said the committee and Board should spend more time discussing worker's compensation claims issues. Specifically, he noted there are different operating procedures for operation and maintenance workers and building trades workers. He said building trades workers did not receive medical surveillance, and many of the comments at the SOS meetings were about stick welding.
- Harold said the purpose of the draft advice is to review the worker's compensation claims processing. He said the industrial hygiene data issue may be a separate subject of worker management, health, and safety. Jim agreed that the draft advice is about the fair handling of claims and improvements to the process. He does not see how the collection of industrial hygiene data affects claims processing. This issue should be addressed separately.

- Karen requested that Tim provide DOE-RL with specific cases or individuals who are having claims problems. Keith and Tim will meet with DOE-RL to further discuss worker's compensation advice.

Medical Removal Process

No DOE representative was available at the meeting to provide an update on the medical removal process and how stakeholder concerns are being addressed. The committee will keep this topic on their agenda for a future meeting.

Jim said he would like to know who is guiding the medical removal processes, and what part industrial hygienists play in the removal process.

Committee Business

Future committee meeting topics:

- Medical removal process update
- Draft advice on worker's compensation claims
- Workplace monitoring and collection of industrial hygiene data
- Discussion of medical records for various classes of workers

The committee decided a February meeting and committee call are not necessary.

Action Items / Commitments

- Tim and Keith will review draft advice.
- Keith will meet with DOE to review their worker compensation program.

Handouts

NOTE: Copies of meeting handouts can be obtained through the Hanford Advisory Board Administrator at (509) 942-1906, or tholm@enviraoissues.com

- Letter: "Update on Workers' Compensation Claims Processing," Keith Klein, DOE-RL Manager, and Roy Schepens, DOE-ORP Manager, 12/20/2006.
- Draft Advice Health Safety Comm., 1/9/2007.

Attendees

HAB Members and Alternates

Harold Heacock		
Tim Jarvis		
Todd Martin		
Mike Priddy		
Keith Smith		
Jim Trombold (phone)		

Others

Karen Lutz, DOE-RL		Cathy McCague, EnviroIssues
		Jason Mulvihill-Kuntz, EnviroIssues
		Barb Wise, FH
		Annette Cary, TCH