

UNITED STATES OF AMERICA
DEPARTMENT OF HEALTH AND HUMAN SERVICES
CENTERS FOR DISEASE CONTROL AND PREVENTION

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NATIONAL INSTITUTE FOR OCCUPATIONAL
SAFETY AND HEALTH
ADVISORY BOARD ON RADIATION AND WORKER
HEALTH

+ + + + +

WORK GROUP ON WORKER OUTREACH

+ + + + +

TUESDAY, JUNE 16, 2009

+ + + + +

HEBRON, KENTUCKY

+ + + + +

The workgroup convened in the Zurich Board Room at the Cincinnati Airport Marriott, 2395 Progress Drive, Hebron, Kentucky at 9:30 a.m., Michael H. Gibson, Chair, presiding.

MEMBERS PRESENT:

MICHAEL H. GIBSON, Chair
JOSIE BEACH
WANDA I. MUNN
PHILLIP SCHOFIELD*

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IDENTIFIED MEMBERS PRESENT:

THEODORE M. KATZ, Acting Designated
Federal Official

TERRIE BARRIE, Petitioner*
LORI BREYER, NIOSH ORAU
DOROTHY CLAYTON, Petitioner*
MARY ELLIOTT, NIOSH ORAU
JOHN FUNK, Petitioner and
Representative*
J. J. JOHNSON, NIOSH ORAU
BONNIE KLEA, Petitioner*
MARK LEWIS, ATL International
ARJUN MAKHIJANI, SC&A*
JOHN MAURO, SC&A*
VERN McDOUGALL, NIOSH ORAU
MICHAEL RAFKY, HHS*
KATHY ROBERTSON-DEMERS, SC&A
MARY JO ZACCHERO, NIOSH ORAU
ABE ZEITOUN, SC&A

*Present via teleconference.

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1 P-R-O-C-E-E-D-I-N-G-S

2 (9:25 a.m.)

3 MR. KATZ: This is the Advisory
4 Board of Radiation Worker Health. It is the
5 Worker Outreach Workgroup. And we are getting
6 started now. Let's start by taking roll call,
7 as usual, with Board members in the room.

8 Chair?

9 CHAIRMAN GIBSON: Mike Gibson,
10 Chair of the workgroup.

11 MEMBER BEACH: Josie Beach, Board
12 member.

13 MEMBER MUNN: Wanda Munn, Board
14 member.

15 MR. KATZ: And checking on the
16 line, do we have Phil Schofield?

17 (No response.)

18 MR. KATZ: Okay. It is a little
19 early out there.

20 And NIOSH ORAU team in the room?

21 MR. JOHNSON: J. J. Johnson.

22 MS. BREYER: Lori Breyer.

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1 MR. KATZ: And NIOSH ORAU team,
2 any on the phone?

3 (No response.)

4 MR. KATZ: Okay. SC&A in the
5 room?

6 MR. ZEITOUN: Abe Zeitoun.

7 MS. ROBERTSON-DEMERS: Kathy
8 Robertson-Demers.

9 MR. KATZ: And then on the line,
10 do we have any SC&A team?

11 (No response.)

12 MR. KATZ: And then?

13 MR. McDOUGALL: Vern McDougall.

14 MS. ELLIOTT: Mary Elliott.

15 MR. KATZ: As part of the NIOSH
16 ORAU team.

17 MR. LEWIS: Mark Lewis, ATL
18 International.

19 MR. KATZ: Sorry?

20 MR. LEWIS: ATL International,
21 Mark Lewis.

22 MR. KATZ: Right, part of the

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1 NIOSH ORAU, team. Okay. And then let's see.

2 Do we have any people from the public in the
3 room?

4 (No response.)

5 MR. KATZ: The record will show
6 that Larry Elliott has just joined us from
7 OCAS. And any members of the public on the
8 line?

9 (No response.)

10 MR. KATZ: Okay, then. Is there
11 anyone on the line?

12 MR. RAFKY: Ted, this Michael
13 Rafky from HHS.

14 MR. KATZ: Michael. Right, right.
15 So I'm sorry. I left out federal. Other
16 federal employees: HHS and otherwise?

17 COURT REPORTER: His name again,
18 please?

19 MR. KATZ: Michael Rafky. That's
20 HHS. Any other federal employees or
21 contractors?

22 MR. MAURO: This is John Mauro,

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1 SC&A. I just called in. Have you asked for
2 SC&A callers yet?

3 MR. KATZ: I did. Welcome, John.

4 MR. MAURO: Okay.

5 MR. KATZ: Is anyone else on the
6 line?

7 (No response.)

8 MR. KATZ: Okay, then. So
9 everyone on the line, if you are there, please
10 mute your phone except when you are addressing
11 the group. Use *6 if you don't have a mute
12 button. And use *6 again to come back on to
13 speak.

14 And, Mike, it's all yours.

15 CHAIRMAN GIBSON: Okay. Good
16 morning, everyone. Thanks for attending the
17 meeting. Does everyone have a copy of the
18 agenda? Does anyone need a copy?

19 (No response.)

20 CHAIRMAN GIBSON: As you can see,
21 we have a pretty much full day laid out ahead
22 of us. So we'll just get started here on the

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1 first item, Discussion of the Worker Outreach
2 Objectives, Including the Elements of the
3 Worker Outreach Program. Larry or NIOSH, do
4 you want to open with that or --

5 DISCUSSION OF THE WORKER OUTREACH OBJECTIVES

6 MR. ELLIOTT: Well, sure. I
7 believe I covered this ground before in a
8 prior meeting, but I can certainly go over it
9 again.

10 Essentially in our Worker Outreach
11 Program, we have various ways that we attempt
12 to communicate with workers as well as take
13 information in from workers.

14 One of those ways is a special
15 exposure cohort counselor and the Ombudsman's
16 Office for NIOSH reach out to SEC petitioners,
17 potential SEC people who are interested in
18 perhaps filing a petition. And so, you know,
19 they work with those folks at whole town hall
20 meetings to assist and recruit and support
21 petitioner efforts.

22 Within the development of site

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1 profiles, technical basis documents, and in
2 SEC evaluation efforts, our support
3 contractor, ATL, helps us identify worker
4 representatives from the facility in question
5 to assist us in understanding what happened at
6 that facility, how the work was performed and
7 what exposure potentials might have existed
8 there.

9 And so those efforts are really
10 confined to focus groups primarily, small
11 invited participants -- number of
12 participants, to deal with the history or
13 issues that are being raised that we would
14 like to know more about, have more information
15 on. Can those individuals who actually work
16 at that facility during that time frame help
17 us with a better understanding of the
18 exposures?

19 We open our site profiles,
20 technical basis documents, up to the public on
21 the website. And we encourage public as well
22 as workers to make comment on those.

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1 So that is another avenue of
2 input, worker input, worker outreach. We tell
3 people when we are out in the field, when we
4 hold town hall meetings, or we have these
5 focus groups that they are able to comment on
6 our technical basis documents through the
7 NIOSH Docket Office. And their comments are
8 posted there.

9 And so that is another opportunity
10 and another way that we reach out to workers
11 or we reach out to the public to gain input to
12 explain what it is that we're doing and what
13 our products really are designed to serve.

14 So I probably have left out a few.

15 I would ask J. J. or Lori or Vern to help
16 fill in the cracks here. But essentially, you
17 know, DOL, I think I need to say that DOL, has
18 within its authority and responsibility under
19 the Act to provide the outreach for soliciting
20 claims. And NIOSH does not have that.

21 So our Outreach Program is really
22 constructed and contained so that it helps

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1 focus our understanding better on our work and
2 how we can do that work better for the
3 claimant.

4 So we're not out there recruiting
5 claims. That's DOL's job. We do assist DOL.

6 We do participate in their town hall meetings
7 when invited, when asked to explain our role,
8 to explain our work in this program.

9 We have public health advisers
10 attend board meetings, schedule appointments
11 with claimants so that we have an opportunity
12 to hear another side of the story perhaps that
13 we can get their input on their dose
14 reconstruction or the process that they're
15 experiencing. So that's another way that we
16 reach out to the public.

17 Help me out, guys. Have I covered
18 the bases?

19 MS. BREYER: I think you got it.

20 MR. JOHNSON: It is complete.

21 CHAIRMAN GIBSON: Kathy or Abe, do
22 you want to talk about what SC&A's lists are

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1 and what your visions are?

2 MS. ROBERTSON-DEMERS: This is
3 Kathy Demers. It was my understanding from
4 the last worker outreach meeting that we
5 needed to define a mission for this Working
6 Group and then take it to the full Advisory
7 Board.

8 So what SC&A did was to attempt to
9 put together a draft mission statement. I
10 don't know if everybody got a copy.

11 It was also my understanding that
12 this was not supposed to be the only input,
13 but we were supposed to get input from NIOSH
14 and the Working Group.

15 But basically Mike recommended
16 that a Working Group on worker outreach be
17 formed at the February 7th through 9th, 2007
18 Advisory Board meeting. And the actual
19 initiation of the Worker Outreach Program took
20 place in October of 2003. That was the first
21 discussion of having public comments included
22 in the NIOSH program.

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1 And if I can just kind of go over
2 what was said at that meeting, I think that,
3 Mike, you had a couple of different objectives
4 when you made the motion to put together this
5 group.

6 And that was to review the NIOSH
7 outreach activities, including the
8 organization of outreach meetings. It was to
9 monitor the conduct of those meetings. And it
10 was to monitor the impact of the public input
11 on dose reconstruction site profiles and other
12 technical documents if I've summarized that
13 correctly.

14 CHAIRMAN GIBSON: Yes.

15 MS. ROBERTSON-DEMERS: And there
16 have been two worker outreach procedures that
17 have been put out by NIOSH. One was ORAU
18 OTIB-0097, which is now obsolete. And that
19 walked you through the process, scheduling
20 through response of public comments. And in
21 that procedure, those comments were captured
22 in a database called WISPR, which also was

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1 discontinued in late 2006.

2 Recently -- and jump in, J. J. and
3 Larry -- NIOSH released OCAS procedure 12,
4 which defines the Worker Outreach Program.

5 MEMBER SCHOFIELD: Okay. I am on
6 the line now, Josie.

7 MR. KATZ: Welcome, Phil.

8 MEMBER SCHOFIELD: Thanks, Ted.

9 MR. KATZ: That's Phil Schofield,
10 for the record, Board member.

11 MS. ROBERTSON-DEMERS: And there
12 was a little bit of a shift in the definition
13 of worker outreach from the old procedure to
14 the new procedure, that being that the old
15 procedure concentrated on site profiles and
16 worker input before completing a site profile
17 and then a roll-out meeting after the site
18 profile was completed.

19 Now, it's my understanding that
20 there is really a new direction in worker
21 outreach with the new procedure and that there
22 are now four types of meetings. One consists

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1 of worker outreach focus groups, SEC worker
2 outreach focus group meetings, worker outreach
3 town hall meetings, and SEC outreach meetings.

4 Now, you can kind of divide these two types
5 of meetings into information-gathering and
6 information-giving. NIOSH, jump in if I'm --

7 MR. ELLIOTT: You are fine.

8 MS. ROBERTSON-DEMERS: --
9 misstating anything. And with this new
10 procedure, there was an implementation of a
11 new database, the outreach-tracking system,
12 which I am not quite sure what the status of
13 access to that is.

14 But this new database allows for
15 not only -- well, first of all, it allows for
16 scheduling of the meetings and it is my
17 understanding distribution or communication to
18 people about those meetings and then also
19 action items that come out of that, those
20 meetings.

21 Now, we do not have access to that
22 database at the present time. So I don't know

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1 too many details about it.

2 MR. ELLIOTT: Well, we are
3 prepared to share where we are at with that
4 database. It's ready to show and access is --
5 we haven't had an address because we've been
6 developing it and putting it all together and
7 putting it in place.

8 And then I think the other part of
9 access is where things are at on this IT
10 security situation and giving you access to
11 all of these things, but you are certainly
12 going to have access to it.

13 So I would add for clarification
14 that we have always had an attitude at NIOSH
15 and OCAS about worker outreach and input. It
16 is not that we have just seen a shift in our
17 attitude or our philosophy about that.

18 The first procedure that you
19 talked about, Kathy, was an ORAU-developed
20 procedure to assist and aid them in the
21 development of technical basis documents. And
22 there was a campaign to put as many documents

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1 together as we possibly could.

2 With the advent of working through
3 the bulk of that effort, we wanted to shift.
4 If there was a shift, we wanted to shift at
5 NIOSH. We wanted to see the shift from just
6 that solely at ORAU to more -- a broader
7 effort to reach out to workers and get them
8 employed. We also saw the need to separate
9 the ORAU effort a little bit and have another
10 party, ATL, come to bear and assist in that
11 regard.

12 So I just want for clarification,
13 not that you were wrong in any way. I just
14 want to share that kind of background and
15 history of how we came to be where we're at
16 today.

17 MEMBER MUNN: That was what was
18 referred to earlier as OTIB-0097.

19 MR. ELLIOTT: Yes.

20 MEMBER MUNN: That was PROC-097,
21 right?

22 MR. ELLIOTT: Yes. Procedure 97

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1 --

2 MEMBER MUNN: Yes. That's what
3 was you were just talking about.

4 MR. ELLIOTT: Right. Procedure 97
5 was developed by ORAU to assist them --

6 MEMBER MUNN: Right.

7 MR. ELLIOTT: -- in working
8 through the development of a number of
9 technical basis documents.

10 MEMBER MUNN: Right. And it's now
11 morphed into other documents.

12 MR. ELLIOTT: Yes. We wanted to
13 see the outreach not only speak to that but be
14 broader and demonstrate what we had all along
15 felt we were doing with our outreach effort.

16 MEMBER MUNN: Yes.

17 MR. ELLIOTT: And certainly, you
18 know, in 2003, the SEC component wasn't in
19 place. In 2004, it was. And so it's these
20 kind of events that took place over the course
21 of time that aided us in the evolution of what
22 we are now or what we --

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1 MEMBER MUNN: -- have to change.

2 MS. ROBERTSON-DEMERS: Well, in
3 defining a mission statement, there are a
4 couple of questions that have to be answered.

5 And that is, what is our purpose for doing
6 worker outreach? What is worker outreach?
7 What various elements is it going to include?

8 And I believe we tried to capture
9 what NIOSH has said in the last meeting as far
10 as what they considered worker outreach
11 methods to be on page 3 of the mission
12 statement, which might be helpful if I go
13 through that: brochures, CATI interviews,
14 close-out interviews, dose reconstruction
15 workshops, fact sheets, Federal Register
16 notices, online chats, which were at the time
17 coming.

18 MR. ELLIOTT: They are not coming
19 now.

20 MS. ROBERTSON-DEMERS: Okay.

21 MR. ELLIOTT: I think Lori can
22 speak to that. We have run into a roadblock

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1 on that one.

2 MS. ROBERTSON-DEMERS: Public
3 comment sessions at advisory board meetings,
4 site profile worker outreach meetings, SEC
5 worker outreach meetings, small focus groups,
6 town meetings, and then the website. And then
7 you also mentioned soliciting, encouraging
8 people to provide comments on the site
9 profile, and then posting to the website.
10 That was --

11 MR. ELLIOTT: That is through the
12 Docket Office.

13 MS. ROBERTSON-DEMERS: That was
14 what we had come up with as a list of the
15 various components of worker outreach. We
16 felt like any communication with the workers
17 fell into worker outreach.

18 MR. ZEITOUN: I believe that was
19 correct to base our -- general meeting, we
20 agreed that communication is the whole
21 concept. I would like to add something to the
22 mission statement here, based on the direction

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1 we get from Mike, is to be sure that we have a
2 proper definition of what the outreach is all
3 about because outreach can be divided into
4 many aspects.

5 And we felt that the purpose of
6 this is we have to have an understanding among
7 all the parties, especially for the Board, is
8 what do we define outreach because my
9 definition is different than many other
10 people.

11 And based on the January meeting,
12 we came with that definition that was really
13 acceptable to everybody. And we include it in
14 here as part of your work. Is that right?

15 MS. ROBERTSON-DEMERS: Yes.

16 MEMBER MUNN: Identify --

17 MR. ELLIOTT: I'm sorry. I think
18 you captured it because we agree --

19 MR. ZEITOUN: Right.

20 MR. ELLIOTT: -- that
21 communication --

22 MR. ZEITOUN: Communications is

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1 the aspects of -- and in the meantime we'll
2 know exactly where we are heading and what is
3 said, instead of just we are doing a meeting,
4 because we need to know what was said and how
5 we resolve the issue internally among
6 ourselves, similar to data when we review data
7 and review something.

8 Outreach is also, and the inputs
9 that we get from the public is also a factor
10 in developing NIOSH documents, NIOSH views,
11 NIOSH understanding of how the dose
12 reconstruction is made. So now it is an
13 integral element of development of the
14 program.

15 And that's exactly what the
16 January meeting was very instrumental in
17 directing all of us. That's how the mission
18 was based.

19 MEMBER BEACH: Well, and I just
20 briefly reviewed the new procedure 12.
21 Wouldn't the statement be in this procedure?
22 Wouldn't that be a place to find it or --

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1 MR. ZEITOUN: Statement of what?

2 MEMBER BEACH: Of what the mission
3 is.

4 MR. ZEITOUN: Actually, the
5 mission is just new.

6 MEMBER BEACH: Right.

7 MR. ZEITOUN: You just developed
8 --

9 MEMBER BEACH: Or the definition.

10 MR. ZEITOUN: The definition would
11 be -- you see, you have to remember that the
12 document that the procedure -- I mean, I am
13 speaking for my reviewing it, the initial
14 review of the procedure. The procedure is out
15 for review right now, practically. We will
16 look at it. The Board authorized will look at
17 it.

18 And probably we are going to come
19 to a middle ground of exactly what is needed
20 to be done. And we come from a unified
21 position that is what we want to do, that is
22 what we are going to go with, and this is your

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1 mission. And the procedure -- NIOSH agrees
2 with the concept -- we will include it as part
3 of the procedure.

4 That is true the procedure did not
5 include a definition by definition as we are
6 talking, but -- it is really easy to fix.

7 MR. ELLIOTT: We can fix that.

8 MR. ZEITOUN: Yes, yes, correct.

9 MS. BREYER: I think when we're
10 talking about communication as well, I mean,
11 if you're looking at it as the overall
12 everything we do with claimants and
13 petitioners and you also have to include
14 letters, phone calls, and e-mails in this list
15 because there is a lot of that, and then we're
16 also going to need to divide it in
17 communication that occurs as part of the dose
18 reconstruction process, such as CATIs and
19 close-out interviews, because that is
20 completely different than a workgroup meeting
21 or an SEC outreach meeting.

22 So then you have the part that I

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1 think is communications that are involved in
2 your processing of dose reconstructions or
3 claims. And then you have everyday type of
4 communication, phone calls, acknowledgement
5 packets, close-out letters, CATIs.

6 It happens with everybody. Every
7 single person who files a claim or is a
8 claimant will go through those types of
9 communication as well as a separate category
10 for communication that occurs that is listed
11 in the four types of outreach that NIOSH
12 conducts. I think it would be unwise, in my
13 opinion, to lump it all together.

14 I think there are distinct types
15 of communication that occur for different
16 reasons. What we consider outreach or that we
17 talk about as the four types of outreach, such
18 as town hall meetings, SEC outreach meetings,
19 workgroup meetings, or, you know -- I can't
20 remember the other one off the top of my head.

21 Those types are things where we feel like
22 there's a need or that people have asked us,

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1 "Hey, we have a need for more information" and
2 we set up unique types of events for that to
3 reach a purpose.

4 Then the other communication
5 pieces are things that are done from the
6 beginning of every claim that every claimant
7 is going to get. It's not any kind of unique
8 type of communication created for a purpose.
9 It's something that originally was decided
10 that will be part of the procedure to help
11 people understand the process.

12 So I think if we're going to look
13 at it as all-encompassing, outreach being
14 something that means everything, any the kind
15 of communication that we have with the public,
16 I think it needs to be narrowed down into
17 categories at least. I don't think lumping
18 them together would be the best way to move
19 forward with that.

20 MR. MAURO: This is John Mauro. I
21 am having a little trouble hearing, but I am
22 listening carefully. I would like to add to

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1 what you just said.

2 I know that Denise Brock works
3 very closely with SEC petitioners in helping
4 them through the qualification process. And
5 there is a lot of interaction there. There is
6 a lot of correspondence that NIOSH provides.
7 So that is another dimension.

8 So I agree that the range of
9 interactions with petitioners, claimants, site
10 experts, members of the public is quite
11 extensive and diverse, each aspect having a
12 somewhat different objective and how it's
13 done.

14 And this is just to sort of stir
15 the pot a lot a little bit. The question is
16 that this is all ongoing. And I think that
17 your new procedure tries to lay out the range
18 of these types of activities. It does not
19 capture all of them.

20 For example, the one I just
21 mentioned I don't believe is described in your
22 procedure. And there is no doubt that one of

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1 the roles that the Board plays is to review
2 procedures.

3 And certainly this is a new
4 procedure. And, in theory, this is something
5 that could be reviewed as part of the
6 procedural reviews, perhaps relegated to this
7 workgroup as just being a review of a
8 procedure and many of the issues that we are
9 talking about in terms of scope of the
10 procedure and what it should address.

11 What I am getting at, though, is
12 that I think given the enormity of NIOSH's
13 interactions with members of the public in
14 various capacities, including claimants,
15 petitioners, site experts, the question that I
16 guess is before us, what role should the Board
17 play? Given the enormity of what is going on
18 at NIOSH, what role would be most beneficial
19 to the overall program for the Board to play
20 and, of course, this workgroup is for the
21 Board?

22 I think that the three items

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1 identified in the draft mission statement that
2 has been distributed, items 1, 2, and 3, which
3 Kathy just summarized, really go to the heart
4 of this question.

5 So to me I think one of the things
6 that, really, we could benefit from at this
7 meeting is to see if we all view the role that
8 the Board might want to play in this program
9 -- and, quite frankly, I use the word how
10 intrusive and how involved would the Board get
11 in reviewing, having some commentary,
12 oversight in all of these myriad of
13 activities, each one of which would be
14 somewhat different.

15 And I agree. I think that is
16 really the big question. Given the mission
17 statement, there is quite a bit that the Board
18 would be doing in terms of reviewing and being
19 involved in not only the procedures but the
20 way in which the procedures are being
21 implemented and not only the aspects of
22 outreach that are captured in your current

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1 PROC-012 but also perhaps other interactions
2 that are not identified, such as the one I
3 mentioned before.

4 So I think there are some really
5 very important questions that are before us
6 that the workgroup -- I'm offering this up as
7 -- engage in a discussion of how involved
8 should the Board be in independently
9 evaluating not only the procedures and the
10 program but actually how it is conducted and
11 its effectiveness. These are tough questions.

12 MEMBER MUNN: John, this is Wanda.
13 You have touched on something that is or
14 should be a major concern of this workgroup.
15 And that is defining the difference between
16 communication and outreach.

17 If by outreach we are talking
18 about all communication that goes on at any
19 point throughout the natural operation of the
20 process, then we are getting into far deeper
21 water than it is likely that the Board can
22 deal with well.

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1 If we are talking about outreach,
2 one of the things that needs to occur with
3 this mission statement in my view is a very
4 clear distinction between outreach and
5 communication in the normal process of events.

6 Whether one reacts to input from a
7 claimant during their CATI interview as being
8 a part of an outreach program is questionable,
9 frankly.

10 Following the three items that
11 were defined here in the first statement of
12 this draft -- I'm assuming this is a draft
13 mission statement and that's why we're looking
14 at it.

15 It might behoove us to spend a
16 little time as a workgroup becoming crystal
17 clear on the difference between communication
18 with workers and a worker outreach program or
19 whether the label that is being applied to
20 this workgroup is inadequate.

21 If the intention of the workgroup
22 is to monitor communications with the Agency,

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1 then that is quite different than outreach
2 activities.

3 CHAIRMAN GIBSON: I kind of see
4 that communication and outreach are kind of
5 hand in hand, but I do kind of agree with what
6 Lori said, that there are individual-type
7 communications that go on with NIOSH and
8 folks, and then there is also maybe individual
9 communications.

10 But it's kind of a common-cause,
11 if you will, type communication that goes to
12 the site profile or something else, as opposed
13 to an individual dose reconstruction. Is that
14 kind of a fair way to --

15 MS. BREYER: Well, I mean, I think
16 if we're going to do it broad, you have to
17 categorize it. I don't think we can just have
18 a lump thing. I understand the argument that
19 all communication can be considered outreach,
20 but I also agree with Wanda that there are
21 different types of communication.

22 I mean, is a workgroup on

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1 outreach, if it is this broad, and it's
2 everything that we communicate with claimants?

3 Then it's really the workgroup on OCAS
4 communication plans because, you know,
5 communication can be if we had a hundred calls
6 in a month, people calling and asking about
7 the status of their claim or I get calls
8 people saying they want to file an SEC
9 petition.

10 That's not really me doing an
11 outreach meeting. That's not me going and
12 meeting with people. That's people contacting
13 us. That's how NIOSH chooses to handle this.

14 How do we respond to e-mails, how to respond
15 to phone calls. Providing a brochure and
16 putting on our --

17 MEMBER MUNN: That's standard
18 process.

19 MS. BREYER: Providing a brochure
20 or an acknowledgment packet and putting it on
21 our website is a way to communicate
22 information to people about the program. It's

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1 not really to explain -- I mean, it explains
2 the dose reconstruction process, and it
3 explains what steps dose reconstruction is
4 going to go through.

5 But those are communication
6 pieces. To me that's not necessarily worker
7 outreach. Worker outreach to me is kind of
8 the things that we defined as holding SEC
9 outreach meetings, having worker meetings when
10 we need information on site profiles.

11 You know, a lot of the basic
12 pieces of communication we have are
13 communication products intended to provide
14 information, which I think is different than
15 other types of worker outreach, which can be
16 specified in different ways.

17 You know, if you're going to take
18 a broad perspective, I don't know that that is
19 all worker outreach. I define worker outreach
20 to be going above and beyond the basic
21 communication products that the OCAS
22 communication team has developed to put out to

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1 help people to understand the program when
2 they file a claim or when they call to ask
3 about the status of a claim, which is a lot
4 different than developing a site profile, you
5 know.

6 MR. ELLIOTT: I think that we have
7 an Outreach Program. I wouldn't label it
8 strictly a Worker Outreach Program because we
9 reach out to claimants. We reach out to
10 petitioners.

11 So maybe it would help if the OCAS
12 folks set in categories perhaps that Lori is
13 talking about those that we see as outreach
14 efforts. And certainly our communications
15 within each of those can be examined or
16 evaluated, whatever.

17 But I think that in each type of
18 outreach that we effect, one that I didn't
19 talk about this morning was our workshops. I
20 don't know how you let me get by without
21 talking about this, but we're having another
22 workshop coming up shortly. We had one in

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1 March after the last meeting we had. I don't
2 think we have had any Board participation,
3 Board monitoring of that. So that's the type
4 of outreach.

5 And the communication that goes
6 into that is focused, and it's developed for
7 that particular workshop. We've got this one
8 that's coming up in September is focused a
9 little bit more heavily toward, as I
10 understand it, the former workers' screening
11 program staff and making sure that they
12 understand what it is that NIOSH does in this
13 Compensation Program.

14 MEMBER BEACH: So, Larry, is that
15 more of a you giving them information or you
16 soliciting information?

17 MR. ELLIOTT: The Workshop is
18 really a two-way street.

19 MEMBER BEACH: It is a two-way
20 street?

21 MR. ELLIOTT: Yes, it's a two-way
22 street because we tell them what we think they

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1 need to know about our obligations and our
2 responsibilities. And at the same time, the
3 benefit of it being two-way is we have had SEC
4 petitions come out of it.

5 Lori has attended and walked away.

6 And she knows five people that she is going
7 to talk to next week to establish an SEC
8 petition. We have heard issues about our
9 reports that we have taken back and said,
10 "Well, let's make a correction because we
11 heard this at the Workshop. They don't
12 understand this language" or "They don't
13 follow what was said there." So it's a
14 two-way street.

15 MEMBER BEACH: Well, for me --

16 MR. ELLIOTT: That's why we are
17 called a Workshop, rather than a meeting.

18 MEMBER BEACH: Right. And if you
19 are giving information about the program but
20 then you get information from whoever is at
21 the meeting and you are actually taking notes
22 on certain things about certain sites, those

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1 are the things that I would be interested in
2 or this workgroup should be interested in, not
3 programmatic things but site information.

4 If you get an e-mail from a
5 claimant or a worker on site and that e-mail
6 contains information that might be used in a
7 site profile or in an ER report, those are
8 things that this workgroup should be
9 interested in.

10 MR. ELLIOTT: Sure.

11 MEMBER BEACH: And those are the
12 things that we need to be tracking and seeing
13 what is done with that information.

14 CHAIRMAN GIBSON: That's why I
15 think that it's -- if we can define it as
16 common-cause communications that's to a site
17 profile, to a program, as opposed to something
18 that's in general to an individual claimant.
19 That's the way I kind of see it.

20 MR. ELLIOTT: So, would it help you
21 if we tried to list out what we consider
22 outreach under these different -- you know, we

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1 have a town hall meeting. We consider that
2 outreach. But it could be an SEC town hall
3 meeting or it could be a town hall meeting
4 like we did at Blockson, where we revised the
5 technical basis document and we went in to
6 explain why we had done that.

7 MEMBER BEACH: That should be part
8 of our definitions letter, statement,
9 paragraph that whoever is going to write that,
10 if NIOSH is going to write it, the workgroup
11 is going to look at it and make sure it hits
12 everything we think it should hit. Someone
13 needs to take on that statement or that
14 definition.

15 MS. BREYER: But, then, the flip
16 side of that as well will show good examples
17 of things that are very interactive --

18 MEMBER BEACH: Yes, yes.

19 MS. BREYER: Does the workgroup,
20 then, want to look at something like -- you
21 know, we design fact sheets. Those fact
22 sheets are on our website. Sometimes we mail

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1 them to people, and then we take them in these
2 meetings. Does the workgroup then want to go
3 look at these fact sheets?

4 MEMBER BEACH: I think we need to.

5 MS. BREYER: Then we have
6 brochures.

7 MEMBER BEACH: I think we need to.

8 MS. BREYER: And those brochures
9 -- NIOSH tries to do a multi-faceted approach
10 to get a communication out there. We don't
11 just put together a fact sheet and just that's
12 it, put it on our website and that's it. We
13 take them to Board meetings. PHAs can mail
14 them. We take them to other worker outreach
15 meetings that we're talking about.

16 We also have brochures, those
17 brochures. We also have an acknowledgment
18 packet. All of this information is the same.

19 It's just in different formats. We also have
20 a dose reconstruction video. That's on our
21 website. We also mail to those people. We
22 also take it to the Board meetings.

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1 If you want to look at all the
2 communication products we have, I think that,
3 then, is not worker outreach necessarily, but
4 that is communication products. I think
5 brochures, the acknowledgment packet, fact
6 sheets -- I am going to be working on some SEC
7 communication pieces. Those are all products
8 that have been created, have the same
9 information basically, and then --

10 MR. ELLIOTT: But the distinction
11 --

12 MS. BREYER: And then used in
13 different avenues -

14 MR. ELLIOTT: The distinction to
15 make, Lori, is that we decide when we do an
16 outreach effort what communications we are
17 going to put into play for that outreach
18 effort. It is different for a workshop than
19 it is for a town hall meeting than it is for a
20 focus group of five or six workers talking
21 about a site profile.

22 And certainly, you know, I can

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1 understand the Board members' interest in
2 looking at that and saying, well, what kind of
3 communications did they use for the purpose of
4 that event?

5 MEMBER BEACH: What are you
6 asking?

7 MS. BREYER: That's right,
8 exactly. And I was trying to make the point
9 that, even regardless of these outreach
10 meetings, these can get --

11 MR. ELLIOTT: Yes. So you can
12 look at them in their entirety, --

13 MS. BREYER: -- void of any kind
14 of outreach efforts that --

15 MR. ELLIOTT: -- a la carte, or
16 you could look at them in what was used --

17 MS. BREYER: Yes.

18 MR. ELLIOTT: -- for a given
19 event.

20 MS. BREYER: Exactly.

21 MR. ZEITOUN: Actually, the way I
22 see it based on Lori's comments, there is a

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1 generic communication that is taking place
2 from you to the public in general.

3 This is generic issues. And it's
4 the same information, but you can tailor it
5 different ways. This is from you to them.
6 It's one-way direction to explain the program.

7 However, to me if I am really
8 looking at it as going back to your earlier
9 comments, what are the communications that
10 contribute to the development of the documents
11 and the dose construction that you are doing
12 and you finalize? It's a refinement process
13 that you use the input to make it happen.

14 Really, to me that's the gist of
15 this Outreach Program. It's not just who
16 asked for a document, who is asking for a
17 paper. We are asking who said what that
18 allowed NIOSH then can say, "We need to
19 approach it differently" and that or we are
20 ignoring it because that is the issue the way
21 I see it, probably all of us -- I hope I am
22 explaining myself good enough.

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1 MR. ELLIOTT: You are absolutely
2 right. That is the gold nugget.

3 MR. ZEITOUN: That is, really, to
4 make the program successful because it's like
5 data. You go in, and you get your own data.
6 We look at it and see how it is, supplementing
7 your information, agreeing with yours, finding
8 something we put in there.

9 We work together for the common
10 goal. When you come to outreach, it is
11 similar to data. There is information coming
12 in. And the Board is entitled to know what is
13 there to address and how NIOSH has addressed
14 it. That's it.

15 And if you think that way, I think
16 the definition of outreach becomes clear to
17 everybody. And I can see that we are all
18 reading the same thing. We are saying the
19 same thing, reading different things.

20 MR. ELLIOTT: Two questions. Two
21 questions come to mind. How many times has
22 NIOSH changed its technical basis documents

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1 for worker outreach input, based on worker
2 outreach? How many times has that happened?
3 I can tell you that in this database, we are
4 showing 37 times right now. That's not all
5 the times. I believe that's 37.

6 MR. ZEITOUN: But it is happening,
7 and that is a positive aspect.

8 MR. ELLIOTT: Yes. So that is
9 that question and that answer that we have
10 right available 37 times, 37 different
11 documents, whatever.

12 And it may not have all come from
13 -- it could come from the Docket Office. It
14 could come from somebody out in the field
15 saying a claimant meeting with the public
16 health adviser saying, you know, I think your
17 site profile is missing something or not
18 right. It could come from the Board
19 deliberation process.

20 The other question is, and how
21 many times have we heard worker input and we
22 have not incorporated it? I can't give you an

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1 answer to that because it's so diverse and
2 it's so amorphous because we could say how
3 many times we have heard worker input from our
4 outreach with workers.

5 We certainly can track that. We
6 are disadvantaged and not able to track and
7 say how many times at a Board meeting in
8 public comment did we hear issues that came
9 out.

10 You know, I'll have to go back to
11 the transcripts, and I have to recall when I
12 pulled the person out of the hallway and said,
13 "Okay. Show me. What are you talking about?
14 Is it a NIOSH report? Is it a DOL report?
15 What are we talking about here?"

16 So that's a little bit more
17 difficult and more challenging to put a number
18 on.

19 MEMBER MUNN: It is not
20 quantifiable in any case.

21 MR. ELLIOTT: And then when we do
22 revise our technical basis documents, there is

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1 to be a concerted effort to document when a
2 change is made based upon worker input and is
3 put on that revision sheet.

4 And we have not been very good
5 about that to be quite frank and honest about
6 it. You know, I don't like what we have
7 demonstrated as our capability there. I think
8 we can do much better.

9 So there is another way that we
10 could lay counts on the table. So it depends
11 upon where you want to start.

12 MR. MAURO: This is John. I would
13 like to just jump in. I have been giving a
14 lot of thought to what I would say -- you
15 know, stepping way back and asking myself,
16 what is it that I would measure and what is it
17 that I would like to achieve? If I were
18 looking at it, what goal? What should be the
19 target?

20 I would like to just throw this on
21 the table because this steps a little bit back
22 from where we are right now because we're

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1 getting down a little bit into the body
2 structure, but stepping back, I would say to
3 myself an effective communication program with
4 the world at large, all the people we have
5 been talking about, all the programs would be
6 one that when NIOSH declines a claimant for
7 compensation or declines an SEC petition --
8 this sounds like pie in the sky, but I think
9 it's a way to think about it. When an SEC is
10 denied, the affected party agrees that they
11 were treated fairly.

12 In other words, if I were to
13 measure something and I were to find out that
14 all the people that were denied, out of all
15 the people who were denied a claim when they
16 filed a claim, at the end of the process, they
17 were asked, "Do you feel as if you were
18 treated fairly?" if 70-80 percent of them
19 said, "Yes," I would say you had a very --
20 this is purely a heuristic now. I would say
21 that whatever communications you had with
22 those individuals was very effective in

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1 convincing them that the program that was
2 being implemented was fair, objective, and
3 they were treated fairly.

4 In a similar way, if more than 50
5 percent of the petitioners in an SEC petition
6 walked away after denial or a partial denial
7 or a partial approval because very often
8 that's how they end up, felt that the process
9 was fair and had a degree of satisfaction,
10 that the program is evenhanded and doing the
11 right thing, I would say right now -- and it's
12 impossible for me to judge -- the sense I get,
13 of course, is what I observe at the various
14 interactions a great deal I guess of
15 dissatisfaction.

16 I don't know if that's a very,
17 very small vocal group or a general consensus
18 of the vast body of the petitioners and
19 claimants do feel a degree of dissatisfaction.

20 I have no way to know that.

21 But what I allege is I can throw
22 on the table if there's any way in which that

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1 could be evaluated and trended to see
2 improvements are being made where more and
3 more people affected by this program are
4 feeling more and more positive about the
5 program as a result of all of these
6 interactions, these communications, I would
7 say that that would be a positive indicator
8 that whatever we are doing is working.

9 If it is going the other way,
10 where it seems that the trend is negative,
11 that means whatever we are doing is really not
12 being very effective.

13 So, anyway, I wanted to throw that
14 out as a way I have been thinking about it.
15 And then, given all of that, what role could
16 the Board play through this workgroup to help
17 in keeping the process moving in a positive
18 direction in terms of credibility and trust?

19 I just wanted to step back and
20 throw it on the table because I think that is
21 the context we are working within.

22 MS. BREYER: I think that that is

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1 going to be something that is going to be very
2 difficult to do unless you do some sort of
3 random sampling.

4 If you let me pick 20 people who
5 send me thank you cards and try to send
6 flowers and things like that, you are going to
7 have, even people who are denied, 20 people
8 who are very happy with the process.

9 You pick 20 people who chose to
10 come to a Board meeting because they know that
11 they would have a chance to show their
12 disagreements with the program, then you're
13 going to get a completely different answer.

14 I don't know what would be a fair
15 way to necessarily find a true comparison.
16 People who come to Board meetings a lot of
17 times, people who choose to come to some
18 worker outreach meetings are people who are
19 choosing to be vocal, who got denied and
20 aren't happy with that.

21 And then a lot of times you get
22 that group mentality where you have one person

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1 by myself might say one thing, but if you get
2 them with ten other people who also got denied
3 and aren't happy, then you're going to have
4 different results from all of those ten people
5 then you might get if you had those
6 individuals alone.

7 You know, if you call ten people,
8 some people -- we have claimants in our system
9 that have never called NIOSH and have been
10 denied. And if you ask them how fairly they
11 were treated, they might be completely
12 satisfied with it. So you have to depend on
13 the sample size, --

14 MR. ELLIOTT: Well, I'll bet
15 they're not.

16 MS. BREYER: -- which would be
17 very difficult.

18 MR. ELLIOTT: And they might not.

19 I think we have a silent majority out there
20 that we haven't heard a word from that if we
21 went to ask them, they're going to say, "No.
22 I don't like it. It's frustrating. It's too

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1 long. It's too difficult. I don't understand
2 it."

3 MS. BREYER: Yes because they are
4 going to have negative perceptions as well
5 because that --

6 MR. ELLIOTT: Thirty percent of
7 those compensated from DOL are going to say,
8 "Oh, yes. Okay. I got my money, but it's
9 still terrible."

10 MEMBER MUNN: I believe John is an
11 incurable optimist with respect to the --

12 MR. MAURO: Well, you know what?
13 I would like to get to the heart of the
14 matter. I mean, what I am hearing is what I
15 just said. I think everyone would agree if it
16 could be done, it would be desirable, but the
17 belief of sitting around the table, is that
18 the consensus that we don't think it can be
19 done?

20 MEMBER MUNN: I doubt that it is
21 desirable. And the reason I doubt that it is
22 desirable is because I doubt that there is

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1 anyone who has been told they have a
2 possibility of receiving \$150,000 who is then
3 told that they will not receive either
4 \$150,000 nor the \$300,000 that they thought
5 they might also pick up is going to be happy
6 with the process.

7 The probability that you are going
8 to find such a person is a little bit like
9 trying to get that camel through the eye of a
10 needle.

11 And there surely must be one or
12 two such people out there. But quantifying
13 them and finding them is remote.

14 MS. BREYER: And I think the other
15 thing, too, is you have to realize where the
16 people are coming from to even get started in
17 the program. They either have cancer or they
18 have lost someone to cancer.

19 So the very fact that you are
20 dealing with people who are in this program
21 because someone is sick or they're sick
22 automatically starts them from a place of

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1 negativity, I think.

2 You know, no one is going to come
3 into this saying, "Oh, yeah. It was a great
4 process. I got to talk about all the
5 sicknesses and illnesses I have" or "the
6 illnesses that my father and mother dealt
7 with."

8 I mean, so you've automatically
9 got a biased population because of the
10 inherent nature of the population. I mean,
11 also how can you separate the frustrations
12 with the Department of Labor? We always
13 constantly get people who are upset.

14 And the Board has heard it, too,
15 all the frustrations people have with the
16 Department of Labor and Part E and not knowing
17 the difference between Part B and Part E and
18 the Department of Labor and NIOSH.

19 I don't know how you would ever be
20 able to do any kind of study or quantification
21 of these people with them being able to figure
22 out whether they're unhappy with DOL or with

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1 us.

2 MEMBER BEACH: And I agree, John,
3 with what you're trying to do or thinking
4 about doing, but I think that we should maybe
5 table that discussion for later on in the
6 process. I know we have quite a heavy agenda.

7 I don't know what you think, Mike,
8 but it's something we should revisit maybe but
9 once we get through a little bit more of the
10 basic steps that we're trying to deal with
11 today.

12 CHAIRMAN GIBSON: While we are on
13 this, Larry, you mentioned something. Do you
14 think you could get together a list of the
15 different forms of --

16 MR. ELLIOTT: I think if we spoke
17 about outreach, what do we consider an
18 outreach effort, and we categorize those for
19 you, we could say SEC, we could say site
20 profile worker, TBD development, those kinds
21 of things. Yes.

22 CHAIRMAN GIBSON: I think that

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1 will help. Once we get that, then we can kind
2 of look at that, as opposed to this draft, and
3 we can see how it fits or if this mission
4 statement needs changed in the interim.

5 MEMBER BEACH: And is that
6 included in the definition that we talked
7 about earlier? Because that is separate from
8 the mission statement.

9 CHAIRMAN GIBSON: Right.

10 MEMBER BEACH: Because that needs
11 to be developed.

12 MR. ZEITOUN: If we agree, this
13 fantastic effort is really defining what is
14 the impetus that is coming to the process
15 itself, the documentation, the integral part
16 of what you guys are interested in knowing.
17 This could be integrated into the mission
18 statement as fast as possible. And it becomes
19 available to the Board for discussion.

20 MEMBER MUNN: What constitutes
21 outreach? Because unless we start with what
22 constitutes outreach, then we really are

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1 dealing with an insoluble mass of data that
2 can't be in any way discussed logically.
3 There's just simply too much of it.

4 So it's very necessary in my mind
5 to clearly delineate what the difference is
6 between outreach and between normal process
7 because --

8 MR. ZEITOUN: Routine.

9 MEMBER MUNN: The routine.

10 MR. ZEITOUN: The routine things
11 that are going on. It's not really -- right.

12 MS. ROBERTSON-DEMERS: I just want
13 to make sure we don't lose track of the
14 information-giving side of outreach because I
15 do think that it's important, and I do think
16 that there are some shortcomings in that
17 arena, that people aren't understanding what
18 is going on.

19 CHAIRMAN GIBSON: And that's why
20 we want to track what we want to find, and we
21 want to try to help resolve if that's there.
22 We can't lose track of that.

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1 MR. McDOUGALL: I'm sitting here.
2 I just finished a month or back in April
3 working with a different part of NIOSH to
4 evaluate a lot of their interaction with their
5 public, if you will. And this sounds very
6 familiar in a lot of ways.

7 I think at the risk of focusing
8 more on what our group does, I think that your
9 three numbered points at the top of the
10 mission statement if you just focus on number
11 two and number three, number two is basically
12 evaluation of the process. Are we doing the
13 right things? And are we doing the right
14 things in the right way? Okay?

15 And you can design an evaluation
16 scheme. And you can design an evaluation. If
17 you can implement that, you can implement
18 relatively economically. And by
19 "economically," I mean not only in terms of
20 money but in terms of the limited time that
21 this workgroup has to devote to this because I
22 know you are all on a lot of other workgroups

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1 looking at a lot of other parts of the
2 program.

3 And number three is basically
4 outcome evaluation. Given the process, are
5 you getting or is NIOSH getting what you think
6 it needs out of this outreach process? And
7 Larry spoke to some of these, the measurable
8 outcomes, earlier.

9 How often do these meetings and
10 these other fairly tangible events produce the
11 kinds of outcomes that Larry thinks he is
12 paying for when he authorizes these? And are
13 we getting everything we can out of that?

14 You might, for example, want to
15 look at if we've gotten 37 changes, you might
16 want to look at meetings that didn't produce
17 changes and say, "Why didn't they produce
18 changes? Was there information in there that
19 somehow wasn't observed or communicated in the
20 right way?"

21 But if you look at just the
22 two-step formal evaluation process first

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1 before you think too much about what you think
2 it is going to show, it might help you move
3 forward a little bit.

4 CHAIRMAN GIBSON: I agree.
5 There's one thing, you know, that I don't
6 think we could focus on how many times worker
7 input changes the system, you know.

8 You know, I've been more times
9 than not on the site profiles and stuff, but
10 just because a worker gives input doesn't mean
11 your site profile is wrong.

12 You know, you could evaluate it,
13 give it due consideration, and not change the
14 document. And that can still be a success in
15 outreach.

16 MR. ELLIOTT: Absolutely.

17 CHAIRMAN GIBSON: So, you know, we
18 have to --

19 MR. ELLIOTT: It can be a success
20 if in exchange, there is a new understanding
21 developed on either side, --

22 CHAIRMAN GIBSON: Right, right.

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1 MR. ELLIOTT: -- a new
2 understanding on "Well, that is what NIOSH
3 really uses a site profile for." It's not a
4 cookbook. It's not a prescription. It's not
5 a step-wise procedure, which a lot of people
6 think it is.

7 Even in your Procedures Workgroup
8 or in the subcommittee that reviews dose
9 reconstruction, they think of TBD, a site
10 profile, is prescriptive. It's not. No way
11 have we ever said that.

12 What a site profile does is give
13 general guidance and understanding about the
14 activities of the site for a dose
15 reconstructor. And then they're here today
16 going through training of new dose
17 reconstructors under the new contract. And so
18 they're gearing them up.

19 They're not laying a site profile
20 in front of them and saying, "You guys go over
21 this step by step." They're saying, "Read the
22 site profile. And now we're going to train

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1 you on what to think about when you're doing a
2 dose reconstruction for Pantex or Portsmouth.

3 MS. BREYER: Yes. And I think
4 that's a really good point as well, I think.
5 Sometimes site profile means that we have had
6 to go explain to unions a site profile or even
7 SEC petition.

8 The fact that we didn't get any
9 comments back or the fact that no one filed an
10 SEC petition I don't think is indicative
11 necessarily that it was a bad meeting.

12 You know, I have been to plenty of
13 them where we sat down and explained, just
14 like Larry said, what the site profile does,
15 how it is used in the process, or explain what
16 the SEC petitioning process is or what basis
17 you have to have to file an SEC petition.

18 And we have left. And they have
19 said, "Okay. That's really good. I
20 understand it now. It makes sense. It looks
21 like we've got a lot of work to do."

22 I mean, we'll never see an SEC

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1 petition or we'll never see, you know,
2 comments on the site profile, but when we
3 left, they were happy that we were there.
4 They were now able to understand what they
5 need to do.

6 It doesn't necessarily mean we can
7 make them do it. They're not going to sit
8 down and read the site profile necessarily and
9 make comments, but they now know what they
10 could do, how to submit comments so they could
11 have them, which they didn't know before. And
12 I think that shows success.

13 We could receive zero comments. I
14 think there are plenty of meetings Mark and I
15 have been to where that has happened. They
16 were happy. They understood things. I think
17 that's success.

18 Whether they then take the next
19 steps to actually write down comments and
20 submit them to us or even verbally give us
21 comments for us to write down, you know, that
22 is another story because, well, sometimes that

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1 just doesn't happen. They don't.

2 Some people don't even know where
3 to begin to start or how they could even
4 provide input. Sitting down with them and
5 telling them how they can do that, whether
6 they do it or not, I think means that we have
7 done a good job.

8 And then if we give them all the
9 contact information, what they can do to
10 follow up with us and then they write comments
11 or file a petition, that's another thing.

12 MEMBER BEACH: I am interested,
13 too, in how you decide what sites you are
14 going to visit, where you are going to do your
15 outreach and what type of outreach is going to
16 happen there.

17 And I don't know if there is any
18 rhyme or reason. I'm sure there is for you
19 guys, but for us to be able to understand that
20 because I know there are several sites that
21 haven't had outreach.

22 So, anyway, I am a little bit

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1 interested in that aspect of it.

2 MR. ELLIOTT: It kind of happens
3 as the squeaky wheel needs the grease --

4 MEMBER BEACH: Yes.

5 MR. ELLIOTT: -- or we have
6 identified an issue that we want answers to or
7 we're focusing for a certain type of people
8 that we want to bring to a workshop or we have
9 heard that there is an interest in filing an
10 SEC petition. But nobody knows how to do it
11 and wants our help to do that.

12 So, I mean, these things just kind
13 of float up. And we react to them.

14 MEMBER BEACH: Yes. I guess I am
15 a little worried about that aspect of how that
16 is done and why it is done.

17 MR. McDOUGALL: Actually, overall
18 a lot of what we call the worker outreach
19 meetings have been really driven by OCAS
20 activities.

21 For two or three years, they were
22 driven very heavily by -- you know, Larry

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1 spoke to the big campaign for site profiles.
2 So we were extremely busy just trying to keep
3 up with getting worker input into site
4 profiles for a long time.

5 When SEC petitions came about, the
6 location and, frankly, the timing of a lot of
7 these meetings is driven by SEC petitions, you
8 know. And we have a fairly narrow time frame.

9 Really, when you're dealing with
10 people who aren't geared up to start who
11 haven't already been thinking about these
12 things, it's a fairly narrow time frame
13 between the time a petition is qualified and
14 the time that the health physicists sit down
15 to write the evaluation report.

16 So a lot of these, the biggest and
17 most noticeable events, are driven by those
18 kinds of demands.

19 MR. ELLIOTT: We do want to be
20 strategic, though.

21 MR. McDOUGALL: Sure.

22 MR. ELLIOTT: We need to be more

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1 strategic than we have been. I would say
2 that. But the strategy that we do employ is
3 in the workshop arena. You know, we identify
4 groups of people that we think would benefit
5 from attending the workshop.

6 So strategy-wise we're saying
7 we'll have two this year, one next year, those
8 kinds of things, whatever the resources the
9 budget will support.

10 You know, SECs, we might say we
11 need to go out during the front end of an
12 evaluation and target five or six workers. So
13 that's strategically put into play in the SEC
14 evaluation process if they think there is
15 going to be benefit driven from that.

16 But yes, you are welcome to look
17 at the strategies that we use.

18 MS. ROBERTSON-DEMERS: I've got a
19 question. As far as Site ASPR interviews, is
20 that something that you include in your Worker
21 Outreach Program? Because that's obviously
22 influenced the site profile.

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1 MR. ELLIOTT: That would be
2 outreach under the site profile effort.

3 MEMBER MUNN: But isn't that a
4 standard process? I mean, this is what I am
5 talking about when I am talking about drawing
6 a line, differentiating. It's a good
7 question. Is it --

8 MR. ELLIOTT: I don't know that I
9 can say it is a standard. You know, I wish
10 the health physicists were here. J. J., I
11 don't know if you can help me or not, but I
12 don't know that it's a -- it's not a box they
13 check on every site profile.

14 MR. ZEITOUN: It gives inputs, new
15 inputs. The interview process, you are
16 bringing inputs out of whoever you are dealing
17 with, regarding the specific circumstances
18 from the site.

19 So it's not a standard. Probably
20 the standard is probably the questions that
21 are going on. But the input that is coming
22 back to you is specific to the issues related

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1 to that site.

2 MEMBER MUNN: My point is, if you
3 don't have the kind of input that we were just
4 talking about here, then you probably don't
5 have enough information to do a site profile.

6 Can you think of a site profile
7 where you have not gone and tried to identify
8 experts? How would you otherwise have a site
9 profile completed?

10 MS. ROBERTSON-DEMERS: Can I give
11 you an example? Okay? At the last Mound
12 Working Group meeting, it's our understanding
13 that they developed a model for neutron
14 exposure. And they brought together a group
15 of workers.

16 MEMBER BEACH: Ten, 12 workers, I
17 believe.

18 MS. ROBERTSON-DEMERS: And they
19 asked them, "Is this reflective of what you
20 did at Mound?" Now, based upon the definition
21 in PROC-012, I would see that as a focus group
22 --

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1 MR. ELLIOTT: That was an outreach
2 effort.

3 MS. ROBERTSON-DEMERS: -- and then
4 a worker outreach because there was a purpose
5 to it.

6 MR. ELLIOTT: Yes, very good.

7 MEMBER BEACH: And that is
8 interesting because I was told it was not
9 worker outreach. And then I read this on the
10 plane coming over here, and I went, "Now, wait
11 a minute." Now that you brought it up it just
12 reminded me.

13 MR. ELLIOTT: I am assuming that
14 the person who told you that is our point of
15 contact for the Mound. He's a health
16 physicist.

17 MEMBER BEACH: Yes.

18 MR. ELLIOTT: He's focused on site
19 profile issues and the evaluation of the Mound
20 SEC. And yes, he probably really doesn't
21 recognize it as outreach. But I can assure
22 you it is outreach.

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1 MEMBER BEACH: And so it wouldn't
2 really matter if it was one or 2 people or 10
3 or 12 people. This describes 10 or 12 people.

4 But if it was one or two and those were the
5 only experts you were able to locate, then
6 that would still be a worker type of --

7 MR. ELLIOTT: Yes.

8 MEMBER BEACH: -- form of worker
9 outreach. And those comments should be looked
10 at by the workgroup or the interested
11 workgroup. In this case it was Mound or in
12 our case, we want to track those comments and
13 see how they were used, what was done with
14 them, what maybe wasn't done with them.

15 MEMBER MUNN: Which means in my
16 mind that item number 2 in our first paragraph
17 needs to be expanded so that we clarify what
18 we mean when we say "meetings." What
19 meetings? Because we have all kinds of
20 meetings.

21 We're not interested in every
22 meeting that NIOSH has. That is not what we

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1 are after here. What we are trying to define
2 is what we consider outreach in the meetings
3 that NIOSH oversees or sets up, right?

4 MEMBER BEACH: Well, it's expanded
5 in their procedure, but maybe we want to
6 expand it, as you are saying, more than what
7 they have actually got listed in their
8 procedure.

9 MEMBER MUNN: Well, it's a
10 question of if we are going to have as our
11 guideline, the guidelines that are shown in
12 the procedure, then that's fine. But we need
13 to reference, monitor the conduct of the
14 meetings listed in PROC-012 if that's what
15 we're going to do.

16 MEMBER BEACH: I agree.

17 MEMBER MUNN: Otherwise if we're
18 talking about more, than my point is we talked
19 about focus groups. We talked about
20 workshops. We have talked about town hall
21 meetings. And we talked about public meetings
22 held in conjunction with Board meetings. And

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1 if those are the meetings that we're talking
2 about, then whatever it is we're talking about
3 should be defined in the draft of our guidance
4 documents.

5 MS. BREYER: I think we also need
6 to be clear, like he said, Wanda, as you point
7 out, meetings that NIOSH organized. There are
8 a lot of times where NIOSH doesn't organize a
9 meeting, a meeting is organized, and someone
10 from NIOSH is asked to be there. I don't know
11 whether you consider that worker outreach.

12 I don't know whether it was a
13 Mound meeting. There was a meeting. And
14 someone from NIOSH was asked to be there
15 versus a meeting that NIOSH organizes.

16 So we need to also think about
17 that because if we do a meeting where I am
18 asked to be a guest, I don't consider that a
19 NIOSH worker outreach meeting. But I am asked
20 to come speak to somebody and give them
21 information about something.

22 So yes, there was a meeting that

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1 was held where a NIOSH representative was at,
2 but it wasn't a NIOSH worker outreach meeting.

3 And I think we need to be clear about those
4 types of meetings as well.

5 MR. ZEITOUN: And it is going to
6 be interesting. The people gather themselves
7 to have a meeting and ask you to come in.

8 MS. BREYER: Yes.

9 MR. ZEITOUN: But what is the
10 purpose of that meeting? Is it just to get
11 information from you about the procedures, how
12 to do it?

13 MS. BREYER: Typically. Well,
14 there have been several instances. A lot of
15 times I will come out in my role as SEC
16 petition counselor, Denise, where there is a
17 group of workers maybe interested in filing an
18 SEC petition and they realize that we are
19 available or may not even realize that we are
20 available but may contact us and say, "We're
21 having a meeting" or "The union has made
22 contacts from the union," some of the ATL

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1 folks, and say, "We're having a union
2 meeting."

3 And we have a lot of people who
4 don't have questions about this. We don't
5 know. Can you come out to our meeting, our
6 union meeting, and tell us about this or like
7 the petitioner for Los Alamos, [Identifying
8 information redacted].

9 He was putting together a meeting
10 with a couple of people. And he and I talked.

11 And I said, "Why don't you come out and
12 explain this as well?" And then he and I were
13 supposed to go out there and just sit down and
14 talk with them.

15 We also have people who are
16 advocates, like [Identifying information
17 redacted], who set up some meetings where he
18 wanted us to take information and put together
19 Power Points and have all of these people come
20 in.

21 You know, so you have different
22 reasons why members of the public or whether

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1 it be union groups or advocates or whoever,
2 that they would want to put together a meeting
3 and just want us there.

4 MEMBER BEACH: I think that goes
5 back to, Lori, what happens at that meeting.
6 Are there notes taken? And surely not by you
7 but if the union sets up and takes notes and
8 then they submit those notes to NIOSH, then
9 that is a form of worker outreach that we may
10 want to look at.

11 MS. BREYER: That rarely happens
12 where you don't have notes taken because you
13 may something later where they can provide
14 comments to the Docket Office, but usually you
15 won't see anything happen out of it. It will
16 just be an informational meeting.

17 Now, the one with like
18 [Identifying information redacted], you know,
19 advocates sometimes, they may make it a little
20 elaborate. They had a court reporter there.
21 They made all those notes and documents. And
22 that was verbatim transcripts.

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1 I mean, it wasn't anything
2 necessarily that was going to change or
3 comments on the site profile, comments on an
4 evaluation, just an informative meeting, which
5 will then go to the health physicist or
6 whoever needs to see it.

7 At those meetings, you had health
8 physicists there. They were able to take
9 notes as well and then get the copy of the
10 transcripts and then use the notes how they
11 saw fit.

12 MR. MAURO: This is John. I think
13 you are hitting on something that is very
14 close to home in terms of my experience. I
15 think the greatest frustration a lot of the
16 workers that have called me, petitioners --
17 they will call me very often -- is they feel
18 an urgency to communicate very important
19 information to the program. So that that
20 information is taken into consideration.

21 We right now -- when I say "we," I
22 mean collectively, the Board, NIOSH, SC&A,

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1 NIOSH's contractors -- have the CATI process
2 well in hand. What I mean by that is there is
3 a formal process where information is gathered
4 and then the Board and its contractors have an
5 opportunity as a result of our dose
6 reconstruction reviews to judge the degree to
7 which the information that was gathered
8 through the CATI process is, in fact,
9 reflected in the dose reconstruction.

10 So, I mean, that is part of what
11 we audit. We audit somewhere between one and
12 two percent of all dose reconstructions that
13 have been adjudicated.

14 So I think there is machinery in
15 place right now where the information being
16 provided that is essential to a good dose
17 reconstruction, at least from the point of
18 view of the individual dose reconstructions,
19 is in the machinery.

20 And a great deal of attention has
21 recently been given to the questionnaire in
22 the CATI. So I think that there has been a

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1 tremendous amount of attention and progress
2 made in terms of making that information
3 gathering and the actual use of it documented
4 and audited. And so we are doing that.

5 Now, on the other hand, when it
6 comes to site profiles and SEC petitions, it's
7 my observation that a great deal of
8 information is being gathered by NIOSH. But
9 it's not immediately apparent to me that that
10 information has been documented and
11 communicated to the world at large, that all
12 of this important information was gathered,
13 and the degree to which it was factored into
14 or not factored into the technical documents
15 that are produced.

16 So that there is a degree of
17 frustration by I think the affected community
18 with the site profiles and with the SEC, the
19 evaluation reports, in that the sensibility is
20 that the material that they had tried to
21 communicate is not finding its way into the
22 documents.

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1 The greatest feedback SC&A gets
2 and, in fact, what we do is when we
3 re-interview people, we document as best we
4 can and make available the material that we
5 received. So I think there is a certain
6 degree of satisfaction achieved by that.

7 That is, I think the petitioners
8 and the site experts and the claimants
9 involved when we do the reviews, which is part
10 of our review of the site profile or an
11 evaluation report, the documentation does find
12 its way into the record whereby we have a
13 attachment that we do the best we can to
14 communicate what we have learned. And, in
15 fact, very often what we learn from this
16 material goes toward our commentaries on the
17 work product that NIOSH produces.

18 Where I am headed with all of this
19 is I think that the enormity of information
20 that NIOSH and its contractors collect in
21 preparing its site profiles and evaluation
22 reports -- and correct me if I am wrong. It

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1 is not always apparent the degree to which --
2 and documented -- all of that information was
3 factored into your work products.

4 And I think if it were transparent
5 that a great deal of attention was given to it
6 and factored into and some of it you have
7 adopted to use and some of it you have elected
8 not to give so much weight to and why, that
9 side of the coin I don't think is apparent to
10 the public.

11 Now, I guess, Larry, would you
12 agree that your work products don't reflect
13 the enormity of material that was collected,
14 at least not in an apparent way to members of
15 the public?

16 MR. ELLIOTT: No. I would agree
17 with you that we don't have, in our document
18 reporting referencing regime, we don't point
19 to all of the information that was examined.
20 We only reference that which is we feel
21 relevant to the document itself and the
22 approach that we're laying out in the

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1 document.

2 Certainly we want to take credit
3 for all of the information that has been
4 opened up to the public. This program has
5 done an enormous job in that regard.

6 So, but I'm not sure that, if
7 there's an aspect of this I'm not fully in
8 agreement on, John, it would be the benefit.
9 You know, I mean, you yourself know what our
10 site research database holds for some of these
11 sites.

12 MR. MAURO: Yes.

13 MR. ELLIOTT: And yet, you know,
14 the site profile may only reference a tenth of
15 that site research database.

16 MR. MAURO: Yes.

17 MR. ELLIOTT: So yes, it may be
18 cathartic to the public to know that we've
19 looked at lots of information and we chose
20 only to use this piece of the information.
21 Maybe it wouldn't be so cathartic. Maybe they
22 need somebody like you guys to go in and say,

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1 what's wrong with the 90 percent that wasn't
2 used?

3 MR. ZEITOUN: But I think that your
4 database, your database will correct for that.

5 Is that correct? Am I right? You know, the
6 WISPR was intended based on my readings
7 earlier that it is going to track all the
8 comments and issues that's coming in, how
9 you're going to treat it, and now with the new
10 database, hopefully it will retrieve the WISPR
11 database. But I don't know anything about it.

12 MR. ELLIOTT: Again, I don't know
13 the benefit of doing that, because the
14 program, through the evolution of -- you know,
15 it has matured. And there's different phases
16 within this evolutionary cycle of the program
17 that we could point to that are no longer
18 relevant or applicable. So you're looking at
19 a snapshot in time --

20 MR. ZEITOUN: That has passed.

21 MR. ELLIOTT: -- that has passed.

22 MR. ZEITOUN: Yes. Okay.

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1 MR. ELLIOTT: And so when WISPR
2 was developed by ORAU on a platform that we
3 can't transpose into, as I understand it, into
4 an IT software platform for us. So it would
5 be a lot of hand transfer of information.

6 And then, you know, ORAU had its
7 own designs about WISPR, which, quite frankly,
8 was not a deliverable to us. And so we
9 weren't as interested in what the content of
10 that was, as maybe you are.

11 MR. ZEITOUN: But in general,
12 Larry --

13 MR. ELLIOTT: We didn't see the
14 utility in that.

15 MR. ZEITOUN: Forget about the
16 WISPR in this case. I would agree, if this is
17 going to be a -- you know, this has passed,
18 anyway. But the new database that you are
19 talking about, this is really going forward,
20 and it's going to deal with the aspects that
21 John was raising. It's what the comments you
22 received, the issues have been received --

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1 MR. ELLIOTT: Exactly.

2 MR. ZEITOUN: -- and you are
3 dealing with it.

4 MR. ELLIOTT: Exactly.

5 MR. ZEITOUN: So there will be a
6 complementary database for the technical
7 documents.

8 MEMBER MUNN: Is this a public
9 database? If not, then it doesn't address
10 John's issue here.

11 MR. ELLIOTT: It doesn't.

12 MEMBER MUNN: And this is not --

13 MR. ELLIOTT: It would not be a
14 public database because of that personal --

15 MR. MAURO: I would suggest that
16 we always include an attachment to every one
17 of our site profile reviews, for example,
18 which summarizes, in considerable detail, the
19 information that we acquired, and the area
20 related to the site profile.

21 Now, is it possible that one of
22 the things that -- you know, when you gather

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1 up all of this information, and then you
2 review it, is it possible to include, you
3 know, besides having your site query database
4 that you are going to populate under the new
5 procedure, and certainly that will be
6 available to SC&A to review.

7 So that would be part of the, I
8 guess the suite of information that we'll
9 review, which is good. But in terms of --
10 see, in addition to producing a good technical
11 product on all ends, I'm also very interested
12 in enhancing public credibility and trust.

13 Maybe one thing that could be done
14 is, when you issue a site profile, an
15 attachment be provided which summarizes, as
16 best you can, the information that you
17 gathered from the public in the process of
18 preparing the site profile, summarizing it in
19 a way in how it was used.

20 I'm looking for a way -- and this
21 transcends just let's say the role of the
22 Board in auditing your work or reviewing your

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1 work, because we do that anyway. So we have
2 access to all that information.

3 I guess I'm bringing this up now
4 from the perspective of bringing a certain
5 amount of peace of mind to the affected
6 community, that the information you provided
7 to them was, in fact, taken into consideration
8 seriously, and is reflected in your site
9 profile.

10 And that might be a valuable thing
11 to do, because in my opinion, one of the most
12 difficult parts of this program is public
13 trust and credibility.

14 I would like to hear a little bit
15 more positive feelings. That may not be
16 possible, like you said. I might be just a
17 cockeyed optimist. But I think there might be
18 some things that could be done that at least
19 tries to move that in a direction where -- and
20 I think all of your outreach activities that
21 you've been describing is really an attempt to
22 do that.

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1 All I'm saying is one more thing
2 that might be valuable is including an
3 appendix that captures that, summarizes the
4 review, the data you've gathered, and how it
5 was factored into your work products.

6 MR. MAKHIJANI: May I say
7 something on that point? This is Arjun. I
8 think quite apart from the public credibility
9 aspect, or enhancing it or whatever, just the
10 process of putting together the main issues
11 that arise out of integrating the interviews
12 in that way under issue headings, which is
13 what we do in the summaries, kind of gives the
14 preparer of the technical analysis, you know,
15 the chance to look at what input is useful.

16 And then, you know, when you write
17 the site profile, or when we write the site
18 profile review, it's easier for us to refer to
19 that document and show where we made use of
20 it, so it makes it much more transparent.

21 And so I think just technically
22 bringing the issues together under one summary

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1 is a useful analytical exercise, because it
2 allows you to examine what's being said apart
3 from the personal things, or individual case
4 things that may come up when you interview
5 workers.

6 CHAIRMAN GIBSON: Ted?

7 MR. KATZ: This conversation, and
8 I think it's been -- it's useful, but it's
9 bouncing around between what are objectives
10 and detailed issues of process and so on. And
11 I think it would be good to -- if you want to
12 get your framework and then drill down from a
13 framework, get the framework straight.

14 It seems to me, from what I've
15 heard, there are two goals, possible goals
16 here, for being evaluated: how well is the
17 program writ large, meaning everybody
18 involved, how well is the program informing
19 the public, and how well is the program being
20 informed by the public?

21 If those are your two goals, then
22 just, speaking to what Vern raised earlier,

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1 you know, in evaluation, you have process
2 issues, and you have outcome issues.

3 And the process, you've talked a
4 lot about process issues, what should be in a
5 site profile appendix or what have you. But I
6 mean, this Working Group can evaluate how well
7 the processes are for informing and for being
8 informed, includes things, like Josie said,
9 how do you choose where to go to, I mean, all
10 of those things. That's all process.

11 So you can have, then, process
12 evaluation, how well are we informing the
13 public, and then how well are we being
14 informed, which means finding the public,
15 getting them involved, all of that, and then
16 making use of the information they give.

17 So you can set up that framework:
18 how well are we informing, how well are we
19 being informed, process evaluation, and then
20 outcomes.

21 And the outcomes, you know, when
22 you go with the question -- we spoke earlier

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1 about how well are we informing the public.
2 As Larry and a number of people mentioned,
3 it's very difficult to deal with that in the
4 sort of meta scale that John talked about,
5 where all sorts of elements of this program
6 are affecting, as well as the world at large
7 is affecting how the public perceives this
8 program.

9 It's very hard to evaluate
10 outcomes there, but you can evaluate sort of
11 close outcomes, like is the information being
12 provided. So it's more sort of process
13 measure, but sort of as close to outcome as
14 you can get. Are the site profiles including
15 credits for input given by the public and so
16 on?

17 And then in terms of impact or
18 outcomes in terms of how well are we making
19 use of information in this public, obtaining
20 and making use of it, when I think there you
21 can do pretty good analysis on, was the right
22 information obtained, and was it actually put

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1 to use? I mean, I think you can do some of
2 that. But once you have that framework, I
3 think then the working group -- you know, the
4 way to go at it.

5 The process things, of course, you
6 can look at the processes. You can look at
7 site profile documents and so on. I mean, you
8 can organize yourself that way, decide which
9 are the most important vehicles to evaluate.

10 When it comes to outcomes, I think
11 you'll probably want to choose some case
12 examples. You know, let's see how well this
13 worked for Mound, or let's see how well --

14 But I think if you don't narrow
15 your focus to some very particular outcomes,
16 you'll be overwhelmed with just sort of
17 anecdotal a little piece here about this
18 particular site, a little piece there about
19 what went on with that particular site.

20 I think you'll want to be very
21 organized and select a few cases to look at,
22 you know, what were the outcomes in terms of

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1 how well did we obtain information for the
2 public for this site and put it to use.
3 That's just a suggestion because it --

4 CHAIRMAN GIBSON: And I agree. I
5 think we need to get a little more focused
6 here. And I, personally, and unless the rest
7 of the workgroup sees it differently, I think
8 it's very important how the public perceives
9 the program. But I see that as a little bit
10 outside of this workgroup.

11 I think we look at the outreach
12 that goes on, and we may suggest there needs
13 to be additional outreach, and the outreach
14 that does go on, we're going to look at how
15 the input is taken, and how the input is used
16 or not used, and how it's evaluated.

17 But to try to come up with
18 something that's going to help the public
19 perceive this program better and the
20 information they provide, I see that as a
21 little bigger than this workgroup, personally.

22 So if it's okay with everyone,

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1 let's maybe take a ten-minute break. And then
2 we'll come back and try to focus back into
3 this draft mission statement, and do a little
4 bit more.

5 (Whereupon, the foregoing matter
6 went off the record at 10:54 a.m. and resumed
7 at 11:22 a.m.)

8 MR. KATZ: Okay. This is the
9 Worker Outreach Working Group, and we're just
10 coming back online. Let me just check. Phil,
11 do we have you back on the phone?

12 MEMBER SCHOFIELD: I'm still on
13 the line, Ted.

14 MR. KATZ: Great. Thanks. Okay.
15 Larry had something.

16 MR. ELLIOTT: Yes. I want to
17 provide a point of clarification that goes
18 back to our discussion earlier this morning
19 when Kathy was speaking about the ORAU
20 procedure 97.

21 Mary Jo Zacchero, who is in the
22 room, reminded me that ORAU wants it made,

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1 procedure 97, obsolete. It picked up ORAU
2 procedure 0031 and revised it.

3 This is the procedure that tells a
4 person how to develop a technical basis
5 document. And in that, it speaks to what a
6 person, an author, and I think a team leader,
7 are responsible for regarding worker input
8 given to a particular TBD.

9 So I just want to make sure that
10 folks understand that, while ORAU procedure 97
11 is no longer in use, ORAU has another
12 procedure that does speak to how worker input
13 is to be handled.

14 MEMBER SCHOFIELD: Larry, I've got
15 a quick question for you. This is Phil.

16 MR. ELLIOTT: Okay.

17 MEMBER SCHOFIELD: When the
18 Department of Labor does any kind of outreach,
19 do they give you that information or that data
20 they've collected?

21 MR. ELLIOTT: Well, I don't know
22 what data you're talking about. I mean, they

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1 tell us --

2 MEMBER SCHOFIELD: So this is
3 basically like the comments from the workers
4 or the people that they've met with. Is that
5 information supplied to NIOSH from the
6 Department of Labor?

7 MR. ELLIOTT: No, no. The town
8 hall meetings that I've attended with DOL -
9 Lori can support me here as well - we don't
10 see them collect information from those town
11 hall meetings. So there's nothing to give us.

12 You know, we take our own notes,
13 and we interact with people as appropriate if
14 necessary, but we don't see anything coming
15 from DOL as far as data collected.

16 MEMBER SCHOFIELD: Okay. Thanks.

17 MR. ZEITOUN: So what's the
18 purpose of DOL meetings?

19 MR. ELLIOTT: To let people vent.

20 MR. ZEITOUN: That's it?

21 MR. ELLIOTT: You know, they go in
22 with a purpose like, we're here to talk about

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1 the new SEC class that's been added to that
2 site. That's one reason they have a town hall
3 meeting. How are we going to adjudicate
4 claims under that new class? They explain
5 that, but typically it turns into, we're not
6 happy.

7 MR. ZEITOUN: Yes.

8 MR. ELLIOTT: You know, we hate
9 the program.

10 MR. ZEITOUN: It's a psychological
11 approach to a -- make everybody happy.

12 MR. ELLIOTT: Yes, at least give
13 them an opportunity to vent their
14 frustrations.

15 MS. BREYER: The DOL Ombudsman's
16 Office, when they go out on meetings, that's
17 all it's really for is for him to be able to
18 collect comments from people because, you
19 know, he'll say his office really can't do
20 anything, but they're there to listen to the
21 frustrations of the claimants, because they
22 report to Congress the problems that they see

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1 or that they hear most often.

2 The DOL meetings, I've already
3 said they'll go and say, an SEC class has been
4 added, here's what we're going to do, or --

5 MR. ELLIOTT: Or if they go to
6 recruit claims. Another reason they hold a
7 town hall meeting is to recruit claims. And
8 in that, they give an overview of the program,
9 and here's what you've got to do to be
10 eligible, and here's what you've got to do to
11 file a claim, you know.

12 MR. ZEITOUN: One issue that comes
13 to my mind, because I do the Outreach Program
14 from a different perspective, I do it from the
15 NEPA standpoint, you know, the general public,
16 you know, everybody's interest.

17 How do you advertise for your
18 program? Do you have a -- you know, I don't
19 know. How do you advertise for it to bring
20 people out to talk to you and exchange
21 information?

22 MR. ELLIOTT: So that would depend

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1 upon the type of outreach effort, the purpose
2 we have for reaching out. If it is an SEC
3 counselor, ombudsman session, they'll put a
4 notice in the paper --

5 MR. ZEITOUN: Newspaper.

6 MR. ELLIOTT: -- they'll talk to
7 retiree groups, and any way they can get the
8 word out.

9 MS. BREYER: Send out letters to
10 any claimants they have in the system.

11 MR. ELLIOTT: Send out letters to
12 claimants in the area.

13 MS. BREYER: -- in the area,
14 unions. We'll talk to unions.

15 MR. ELLIOTT: If it's our public
16 health advisors attending the Board meeting
17 and setting up interviews, we send letters to
18 all active claimants in that area encouraging
19 them to schedule a meeting. We'll put a
20 notice in the paper of the Board meeting and
21 the fact that a claimant would have an
22 opportunity to talk to NIOSH staff.

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1 MR. ZEITOUN: Excellent. So the
2 reason advertisements --

3 MR. ELLIOTT: But it varies.

4 MR. ZEITOUN: -- there are
5 advertisements is to allow for people to
6 understand that there is something related to
7 that.

8 MR. ELLIOTT: We also post it on
9 our website. We post a calendar of events on
10 our website. And we share our calendar of
11 outreach events with Department of Energy and
12 the former workers' screening programs. This
13 is a relatively recent coordination effort,
14 because DOE and its former screening program
15 managers, they have a set of outreach efforts
16 that they do, too. And we don't want to be,
17 you know, chewing up the same people at the
18 same time.

19 MR. ZEITOUN: Right, right.

20 MR. ELLIOTT: So we try to
21 coordinate on that. And that gets -- you
22 know, the fact that we're coordinated that way

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1 gets out there among the local members of the
2 public if they are so engaged in the former
3 worker screening program, don't know about the
4 NIOSH effort coming down the line.

5 MS. BREYER: We'll also let
6 congressional staffers in the area know if we
7 know that their roles are very active. I
8 mean, if we know of active ones. We don't go
9 and call congressional offices, but when we
10 have ones that regularly contact us, because,
11 you know, a lot of times they are involved
12 with their constituents. So they can -- if
13 they're active. You know, and the letters.

14 And like Mark was just saying, if
15 the union knows of local radio stations,
16 they'll contact the local radio stations, or
17 they'll let us know, and we'll contact -- put
18 out a press release. And we'll let DOL know.

19 The Board members know, it goes on the
20 website.

21 That can still be hard. It's like
22 Brookhaven National Lab. You know, we really

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1 -- that one was just a general town hall-style
2 meeting that we had last time because, you
3 know, this goes back to Josie's question about
4 how do we decide where we're going to have
5 meetings.

6 We had a worker outreach meeting,
7 or a workshop. And some of the people, the
8 union members from Brookhaven National Lab
9 came, and the IBEW. And they were talking
10 about the site. It has been around for 60
11 years. Twenty thousand, forty thousand
12 employees have been in and out of the site.

13 And I looked in our system. We
14 only have like 30 claims. I mean, there is a
15 very small amount of claims. We contacted
16 DOL. They said they had done a ton of
17 outreach out there, and that just seemed odd
18 to me. So we decided Grady was going to be
19 working on the evaluation report.

20 We decided to go out and explain
21 the program, sent out letters, but with very
22 few claims, there weren't a lot of letters we

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1 could send out. Sent out a couple of press
2 releases, but no local media picked it up,
3 contacted the union and the retirees' group,
4 invited DOL. DOL was out with us. And we
5 still probably had maybe five people at each
6 meeting.

7 You know, so some sites, it's hard
8 to drum up interest.

9 MR. ZEITOUN: Because when they
10 retire, they spread all over the country, you
11 know.

12 MS. BREYER: They can, but at
13 Brookhaven, there's a local retirees' group
14 that still live in the area. And they also
15 have a newsletter that goes out to current and
16 former workers. We posted it in there about
17 the meeting, as well.

18 So some places are more difficult
19 than others. You know, some communities you
20 can send out just five letters and get 100
21 people to show up. Other times you can send
22 out 200 letters and get five people to show

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1 up. So -- but we try to get every avenue we
2 can.

3 MR. ZEITOUN: Good. Thank you.

4 MR. ELLIOTT: Vern, you had
5 something?

6 MR. McDOUGALL: No.

7 CHAIRMAN GIBSON: Okay. Whoever
8 is going to go through that.

9 NIOSH OUTREACH TRACKING SYSTEM

10 MR. ELLIOTT: Well, I'm sorry. We
11 had hoped to be able to show you on screen
12 here the database that Mary and J.J. and folks
13 at NIOSH have created.

14 So I guess you all have a copy of
15 this little pamphlet, which can serve as
16 almost a user's guide, I think, in a way. But
17 I'll let J.J. or Mary walk you through this.
18 And I apologize again for technical --

19 MS. ELLIOTT: I actually did some
20 internet work that shows me how to do this.
21 So I can get this done, and we can look at it.

22 But the system is basically a

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1 pretty comprehensive listing, or a system to
2 not only notify people of meetings, but also
3 to, as the outreach event progresses or nears,
4 you can go in, edit things.

5 But anyway, we started out with,
6 when you put it in the meeting, you go to the
7 home screen, and you can select a site from a
8 list of drop-downs.

9 MR. KATZ: Again I just note for
10 the folks on the phone, this is the NIOSH
11 Outreach Tracking System. And there is a
12 brochure. And for the folks on the phone, we
13 won't make it for this meeting, but we'll get
14 you copies.

15 MS. ELLIOTT: Okay. Maybe I
16 should go back and give an overview of the
17 system. It's an application that is
18 acceptable through the OCAS staff tools. It's
19 designed to serve as a repository for all the
20 available records relating to worker outreach
21 events. It includes a tracking function for
22 site and meeting action items, which we've

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1 talked about in the meeting so far, and also
2 gives the OCAS HP who deals with that a chance
3 to make a resolution in a timely manner.

4 And basically it's a read-only
5 application for most users, but several users
6 are given the right permissions to enter data
7 for meetings, and to edit the different parts
8 of the system.

9 So that being said, you all, at
10 least the Board members, have received an
11 e-mail notifying them of an upcoming event.
12 And to do that, first we have to add the
13 worker outreach meeting to the system, going
14 through the home screen and picking the site.

15 And when you enter the new
16 meeting, it gives you an opportunity to put in
17 all of the specifics relating to the meeting,
18 such as the time and the place, who the
19 interest group is, and any notes or comments
20 about why the meeting was organized, or that
21 sort of thing.

22 So basically going through the

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1 figures, you know, they're all pretty
2 self-explanatory based on what I just told
3 you.

4 MEMBER BEACH: So you said we will
5 be sent an e-mail, and that will let us know
6 that we can go check the specifics of that
7 meeting? Is that correct?

8 MS. ELLIOTT: No. I don't know
9 what you're at at this point, but the point of
10 this is getting a new meeting into the system
11 as an event. And then after the meeting is
12 entered, there is the opportunity, if you look
13 at figure 1B-1, once that meeting is entered,
14 you'll see this sort of screen, and we would
15 see this sort of screen in home screen.

16 And in order to send a meeting
17 notification, we can go in and select a list.

18 Let's see --

19 MR. ELLIOTT: If I can help you,
20 Mary --

21 MS. ELLIOTT: Yes.

22 MR. ELLIOTT: She's describing a

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1 feature of this system where we enter a
2 meeting for a site, for Mound, and we can
3 select, if you see on 1B-1 here, the group
4 that is going to distribute that.

5 MEMBER BEACH: Right, but she had
6 started it with an e-mail to the Board. And
7 that's where I was --

8 MS. ELLIOTT: Well, okay.

9 MEMBER BEACH: -- I just wanted a
10 clarification on that.

11 MS. ELLIOTT: After the meeting is
12 entered, then the email will be sent.

13 MEMBER BEACH: That's what I was
14 wondering. Thank you.

15 MS. ELLIOTT: Okay. I'm sorry.
16 If I had the screen, it would be so much
17 easier.

18 MEMBER BEACH: No. That's okay.

19 MS. ELLIOTT: So the next shows
20 how we have a list of contacts. And you can
21 toggle through the list and select, or you can
22 create a new list.

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1 For this meeting, in particular,
2 that we have entered as a mockup, I just
3 selected J.J. and myself as a test group. So
4 I went in and created the list. And it shows
5 basically how to do that.

6 And then you can also add new
7 general contacts. And I'll skip over that
8 part. But figure 1B-6 is a screen that we get
9 when an email is ready to send. And it pulls
10 up the meeting, and you have a chance to edit
11 your email. But basically it gives the
12 meeting information, and when you send the
13 email, it goes to your group.

14 And the next sheet, the figure
15 1B-7, is an example of the email, which most
16 of you have seen. I think we sent some in
17 February.

18 But anyway, that's the first part
19 of this system. It's a notification system of
20 the new meetings.

21 MS. ROBERTSON-DEMERS: Can I ask a
22 question about that?

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1 MS. ELLIOTT: Sure.

2 MS. ROBERTSON-DEMERS: Are the
3 SC&A contacts in this --

4 MS. ELLIOTT: I don't believe they
5 are at this time.

6 MS. ROBERTSON-DEMERS: -- system?

7 MS. ELLIOTT: I don't believe they
8 are, but they can be added. I'm not sure. I
9 can't speak to that.

10 MR. ELLIOTT: They will be added,
11 yes. I don't know if they're in there yet or
12 not.

13 MS. ELLIOTT: No, they're not. I
14 don't have the information.

15 MR. ELLIOTT: But we will add them,
16 Kathy.

17 MS. ELLIOTT: Okay. Tab 2 is
18 basically an overview of the site information.

19 You can select the site from the drop-down
20 list in the home screen to select any site
21 specifically that you want to.

22 And in this case, I selected

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1 Hanford, which is figure 2-1. And when you
2 select a site, it brings up all of the events
3 that have been held or will be held at that
4 site.

5 So if you go on to the fourth page
6 of that, figure 2-3, I selected this worker
7 outreach meeting in particular because it's
8 our workshop that we held in March, and it
9 shows that we can use more than one site for a
10 meeting. You can enter more than one site.

11 But if you look at this, this
12 gives you basically all the meeting
13 information, or all the description of the
14 meeting in the database layout kind of form or
15 spreadsheet kind of form, actually.

16 Also, if you note at the bottom,
17 the site action items and the site files,
18 those can be added. And for instance, the
19 Savannah River site, they had some SEC
20 meetings where we went down and spoke to
21 workers.

22 And if there is an action item

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1 where the HP for that site needed to organize
2 a group or whatever, he could put it there,
3 and then do the resolution or whatever.

4 Site files may be an email to a
5 specific interest group about information
6 coming up about a site. And we've done that
7 several times with some of the SECs that were
8 coming up for qualification, like to notify a
9 union or an organization that there was a
10 petition that had been filed.

11 MR. ZEITOUN: Mary, forgive me.

12 MS. ELLIOTT: Yes, sir?

13 MR. ZEITOUN: This information is
14 sent also to the point of contact --

15 MS. ELLIOTT: No.

16 MR. ZEITOUN: -- or people that go
17 through the database --

18 MS. ELLIOTT: This is when you are
19 looking at the information, yes.

20 MR. ZEITOUN: Okay.

21 MS. ELLIOTT: Yes.

22 MR. ZEITOUN: I just want to know.

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1 MS. ELLIOTT: This will be what --

2 MR. ZEITOUN: Because these are
3 very useful information, you know, because
4 from our interest at SC&A, we are usually
5 trying to seek it. But this is great.

6 MS. ELLIOTT: We are trying to
7 make it very, very detailed, to the point
8 where somebody who is not familiar with the
9 background can at least get a basic
10 familiarity of it.

11 So these next couple of figures,
12 figure 2-4 and 2-5, show the screens where you
13 enter new site action items or site files. So
14 we can move on to tab 3 unless you have a
15 question.

16 MR. ELLIOTT: What is this
17 populated with now, Mary?

18 MS. ELLIOTT: Okay.

19 MR. ELLIOTT: What is section 2
20 populated with? We know it -- I want to be
21 clear for the record.

22 MS. ELLIOTT: Okay. Clear for the

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1 record that, at this point, all historic
2 NIOSH-initiated meetings, or the basic
3 information for a meeting is in the database.

4 MR. ELLIOTT: NIOSH.

5 MS. ELLIOTT: NIOSH-initiated
6 meetings.

7 MR. ELLIOTT: So it doesn't
8 include the previous ORAU --

9 MS. ELLIOTT: Yes.

10 MR. ELLIOTT: It does?

11 MS. ELLIOTT: Not as far as site
12 files, but as far as just the information for
13 the meetings that have happened in the past at
14 this point.

15 MR. ELLIOTT: All right.

16 MS. ELLIOTT: In fact, in tab 4, I
17 have included a comprehensive listing of all
18 of the meetings that have been entered in
19 here.

20 MEMBER BEACH: Mary, do you have
21 another one of these? My tab 2 only has one
22 page.

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1 MS. ELLIOTT: Okay. So anyway,
2 just for future reference, I'm not going to go
3 over tab 4 and 5. But tab 4 has a
4 comprehensive listing of all of the meetings
5 that have been held to date.

6 Tab 5 is the procedure 12, just
7 for future reference, if anybody needs that.
8 So we're going to go back to the overview of
9 the meeting information.

10 And you can start on the home
11 screen to do this.

12 MR. McDOUGALL: What tab is this?

13 MS. ELLIOTT: Tab 3. The overview
14 of the meeting information.

15 MR. ZEITOUN: Can I ask another
16 question? I'm sorry.

17 MS. ELLIOTT: Yes, sure.

18 MR. ELLIOTT: Sure. Please.

19 MR. ZEITOUN: The yellow
20 highlights --

21 MS. ELLIOTT: Yes.

22 MR. ZEITOUN: -- does it have any

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1 significance of that?

2 MS. ELLIOTT: I just selected that
3 one to show that you can --

4 MR. ELLIOTT: Illustration
5 purposes?

6 MS. ELLIOTT: Yes. If you did
7 select that hourglass, it would open up just
8 that meeting.

9 MR. ZEITOUN: Okay.

10 MS. ELLIOTT: And you'd have all of
11 that specific meeting information, which we're
12 going to go into next.

13 MR. ZEITOUN: Thanks.

14 MS. ELLIOTT: Okay. So basically
15 from any screen in the Outreach Tracking
16 System, you can look at meetings. There are
17 some drop-down tabs at the top. And you can
18 see those on figure 3-1.

19 At the top, the very top there, it
20 says, Meetings. And when you pull the
21 drop-down, you can either add a meeting or
22 view meetings, but then it's broken up by View

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1 all meetings, View open meetings, or View
2 closed meetings.

3 MR. ZEITOUN: But you're saying
4 open meeting is the coming up, the ones that
5 are coming in the future.

6 MS. ELLIOTT: Correct. And those
7 are defined here in this overview that I
8 wrote.

9 MR. ZEITOUN: Right.

10 MS. ELLIOTT: Basically on the
11 home screen of the meeting screen, you're
12 going to see anything that's still open for
13 all sites. Say if we had five meetings
14 scheduled, there would be five listings there.

15 You could go into any one of them
16 by using the hourglass, and that's a read-only
17 function at this point for most people, or you
18 can filter by sites. Where it says, Filter
19 site, there's a drop-down list, and you can
20 choose any site to see only meetings for that
21 site. That's the same for any of these three
22 tabs, whether it's all, or open, or closed.

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1 So figure 3-2 I've pulled up again
2 Hanford for the closed meetings. I've
3 filtered out the Hanford site for the closed
4 meetings, and the listing there is all the
5 meetings, outreach events, we've had for
6 Hanford.

7 And if you go on to figure 3-3,
8 which is a few pages back, again I highlighted
9 the hourglass to show that you go to this
10 particular meeting by doing that.

11 And if you flip on, then figure
12 3-4 shows what the meeting screen is like. So
13 in particular, in 3-4, it shows that we had
14 this NIOSH workshop on dose reconstruction and
15 special exposure cohort in March, and the
16 audience was a group of invited individuals
17 that were interested in this process. And
18 then the notes have a little more specific
19 information about the meeting.

20 There's also the ability to add
21 multiple sites. And you can do that using the
22 little clock down there.

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1 MR. ELLIOTT: These were the sites
2 that were represented at that workshop?

3 MS. ELLIOTT: Right. If an HP at
4 that meeting had an item they wanted to
5 address and they wanted to do it within a
6 specific amount of time, they can enter an
7 action item.

8 And, again, figure 3-5 shows how
9 to add that. For that particular meeting,
10 there are no action items. We have not
11 populated anything with capped action items in
12 any meetings at this point, but for the future
13 on, we will be working with getting those
14 action items in, getting the time frame set to
15 complete the action item.

16 And then there is an e-mail
17 notification system. If that date goes over,
18 then the HP is made aware that, "Hey, you said
19 you were going to do this. But you haven't.
20 So let's get it done."

21 We can also add --

22 MR. ELLIOTT: So we are giving

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1 them the suspense trigger here.

2 MEMBER MUNN: Right. I can see
3 that, yes.

4 MS. ELLIOTT: Also we have the
5 ability to reach a group of people through
6 using the NOCTIS system. Say if for a
7 particular outreach event we wanted to invite
8 all of the claimants that were in a 50-mile
9 radius of that site.

10 Then we would send a template to
11 our technical solutions team. They would
12 generate all of those names. And then we
13 would send those out. So we could reach
14 however many people that would be in that
15 list.

16 MR. ELLIOTT: And then so those
17 would be shown under "Meeting Notifications?"

18 MS. ELLIOTT: Yes, they would.
19 And then we would show what group that we
20 reached out to and --

21 MR. ZEITOUN: Can I ask you a
22 question and even go back to 3-6?

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1 MS. ELLIOTT: Yes, sir.

2 MR. ZEITOUN: How do you define
3 recipient criteria? What is the meaning of
4 that in a simpler --

5 MS. ELLIOTT: Okay. For example,
6 if the meeting is an SEC town hall meeting for
7 Brookhaven --

8 MR. ZEITOUN: Right.

9 MS. ELLIOTT: -- and we want to
10 invite everyone who has an interest via a
11 claim. There would be information in NOCTIS
12 for those people --

13 MR. ZEITOUN: Right.

14 MS. ELLIOTT: -- their addresses,
15 their contact information. And the NIOSH
16 technical solutions team has the ability to
17 query their system to pull out a certain group
18 of people; for instance, any claimant who
19 lived within a 50-mile radius of the
20 Brookhaven site.

21 MR. ZEITOUN: So this would be
22 stated in here?

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1 MS. ELLIOTT: Yes.

2 MR. ZEITOUN: Why did you select
3 this group? Why did you invite these people?

4 As you define it in here, this is exactly the
5 definition for --

6 MS. ELLIOTT: This would be the
7 definition for a technical solutions team to
8 pull the query for those names.

9 MR. ELLIOTT: Who gets notified?

10 MS. ELLIOTT: Right.

11 MR. ZEITOUN: So you have that in
12 a database in this case. You put this
13 criteria, it's already well established. By
14 the time you put them in, it will be pulled
15 in, into this.

16 MS. ELLIOTT: Absolutely. Also
17 when a meeting is arranged and as it
18 progresses through this cycle going to
19 closure, we have the ability to add the files
20 that relate to that meeting. And that is in
21 figure 3-7. And the people who write
22 permissions can add any file that is related

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1 to that meeting.

2 So here this one, in particular,
3 shows where we have -- it shows the
4 presentations. It shows any communications we
5 had with the people that were at this meeting.

6 It shows the minutes -- well, if there were
7 minutes of the meeting, if it was a public
8 outreach meeting or whatever, there would be
9 minutes listed in here.

10 So any file that has to do with
11 this particular meeting is here. And by
12 clicking on the file name, whoever is looking
13 at it can view the file.

14 MR. ELLIOTT: If this was an
15 interview, set of interview notes, then the
16 DOE-approved notes would be here. And a
17 summary that would be used for public display
18 would be sent here.

19 MS. ELLIOTT: Right, anything that
20 would be useful to the HP in analyzing what
21 needs to be known, I guess.

22 MS. ROBERTSON-DEMERS: Can I ask a

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1 question?

2 MS. ELLIOTT: Sure.

3 MS. ROBERTSON-DEMERS: Go back to
4 figure 3.2.

5 MS. ELLIOTT: Okay.

6 MS. ROBERTSON-DEMERS: Are these
7 all the meetings in the system for Hanford?

8 MS. ELLIOTT: Yes.

9 MS. ROBERTSON-DEMERS: Okay.

10 MS. ELLIOTT: When you view closed
11 meetings and filter a site, it will be any.

12 MR. ELLIOTT: The closed meetings.
13 This is all the closed meetings.

14 MS. ELLIOTT: Right. You could
15 also look at all of the meetings, but this, in
16 particular, I wanted to show that it will pull
17 up closed meetings by selecting that site
18 under closed meetings. These are past.

19 MS. ROBERTSON-DEMERS: So if, say,
20 Sam Glover and crew came out and they brought
21 in a small group of HPs to interview --

22 MS. ELLIOTT: Now that would be a

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1 different sort of thing. That is not by --

2 MR. ELLIOTT: Should be in here,
3 but it is not in here. We want that in here,
4 but right now what she has populated this with
5 is those meetings that Mary knew about and had
6 been tracking.

7 MEMBER MUNN: As worker outreach.

8 MR. ELLIOTT: And this goes back
9 to what we were talking about earlier. And
10 now we haven't engaged our health physicist
11 point of contacts for sites fully yet to make
12 sure that they are operating within the system
13 the way that we want them to. That is coming.

14 MS. ELLIOTT: That's all. The tab
15 4 is the closed meetings, and that goes from
16 the first outreach in 2003 with the workers at
17 Savannah River site. And it goes all the way
18 up through our latest, which was actually a
19 meeting that Lori and Mark went to.

20 MR. ELLIOTT: This is a work in
21 progress. We wanted something that had broad
22 utility for the Outreach Program and tied in

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1 with other parts of the program, like dose
2 reconstruction, SEC petitions, those kinds of
3 things.

4 And certainly we are interested
5 and we would welcome thoughts and comments
6 about what bells, whistles, and features to
7 add to this that we are confident that we can
8 add those kinds of things. We just haven't.

9 We wanted to show what we have got
10 thus far. And we're starting to work with it
11 now. And so it can be improved upon and
12 modified as --

13 MEMBER BEACH: Well, I think our
14 workgroup will probably task SC&A with
15 reviewing or auditing or however we describe
16 that. How soon will we be able to have access
17 to go ahead and get on that system?

18 MR. ELLIOTT: Do we have an answer
19 on that, J. J.?

20 MR. JOHNSON: What was that again?

21 MR. ELLIOTT: Do you know how soon
22 the Board members and SC&A are going to have

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1 access to this?

2 MR. JOHNSON: It all depends upon
3 based upon the feedback I've gotten is their
4 security within the TST process.

5 MEMBER BEACH: So once we're
6 through the security process, will we have
7 automatic access or will we have to go in and
8 get passwords for this system?

9 MR. JOHNSON: I can't answer that
10 one.

11 MR. ELLIOTT: Let's get an answer
12 from Leroy. And we'll provide the Working
13 Group an answer from our TST folks. This is
14 housed, resident in what we call our NOCTIS
15 tools, which is -- not NOCTIS tools. It's
16 OCAS tools, OCAS tools. And so in that suite
17 of applications, this exists.

18 The SEC viewer, which is another
19 database application for our SEC petitions,
20 NOCTIS, our claims tracking system, they're
21 all housed in the suite of tools, application
22 of tools.

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1 And it's not clear to me whether
2 or not the IT folks are going to place the
3 Board and SC&A into that or there will be
4 another set-aside, replicated version of this
5 that you can get access to. So we will have
6 to find out where Leroy is at on all of that.

7 I know you want access to this as
8 soon as you can. And we would like that, too,
9 but --

10 MEMBER MUNN: This is an
11 excellent, excellent body of information I
12 have.

13 MR. MAURO: This is John. I've
14 got a quick question. Right now we compile
15 individual interviews, whether we're reviewing
16 the site profile, SEC petition, and we have
17 notes taken by person. And then, of course,
18 we collect them all up and write attachments
19 that go into our major products that we submit
20 to the Board.

21 Is it envisioned that the
22 individual interview notes that we collect

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1 during this process will make it into this
2 database as part of the overall program-wide
3 database for outreach?

4 MR. ELLIOTT: John, this is Larry.

5 We envision not only your interview notes
6 that are released from DOE's review. Any
7 summary you put together of those notes as
8 well as our interview notes and summary would
9 be placed in the site research database folder
10 for that site.

11 And where you see -- you don't
12 have the luxury of this, John, but on these
13 screen shots that Mary has shown the members
14 present here, there are files that we can then
15 have a link to that site research database
16 that says, "SC&A Interview Notes," "SC&A
17 Summary."

18 MR. MAURO: So, in principles,
19 everything that anyone could really wish to
20 have in terms of at their fingertips related
21 to information acquired from outreach
22 programs, information collection programs,

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1 will in theory in the future, once this is off
2 and running, be present and available to the
3 program team. That includes NIOSH, the Board,
4 and its contractors. Is that a fair
5 statement?

6 MR. ELLIOTT: Yes.

7 MR. MAURO: That being the case,
8 then --

9 MR. ELLIOTT: J. J.? J. J. wants
10 to correct me perhaps.

11 MR. MAURO: Go ahead.

12 MR. ELLIOTT: I have my vision.

13 MR. JOHNSON: It's a good vision.

14 (Laughter.)

15 MR. JOHNSON: The information
16 needs to go into the SRDB. And then the SRDB,
17 the information is retrieved from there. How
18 the information from SC&A interviews gets into
19 the SRDB is one issue. It could be also
20 presumed that it can go through the OTS
21 process --

22 MR. ELLIOTT: Which is? OTS?

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1 That's this process?

2 MR. JOHNSON: Right. but it
3 would have to get to us somehow in order for
4 it to go in there because we are the ones that
5 put the documents in the system.

6 Additionally, when it comes to
7 getting OTS documents into the SRDB, we have
8 to work with ORAU in order to set up a process
9 so that once instead of putting it in OTS and
10 then having ORAU put it into the SRDB or into
11 another system over there, we want to do it
12 once.

13 So doing it once, we would give it
14 to ORAU. ORAU would input it into the system.

15 It would go into the SRDB as well as
16 straightforward from there so that we don't
17 have duplication, we don't have to make CDs.

18 But it could also go from -- and
19 then the reason I said that is because ORAU
20 has an SRDB. OCAS has an SRDB. And they
21 talk, but they don't talk.

22 MR. ELLIOTT: We both populate.

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1 MR. JOHNSON: We both populate.

2 MR. ELLIOTT: And then they both
3 get replicated.

4 MR. JOHNSON: That's right. And
5 what I do is make sure that it is only
6 populated once and it is replicated in both at
7 the same time as a mirror image. So it has
8 got to go to ORAU and then come back over to
9 us on our SRDB.

10 MEMBER MUNN: Now, okay. Just a
11 moment. For those of us who are functioning
12 at 15 percent today, tell me what SRDB means.

13 MR. ELLIOTT: SRDB is a site
14 research database.

15 MEMBER MUNN: Okay.

16 MR. ELLIOTT: ORAU manages that
17 database.

18 MEMBER MUNN: I just needed to
19 know its name. I thought I was hearing DD for
20 one thing.

21 MR. ELLIOTT: No.

22 MEMBER MUNN: All right. Got it.

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1 Thank you.

2 MR. ELLIOTT: And the OTS is the
3 Outreach Tracking System.

4 MEMBER MUNN: I've got that in
5 front of me. I can read this part.

6 MR. ELLIOTT: And to get at, John,
7 I think what J. J. is answering your question
8 --

9 MR. MAURO: He is.

10 MR. ELLIOTT: -- is that right now
11 let's say we're talking about Mound and Brant
12 is interested in the SC&A interviews that were
13 done at Mound back in the day.

14 MR. MAURO: Yes.

15 MR. ELLIOTT: And so as soon as
16 DOE has cleared those and you have a cleared
17 version and you have a written summary,
18 somebody at SC&A would turn those over to
19 Brant.

20 Brant would then be responsible to
21 see that J. J. either got them or that J. J.
22 knew they were going to get entered into the

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1 SRDB so that OTS could pick them up.

2 MR. MAURO: What I am hearing is
3 wonderful. Let me explain where I am headed
4 with this because I have something in my head
5 now, that all of the information regarding
6 what has been provided to NIOSH and to the
7 Board and SC&A by all of these different
8 parties that we gather information from is
9 going to populate this database.

10 The mechanics of it, of course,
11 are going to be challenging. It will take
12 some time. We have been through that with
13 regard to the Procedures Workgroup, getting
14 everything mechanized and linked up.

15 But it sounds to me that the
16 intent is to load this information and so that
17 it is accessible. Given that, then I guess I
18 would raise the question we're halfway home.
19 The information is out there, then, related to
20 what information has been provided to the
21 program by the claimants; petitioners;
22 experts, site experts; et cetera, et cetera.

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1 It's going to be there, and there's going to
2 be a record.

3 Now the question becomes, what
4 role should the Board play in reviewing that
5 material, reviewing the degree to which it has
6 been faithfully captured, and reviewing the
7 degree to which that material finds its way
8 into the work products produced by the Board?

9 Actually, see, what I see here,
10 the hard part of the problem is well in hand,
11 namely collecting the information and putting
12 it into an accessible location where people
13 could review it. The second half now is
14 almost a judgment call that needs to be made
15 by the Board and this workgroup as to what do
16 we want to do with that information in
17 fulfilling our mandate as a workgroup.

18 So I didn't realize that that was
19 the direction that NIOSH was going. And I
20 think that this is great.

21 MS. ROBERTSON-DEMERS: Can we make
22 one comment here?

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1 MEMBER MUNN: Yes.

2 MS. ROBERTSON-DEMERS: What do you
3 propose to do about interviews that will
4 remain classified?

5 MR. ELLIOTT: The interviews that
6 remain classified are held by DOE.

7 MS. ROBERTSON-DEMERS: Right. Are
8 we going to put a notification in the database
9 that says there's something out there?

10 MR. ELLIOTT: I think that's a
11 suggestion that we could entertain. It's our
12 hope that we have a cleared version that we
13 can use here.

14 MS. ROBERTSON-DEMERS: Which we
15 can.

16 MR. ELLIOTT: And behind the
17 cleared versions, is it important that we
18 document or flag the fact that there is a
19 non-cleared version at DOE? We should talk
20 about that, I guess.

21 I can see the benefit to the
22 Board. I don't know that I see the benefit to

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1 a dose reconstructor.

2 MS. ELLIOTT: Let me say also that
3 if we don't have a specific file, there is no
4 vehicle for putting that in because you must
5 have a file to enter that.

6 MR. ELLIOTT: Well, we could make
7 a file. We could make a memo to the file that
8 says, "There are classified interview notes
9 held by DOE, and the attached summary
10 represents the cleared version."

11 MEMBER MUNN: Well, is not the use
12 of the word "cleared" indicative of the fact
13 that there is a previous one?

14 MR. ELLIOTT: Well, that's --

15 MEMBER MUNN: Any time you say
16 it's cleared, that automatically means there
17 was something that needed to be cleared.

18 MR. ELLIOTT: No. It's been
19 reviewed. It could be reviewed and found not
20 to contain any classified information. And
21 that stands up as a cleared document. So it
22 doesn't imply that there's something still,

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1 different hidden behind the screen.

2 MEMBER MUNN: There must be some
3 terminology that we can use that can avoid --

4 MR. MAKHIJANI: This is Arjun. If
5 there were a classified interview, wouldn't
6 the original one have classification marks on
7 every page?

8 And so to create a declassified
9 version, presumably there would be a
10 declassification markup on the signature.

11 MS. ROBERTSON-DEMERS: Well, it
12 only happens in a couple of situations that I
13 can think of. But there are situations where
14 you lose too much in the declassification
15 process and you want to maintain the originals
16 and what we release as part of our report has
17 been declassified and made publicly releasable
18 --

19 MEMBER MUNN: There's the proper
20 semantics then, the difference between
21 declassified and cleared. You've indicated
22 it's a declassified instrument, then it

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1 automatically tells anyone who is reading it
2 that somewhere there is a classified version.

3 If it says, "Cleared," it simply
4 means it's okay.

5 MR. MAKHIJANI: Yes. I agree with
6 Wanda. I think if the original one is
7 classified, you know, presumably it can be
8 maintained somewhere, you know, within the DOE
9 or NIOSH system.

10 MR. ELLIOTT: NIOSH can't maintain
11 it.

12 MR. MAKHIJANI: Yes. So within
13 the DOE system, then. And then there would be
14 a declassification mark in it with a signature
15 of the declassification officer, which would,
16 I presume, be sufficient.

17 MR. ELLIOTT: You know, it may be
18 an issue for SC&A. And it may be an issue for
19 the Board. But it is not an issue for NIOSH.

20 And so I think you guys have got to take it
21 up as an issue of yours and figure out how to
22 resolve it.

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1 I don't have a lot of interest in
2 putting something into the OTS, Outreach
3 Tracking System, that says there is a
4 classified document at DOE because to me that
5 raises a flag. And we work hard to make sure
6 that the documents we put out in the public
7 have been approved and cleared for that
8 purpose so that we're not talking about
9 something that can't be talked about.

10 MEMBER MUNN: Yes. Yes.

11 MR. ELLIOTT: And I have not seen
12 anything yet that has been left in a
13 derivative classifier's office that impeded,
14 prohibited, obstructed our ability to do dose
15 reconstruction. I have not seen that yet.

16 That's not saying you've not seen
17 it, but I've not seen it. You know, you may
18 find it important, but we have to look at it
19 and judge whether it is important in our
20 minds. But right now we have not seen
21 anything held back that we felt we had to have
22 in order to reconstruct dose.

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1 MS. ROBERTSON-DEMERS: I can
2 definitely think of one situation where --

3 MR. ZEITOUN: Yes. And I would go
4 along with Larry that the issue, the objective
5 of it, is the dose reconstruction. If the
6 declassifier decided that certain
7 terminologies and certain information could
8 not be divulged to the public, then it has to
9 be removed.

10 So one in 100 cases or 100
11 interviews, that to me is statistically
12 insignificant. But I agree there are certain
13 cases. But the bottom line is, would that
14 impact the dose reconstruction?

15 MR. ELLIOTT: I mean, it shouldn't
16 preclude SC&A from selecting language or using
17 words in creating the summary or calling
18 attention to the fact that maybe some of the
19 interview notes that have been cleared, there
20 are interview notes at DOE that are still
21 classified.

22 You could couch that. And we'll

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1 still capture it in here. But I don't see,
2 you know --

3 MR. ZEITOUN: This would affect
4 your dose reconstruction. That is the bottom
5 line.

6 MR. ELLIOTT: If it doesn't affect
7 it, it doesn't become a serious issue.

8 MS. ROBERTSON-DEMERS: There is
9 always -- you know, we always do and
10 unredacted version regardless -- sorry, a
11 redacted version of any notes that --

12 MR. MAURO: This is no different
13 than the documents that are loaded into the
14 site query database or the O: drive. You
15 know, documents are loaded all of the time.
16 And these are cleared. And they are available
17 to the people who have access to either
18 perform dose reconstructions or review site
19 profiles or review evaluation reports.

20 When I see of this database now is
21 just one more database of information that is
22 not a document now. It is interview notes or

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1 information provided to NIOSH and to SC&A that
2 is loaded up and is available for review as
3 part of the work we all do.

4 Whether it's reviewing a dose
5 reconstruction, reviewing a site profile, it's
6 almost it's sort of like just one more source
7 of technical information that will help us put
8 out a better product.

9 So whether or not there is some
10 aspect to it that went through a
11 classification, just like a document, an
12 interview goes through a clearance process,
13 just like documents do.

14 So I think what finally makes it
15 into this database will be just like documents
16 that make it into the O: drive. So I don't
17 know whether or not this is an important issue
18 if there is no difference between this
19 information and the information that's in a
20 document that finally makes it up and is
21 available to all the workers, all the SC&A and
22 NIOSH folks that use this information.

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1 MS. ROBERTSON-DEMERS: It was just
2 a question because there are going to be
3 complete sets of interview notes that are not
4 going to be able to be put in there.

5 MR. ELLIOTT: Just like there were
6 probably documents that cannot be put in
7 there, not that I am saying it is a
8 non-problem. I am saying that we have the
9 problem anyway in terms of the material we all
10 have access to in NOCTIS, it has to be
11 material that is not classified or raises
12 those concerns. So we are operating in that
13 world already.

14 MEMBER MUNN: I am just a little
15 confused as far as I'm not as familiar with
16 the SC&A process. We're talking about putting
17 SC&A notes into OTS. Does that mean that if
18 NIOSH holds a worker outreach meeting and SC&A
19 interviews workers at that meeting or SC&A or
20 the Board Workgroup has their own meeting,
21 where NIOSH isn't at. That meeting is then
22 going to be put into OTS as well.

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1 MR. ELLIOTT: We have a general
2 agreement that as we each develop information,
3 like interview notes, summaries of interviews,
4 that we share those across the board, that
5 everybody knows what has been learned.

6 MEMBER MUNN: So there is a
7 meeting next week or next month, whenever we
8 get this --

9 MR. ELLIOTT: If they're doing an
10 SC&A evaluation and they interview people --

11 MEMBER MUNN: We put it in OTS,
12 e-mail it to the appropriate people. Then
13 when they're done, it comes up. Okay. I was
14 just making sure. I understand that.

15 MR. ELLIOTT: Well, I think that,
16 you know, if the Board and SC&A want to
17 utilize OTS that way, why not accommodate
18 them? I mean, if SC&A schedules an SEC
19 outreach meeting, where they are going to
20 interview a few people and they want to put
21 the meeting in the notification aspect of OTS,
22 they could ask us to do that, which would be

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1 great because it gives guys like Brant a
2 head's up there is going to be an interview
3 done.

4 MEMBER BEACH: Or vice versa.

5 MR. ELLIOTT: Or vice versa.

6 MS. BREYER: Yes. That's good.

7 MEMBER BEACH: So are we at lunch
8 time now?

9 CHAIRMAN GIBSON: So what actions
10 or things need to go on that are holding us up
11 from defining our role or is there any? I
12 mean, I guess --

13 MR. ELLIOTT: Well, we owe you two
14 action items right now, that I know of, --

15 CHAIRMAN GIBSON: Right.

16 MR. ELLIOTT: -- where we are
17 going to categorize our outreach efforts. I
18 think J. J. has already taken a note on that.

19 The other action items is we are going to get
20 an answer from our IT folks on when you are
21 going to get access to this OTS.

22 CHAIRMAN GIBSON: Okay.

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1 MEMBER BEACH: And, then, what
2 about the mission statement? Is NIOSH going
3 to review the mission statement? Because we
4 need to clarify that, I believe.

5 MR. ELLIOTT: We can review it if
6 that is what you wish.

7 MR. KATZ: That is the Working
8 Group's mission.

9 MR. ELLIOTT: It is your mission
10 statement.

11 MR. KATZ: That doesn't have to be
12 reviewed by --

13 MEMBER BEACH: So we can develop
14 the mission statement and just that is our
15 mission statement? It doesn't --

16 MR. KATZ: For the Working Group?

17 MEMBER BEACH: Yes.

18 MR. KATZ: Yes.

19 MEMBER BEACH: Okay.

20 MR. KATZ: I mean, that is what
21 you propose to the full Board.

22 MEMBER BEACH: Right. I guess it

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1 needs to be agreed upon, though, so that we
2 can propose it at --

3 MR. ZEITOUN: There is one issue
4 that is remaining. It's going back to what
5 Larry is saying, is we need to get from them
6 an input probably if we can expedite the
7 degree of what type of outreach things so we
8 can refine our definition of the outreach so
9 we can see what they have.

10 MEMBER BEACH: Right.

11 MR. ZEITOUN: And I think this is
12 probably what you are trying to achieve, just
13 to get something out of NIOSH to refocus the
14 mission statement. And then after that it is
15 yours. You can do whatever you want to.

16 MR. ELLIOTT: I mean, we can do
17 that in real time if you want. We could spend
18 probably 15 minutes after lunch or during
19 lunch and come in with categories about
20 reconstruction if that would be helpful.

21 CHAIRMAN GIBSON: Let's do that,
22 but I don't think we can make a complete

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1 mission statement until we -- it would be
2 incomplete if we do it without that.

3 MR. ZEITOUN: Because if we go to
4 all means, the Board, the Working Group and
5 NIOSH together and to the Board with an
6 understanding of what the --

7 MR. MAURO: What I just heard,
8 though, something that is very encouraging to
9 me, is that in the three major areas that have
10 been drafted as part of the mission -- now,
11 whether we stay with that, of course, that
12 could change, but what this means is item
13 number 3 can be done.

14 In other words, if the workgroup
15 and the Board make a judgment that one of the
16 roles of the Board is to monitor the impact of
17 public input on dose reconstruction programs,
18 site profiles, and site-specific petitions,
19 the machinery is being put in place that will
20 allow that to be done.

21 And the way that is done, of
22 course, is to review those records, review the

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1 information that was provided and loaded into
2 this tracking system. And that would be the
3 Board would do this and determine the degree
4 to which the site profiles, the dose
5 reconstructions, and the evaluation reports
6 have taken into consideration all of that
7 information.

8 So, I mean, if the machinery is in
9 place to allow item number 3 of the mission
10 statement to be performed -- and that's
11 important.

12 MEMBER MUNN: After we have
13 clarified what item number 2 is.

14 MR. MAURO: Yes. We haven't
15 talked about 1 and 2 yet. But, I mean, what I
16 am listening to is while we were discussing
17 this, I was thinking in terms of the mission
18 statements because I would suspect that one of
19 the main objectives of this meeting today is
20 to come to a place where we agree that there
21 is a need for a mission statement and whether
22 or not the draft mission statement, as it

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1 currently is, is what the workgroup feels it
2 would like to bring to the full Board.

3 And what I am getting at is that
4 we have reached a point where it seems that if
5 the workgroup decides yes, we would like to
6 have number 3 as one of our missions, it can
7 be done because the machinery and information
8 gathering is being put in place which will
9 allow the Board to do those things.

10 MR. ZEITOUN: John, this is Abe.
11 You know, the way I understand it, number 1,
12 2, and 3 are doable. The issue here is be
13 sure of identifying the meetings, the concept
14 of meetings. And that is what we are really
15 trying to put the bracket around after lunch.

16 MR. MAURO: Okay.

17 MR. ZEITOUN: I understand that
18 the three of them are really doable. And I
19 don't see from the meeting that there is
20 anything that is really creating any problems.

21 It's just the group, especially the Board
22 members, are really interested in defining

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1 what are the meetings, --

2 MR. MAURO: I understand.

3 MR. ZEITOUN: -- how the NIOSH and
4 us get together on defining that. I think
5 that is --

6 MEMBER MUNN: Yes. That is key.

7 MR. MAKHIJANI: This is Arjun.
8 Before you break up for lunch, could I say one
9 more thing?

10 CHAIRMAN GIBSON: Sure.

11 MR. MAKHIJANI: In regard to the
12 mission statement, we have discussed -- and I
13 don't know where it's going to come up or
14 whether -- how the Board for itself wants to
15 track the comments that are made before the
16 Board. Is this the proper forum? Does that
17 need to be included in your mission statement?

18 MEMBER MUNN: Well, it may be,
19 Arjun, but please bear in mind that I can't
20 speak for the other Board members, but I have
21 only seen this draft as of this morning and
22 have not had an opportunity to comment on it.

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1 We haven't really and truly gone that far.
2 We have just received this.

3 MR. MAKHIJANI: Okay.

4 MEMBER MUNN: So until we've
5 reached the point where we around this table
6 have agreed that this is the document that we
7 want, we probably can't go too far afield from
8 that.

9 MR. MAKHIJANI: Okay. John, it's
10 a question that we raised before.

11 MR. MAURO: Yes. That is another
12 aspect of, in theory, the scope of this
13 workgroup that I guess we will eventually get
14 to, but right now it seems to me that the
15 mission statement -- when I came into this
16 meeting, I guess I had it in my mind that we
17 have a draft mission statement. The question
18 becomes, is this the mission statement that
19 the workgroup would like to use or some
20 modification of it?

21 So I have been operating from that
22 frame of reference and with the idea that,

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1 okay, if the workgroup decides yes, this is
2 basically what the mission should be, then I
3 ask myself: a lot of the information I am
4 listening to, can we actually implement it?
5 And number three seems to be one that we can
6 actually implement, if so desired.

7 But Abe pointed out that there are
8 bigger questions. What are all the different
9 kinds of things that are going on? And what
10 role would the Board choose to play in
11 participating or reviewing that?

12 But then at the back end of this
13 process is this matter of -- and I don't know
14 if everyone on the workgroup might be aware of
15 this, but one of the things that we have been
16 talking about amongst ourselves at SC&A is the
17 subject of we do have these full Board
18 meetings and these evening sessions, where
19 lots and lots of comments are made.
20 Suggestions, questions are raised, some of
21 which, certainly only a small fraction of
22 which, are ones that perhaps the Board might

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1 feel it might have a role to respond to or to
2 make sure they get responded to.

3 And this would be one of the
4 elements of the possible mission of this
5 workgroup that is not explicitly identified in
6 this mission statement, the draft mission
7 statement, but certainly something that
8 probably needs to be discussed.

9 I would suggest we discuss it.
10 But I think first on the agenda are the items
11 we are talking about right now.

12 MEMBER MUNN: Well, but, John, as
13 you know, typically in public meetings when
14 there have been items raised which appear to
15 have significant bearing on existing documents
16 or on program process, it has usually been
17 requested at the time that some member of the
18 team meet with that individual to assure that
19 the concern is adequately addressed.

20 MR. MAURO: Absolutely. And the
21 only thing I thought about is that following
22 up and tracking that and perhaps reporting at

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1 the next meeting or to this workgroup the
2 degree to which actions have been taken in
3 accord with those statements made during the
4 evening session.

5 So, the way I look at it is that
6 an issue might be raised that the Board judges
7 and makes a statement yes, this should be
8 followed up on and maybe makes a suggestion on
9 how to do that.

10 Once that is triggered, the
11 question becomes, should the Board track this
12 to ensure that, in fact, the person that
13 raised the question or is seeking some
14 information does, in fact, achieve
15 satisfaction and gets a response to his
16 question?

17 The question I guess I am putting
18 on the table is: is this something that the
19 Board might want to do and actually become
20 part of its working session at the last day of
21 the meeting to go over the degree to which the
22 various items that were raised at the previous

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1 meeting that might be of concern have, in
2 fact, been addressed?

3 This is something we haven't
4 talked about, but, Arjun, I am glad you
5 brought it up because I have been thinking
6 about this. And this is as good a time as any
7 to just put it on the table.

8 MR. MAKHIJANI: That's all I
9 wanted to do.

10 MR. MAURO: Yes.

11 MR. MAKHIJANI: That's the Working
12 Group's pleasure when they want to take it up.

13 MR. MAURO: Yes, yes.

14 MEMBER BEACH: And, John, if I
15 could cut in? This is Josie. On page 3 of 4,
16 it is captured under the outreach methods,
17 including the following. It is listed, public
18 comment sessions, at the Advisory Board
19 meetings.

20 MR. MAURO: Okay. Good. I missed
21 it. I'm glad you pointed it out. I am glad
22 to see it is there.

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1 MEMBER MUNN: Lunch.

2 CHAIRMAN GIBSON: All in favor?

3 (Whereupon, there was a chorus of
4 "Ayes.")

5 CHAIRMAN GIBSON: So we will break
6 for lunch and then --

7 MEMBER MUNN: What time should we
8 be back? Do we need an extra 15 minutes for
9 NIOSH to pull together their comments, which
10 would put us back at 20 minutes 'til?

11 CHAIRMAN GIBSON: That's fine.

12 MR. ELLIOTT: Sounds good to me.

13 MR. ZEITOUN: So what time are we
14 here again?

15 MEMBER MUNN: 1:40.

16 MR. KATZ: 1:40 for folks on the
17 phone.

18 (Whereupon, a luncheon recess was
19 taken at 12:22 p.m.)

20

21

22

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1 we will stick to that time and give them the
2 opportunity to speak then.

3 So, Larry?

4 LIST OF OUTREACH ACTIVITIES

5 MR. ELLIOTT: Okay. well, we
6 tried our best in a short amount of time to
7 put something together for you on this flip
8 chart. The folks online won't have the
9 benefit of viewing this. I hope you can hear
10 me.

11 So we have focused this on
12 outreach meetings. And we recognize that
13 there are a lot of communication vehicles that
14 are used in different meetings.

15 We are not talking about
16 communication right now. We are going to talk
17 about outreach and meetings. And we see two
18 different categories. We see those -- well,
19 actually more than -- you will see it here.
20 But there is a category of meeting where we
21 are focused on giving out information,
22 information giving. There is a category that

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1 we think we clearly identify with as giving or
2 gathering information, so information
3 gathering.

4 And under those in a column
5 fashion are what we think represent
6 information giving by the SEC petition
7 process, which is an education process. It's
8 an outreach to provide education to
9 petitioners, to potential people who want to
10 be involved in the class.

11 And I have labeled that number one
12 because to me right now, that is our primary
13 outreach activity. There is a lot of that
14 going on. Lori, the ombudsman, can talk to
15 you about that. But right now that is a lot
16 going on.

17 If I were to design this chart
18 five years ago, this would not even be on the
19 chart. If I designed it three years ago, this
20 would be number one. So that's just to give
21 you some concept, give you a little bit of my
22 concept here.

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1 So number two primary effort right
2 now in outreach is an information-gathering
3 effort that occurs when we evaluate an SEC
4 petition and when Brant Ulsh says for Mound,
5 "I need to know more about neutron doses. So
6 I am going to do an interview" or "I am going
7 to assemble a focus panel out at Hanford" and
8 Sam Glover runs out there and runs a list of
9 questions in front of folks. That is our
10 second primary effort that you see us doing
11 right now in this kind of an outreach concept.

12 Our third primary outreach effort
13 is under the information-giving category and
14 revolves around town halls to educate folks
15 about changes in our documents or to assist
16 DOL in advising about addition of the class or
17 something like that. So it's an educational
18 process. It's another way we reach out and
19 give information.

20 The fourth activity that I talk
21 about is categorized under information
22 gathering. And it goes to a focus of further

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1 site profile technical basis document
2 development.

3 Now, what have we got in the
4 middle? Well, in the middle, we have got
5 workshops, invited forums, and our website
6 docket. And these we think are opportunities
7 for outreach.

8 It goes both ways. It can be
9 information giving in our workshop, and we can
10 also gather information at that same time.
11 Needless to say, we can do the same over here
12 when we have a town hall. We can gather
13 information. But typically that's a lower if
14 it happens, it happens. But primarily we're
15 trying to educate.

16 So we do attend invited forums.
17 In May, first week in May I think it was, Stu
18 Hinnefeld and Mark -- I don't know if Vern was
19 there, but they went to the guards
20 international --

21 MR. LEWIS: Yes. The guards --

22 MR. ELLIOTT: They had a

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1 conference. NIOSH had a big conference. And
2 they invited us.

3 MR. LEWIS: Council of Security
4 Guards of the International.

5 MR. ELLIOTT: So we attended that.
6 Stu Hinnefeld gave them a little bit of an
7 introduction into what we do in the program.
8 And I think there was an exchange there, too.

9 MR. LEWIS: DOL showed up, too.

10 MR. ELLIOTT: Yes. So we do that.
11 Lori has attended a number of these kind of
12 things, where advocates assemble a group of
13 people and invite Lori or invite Denise Brock,
14 the ombudsman, to come and sit with folks and
15 talk with folks. So we do that.

16 Then we have our website and our
17 Docket Office. And we think that is an
18 outreach opportunity that not only allows us
19 to give information. We show all of our
20 documents in a very visible transparent mode
21 on the website. We can also gather
22 information from that.

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1 So I don't know if that helps you
2 or not, but that is the way we see outreach
3 activities. I think clearly our procedure
4 talks about these four.

5 It doesn't talk about workshops.
6 It doesn't talk about invited forums. And it
7 doesn't really go into our website Docket
8 Office. And perhaps it should. So we'll look
9 into that ourselves. I can already see I can
10 write you a recommendation forming that.

11 So I don't know. I don't know if
12 there are questions about that, thoughts about
13 that. That's just my attempt to answer your
14 call for what outreach efforts do we have.

15 CHAIRMAN GIBSON: Okay. Anyone
16 have any questions for Larry or --

17 MEMBER MUNN: Now, that is
18 helpful. I hope we can incorporate that in
19 our transcript in some way so that we can
20 actually see what it -- so that we can have a
21 better deal when we are putting together our
22 final document as exactly where the limitation

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1 is in what we're looking at.

2 MR. ELLIOTT: Well, we can give
3 this to you in a handout.

4 MEMBER MUNN: Yes.

5 MR. ELLIOTT: We can put more --

6 MEMBER MUNN: That might be a good
7 thing, maybe just an ordinary .pdf file.

8 MR. ELLIOTT: Okay. We can put
9 more flesh on some of this, too. I mean, if
10 you ask us things like, "Well, what record do
11 you capture in number one?" versus "What
12 record do you capture in number four?"; well,
13 if there is a site profile technical basis
14 document development when we sit down and ask
15 a group of workers, you know, there are
16 interviews. That is the type of document
17 collected there.

18 But if you talk about number one,
19 Lori would say, I hope, I think she would say,
20 "Well, when we go out and we educate a bunch
21 of people about SEC petition processing, we
22 provide brochures and handouts. And we talk

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1 about the Act."

2 And there are no summary minutes
3 for that kind of a thing. There are no
4 interview notes captured. Okay? So we can
5 put more flesh on this if you want.

6 MEMBER MUNN: All of that
7 information would be invaluable from a
8 reviewing standpoint. And if it's possible to
9 get a .pdf file out, you know, what you have
10 there and single-page attachment with some
11 additional points that you just made, that
12 would be extremely helpful.

13 MR. ELLIOTT: I think we can do
14 that. J. J.?

15 MR. JOHNSON: I got it.

16 MR. ELLIOTT: He's got it.

17 MS. ROBERTSON-DEMERS: Larry,
18 where do the site expert interviews fall in?

19 MR. ELLIOTT: Site expert
20 interviews would be something under number
21 four. Perhaps it could be something under
22 number two. It depends upon the motivation

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1 for seeking out site experts.

2 MEMBER MUNN: So you can capture
3 that in your page 2 explanations?

4 MR. ELLIOTT: Yes. That's an
5 element you want us to try.

6 MS. ROBERTSON-DEMERS: And what
7 about comments made at Advisory Board
8 meetings?

9 MR. ELLIOTT: I don't see them up
10 there.

11 MS. ROBERTSON-DEMERS: So that is
12 outside the scope?

13 MR. ELLIOTT: Well, no. You know,
14 I don't have our PHA involvement up there.
15 Certainly that is something we could list as
16 well. We will add that to our list.

17 Are there other things we have
18 missed?

19 MEMBER BEACH: What actually gets
20 put in the website docket? Is that the
21 letters, e-mails, phone calls, things like
22 that? Because those are things Lori mentioned

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1 earlier.

2 MR. ELLIOTT: The website docket.

3 MEMBER BEACH: The website docket,
4 yes.

5 MR. ELLIOTT: Okay. The website
6 itself, as you know, provides a place for the
7 public to view the documentation associated
8 with this program.

9 MEMBER BEACH: Right.

10 MR. ELLIOTT: And then we on our
11 website invite people to provide written
12 comments --

13 MEMBER BEACH: Right.

14 MR. ELLIOTT: -- and submit them
15 to the NIOSH Docket Office. That is a
16 requirement that we faced in the early days of
17 this program when we started rulemaking and we
18 wanted to carry it through to garner public
19 comments on our rules, on our technical basis
20 document approaches and use the Docket Office
21 as a tracking mechanism.

22 It also was controlling in that it

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1 forced the person to write down their
2 thoughts, formulate their thoughts, and
3 present them in writing. And then they would
4 get a response back in writing as well.

5 MS. ROBERTSON-DEMERS: So that's
6 for things like --

7 MR. ELLIOTT: That we have got
8 your receipt. We have your comments. We may
9 not respond and say how we address it, but we
10 do acknowledge receipt of the comments from
11 the Docket Office.

12 MS. ROBERTSON-DEMERS: So this is
13 where things like the letters from
14 [Identifying information redacted] would go?

15 MS. BREYER: Those go in the
16 payment file. Letters and e-mails are going
17 to go into NOCTIS and OSA.

18 MS. ROBERTSON-DEMERS: Okay.

19 MS. BREYER: Unless [Identifying
20 information redacted] submitted comments on
21 the site profile versus -- his comments are on
22 dose reconstruction.

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1 MR. ELLIOTT: I wish it were that
2 clean. It's not that clean for this reason.
3 You're talking about an individual who I am
4 not sharing or divulging Privacy Act
5 information. He is out there, and everybody
6 knows he has a claim. Everybody else knows he
7 is a petitioner. He wants everybody to know
8 he is an advocate.

9 So when he submits information, it
10 is an obligation placed upon us to figure out
11 what he is submitting it under. Is it under
12 his claim? It is under one of the petitions?
13 Is it under just I want the Advisory Board to
14 know about this issue? Okay?

15 So each one of those things
16 depending upon what he was submitting under,
17 the information would be placed differently.
18 So we tried to encourage people like
19 [Identifying information redacted] and
20 [Identifying information redacted] when they
21 have issues about our site profiles and
22 technical basis documents to use the Docket

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1 Office.

2 If they have concerns about the
3 claims, we keep that separate from the Docket
4 Office since they would submit that and place
5 it in your claim file. And when it's an issue
6 that they raise up regarding the petitioning
7 process or the petition they have in place, it
8 goes into our SEC viewer and the petition
9 folder for that petition.

10 Does that help answer your
11 question? So, I mean, I know it's confusing,
12 but there's a rhyme and a reason behind why
13 this gets separated the way it does.

14 And some of it is legal because if
15 it's a claim-related issue, we have to attend
16 to it within the claim under legal
17 responsibility. If it's a petition-related
18 issue, that is where we have got to make sure
19 we document it.

20 MS. ROBERTSON-DEMERS: Yes. And I
21 was thinking more along the lines of generic
22 comments now about individual claims.

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1 MR. ELLIOTT: Yes. So generic
2 comments.

3 MR. KATZ: You are talking about
4 --

5 MS. ROBERTSON-DEMERS: Yes, yes.

6 MR. ELLIOTT: We would welcome
7 those at the Docket Office.

8 MR. ZEITOUN: So, in general,
9 Larry, if I look at what is listed here, I
10 think we are not far apart from that. You are
11 dividing it by categories, and we are dividing
12 it by specific elements, which is really --
13 well, we are not deviating very much from the
14 --

15 MR. ELLIOTT: I don't want to be
16 critical, but I would like to be constructive.

17 MR. ZEITOUN: Yes, yes, yes.

18 MR. ELLIOTT: And my take on your
19 list here -- this list that Abe is speaking of
20 is the list that is in the --

21 MR. ZEITOUN: Page 3.

22 MR. ELLIOTT: -- page 3 of 4 of

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1 the mission statement. And it says, "NIOSH's
2 and its contractors' outreach methods include
3 the following."

4 And I would say that these are not
5 so much outreach methods as different types of
6 ways we communicate.

7 MR. ZEITOUN: Yes. Okay.

8 MR. ELLIOTT: These are
9 communication vehicles or methods. These are
10 outreach methods.

11 MR. ZEITOUN: Okay.

12 MR. ELLIOTT: And certainly we
13 would use brochures in a number of these.

14 MR. ZEITOUN: Right, right.

15 MR. ELLIOTT: You know, in certain
16 instances, we are required to use a Federal
17 Register notice.

18 MR. ZEITOUN: Right, right.

19 MR. ELLIOTT: In others, we are
20 not. So, you know, I just -- that would be my
21 --

22 MR. ZEITOUN: No, no, no. I

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1 appreciate what you are saying. You know, I
2 really do.

3 MEMBER MUNN: Which means that if
4 we are going to draw a line between
5 communication and outreach, we need to call
6 these NIOSH and its contractor communication
7 methods and to include the following. And
8 then the outreach portion of that would be
9 better defined by the extension of what Larry
10 has up there.

11 MR. ZEITOUN: You are right.

12 CHAIRMAN GIBSON: So you are
13 suggesting divide it how on this?

14 MEMBER MUNN: I am not suggesting
15 dividing them. I'm just --

16 CHAIRMAN GIBSON: Draw the line
17 between?

18 MEMBER MUNN: -- suggesting that
19 these are types of communications, some of
20 which are specifically outreach -- they say
21 so, "site profile worker outreach meetings" --
22 and others of which are communications devices

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1 but not necessarily all outreach activities.

2 The outreach meetings that we are
3 going to focus on as a workgroup are the
4 outreach meetings that NIOSH has
5 responsibility for as -- and that's why we're
6 asking, that's why I am asking that they be
7 defined this way in order to identify what the
8 universe of our work here is going to be.

9 MR. ELLIOTT: Sorry. I didn't
10 mean to be a distraction, but I wanted to
11 capture and add what Kathy suggested earlier,
12 that Board meeting-public comment interactions
13 --

14 MEMBER MUNN: Yes.

15 MR. ELLIOTT: -- public health
16 adviser interviews.

17 MEMBER MUNN: Right.

18 MR. ELLIOTT: And as I sit here
19 and think about it, I think it fits in that
20 middle column because it's a give-and-take
21 situation.

22 MEMBER BEACH: And then Phil

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1 e-mailed a question. I just as well ask it
2 now. When OCAS has any type of outreach
3 meeting, what determines the information they
4 retain? I think that was for you, Lori.

5 MS. BREYER: It depends on the
6 type of outreach. What do you mean what
7 information they retain? Do you mean if I go
8 to a meeting or --

9 MEMBER BEACH: What notes? What
10 notes do you keep? I think you said in
11 previous meetings you might tape the whole
12 thing but you may not transcribe it verbatim.

13 So he is curious of how you decide what you
14 transcribe or what notes you keep and what you
15 don't.

16 MS. BREYER: Well, for
17 information-gathering meetings, there are
18 going to be minutes taken. And they're
19 recorded. For the information --

20 MR. ELLIOTT: No, no, no. Let's
21 be very clear about recordings. Our
22 contractor, ATL, is allowed to use a recording

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1 device.

2 MS. BREYER: Right.

3 MR. ELLIOTT: But the recording
4 itself is not a deliverable under the
5 contract. The recording is a tool that is
6 allowed within their toolbox to create a set
7 of summary minutes.

8 MEMBER BEACH: Okay. And I think
9 that's kind of the question, but he is not
10 concerned with the recording. He is concerned
11 with -- and, Phil, if you are on the line,
12 help me out if there is more that you want to
13 know -- what makes you decide out of those,
14 that recording, what you write down and
15 actually retain and what you don't write down.

16 MEMBER SCHOFIELD: Yes. This is
17 Phil. I would like to know what the criteria
18 is for what you retain and what you do not.

19 MR. ELLIOTT: Well, I think this
20 mainly is Mary Elliott's responsibility when
21 she goes out and tags along on these field
22 excursions gathering information.

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1 And I'm sure she has some
2 structure she uses, but my answer to your
3 question, Phil, would be that whatever salient
4 information, whatever relevant information is
5 coming out of that exchange should be
6 documented in those minutes because what has
7 an influence, effect on the dose
8 reconstruction or an SEC petition evaluation
9 of a site, those are things that we hope to
10 gather in our efforts to obtain information
11 and we want to make sure get placed in front
12 of the right people in the program who can
13 utilize that information and make change
14 happen.

15 MEMBER SCHOFIELD: Okay.

16 MR. ELLIOTT: So, Mary, do you
17 have things you want to add to what I just
18 said? I think that's exactly what you try to
19 do. Do you have help from -- do you have
20 help? She has help from usually the technical
21 point of contact assigned to that site.

22 MS. ELLIOTT: I just try and make

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1 the minutes a useful tool for the physicists
2 to go back as a reference to the meeting.

3 MR. ELLIOTT: I think it is also
4 important to note for you all that Mary
5 assembles these minutes in a draft form. And
6 we share them with the participants to get
7 them to agree to the content. And they have
8 an opportunity to say, "Hey, you missed the
9 point. Why didn't you include what I said
10 about" X?

11 And that is an opportunity for us
12 to correct the minutes. It is an opportunity
13 for us to go back to the individual and say,
14 "Oh, well, we did miss that" or say, "Oh,
15 well. Here is why we don't think that is
16 important" unless you can shed more and a
17 different light on it and show us the
18 importance for dose reconstruction or an SEC
19 petition evaluation.

20 So I want you to know that. And
21 that's also why it takes some time in getting
22 the summary minutes put up on the website so

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1 everybody can see them because some of the
2 folks that we try to get a review and edit
3 from take a long time to do their job.

4 MS. ELLIOTT: We also --

5 MR. ELLIOTT: And we don't push
6 them. I mean, we want them to feel
7 discouraged by the process.

8 MS. ELLIOTT: I have been doing
9 the minutes for four years. And in all the
10 ones we have sent out to unions and other
11 groups for review, we have never gotten a
12 comment while I have been with the program.
13 There have been other comments prior to that.

14 MR. ELLIOTT: A comment that said
15 you missed the mark or --

16 MS. ELLIOTT: It's happened before
17 but rarely, very rarely.

18 MR. ELLIOTT: Can you speak close
19 to the mike?

20 MR. LEWIS: This is Mark Lewis.
21 In the Idaho INEL earlier on, there were some
22 comments that were mentioned before we had the

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1 conflict of interest and stuff.

2 That's probably one of the things
3 that helped lead to the conflict of interest
4 stuff, were some of the comments and things
5 that were mentioned.

6 In fact, we fought with that. And
7 I encourage everybody in the workgroup to take
8 a look at the NIOSH website and look
9 underneath the minutes and look at that. That
10 way it's kind of like, you know, that's the
11 finished product of what we do there for the
12 minutes.

13 MR. MAKHIJANI: Larry, this is
14 Arjun.

15 MR. ELLIOTT: Yes, Arjun? Yes?

16 MR. MAKHIJANI: I had a question.

17 At the last Board meeting if I am remembering
18 right or the one before that, Emily had this
19 question of what SC&A does with raw interview
20 material. Now, we have done the recording,
21 but we have raw notes that are quite detailed.

22 And then we prepare these summaries.

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1 Emily said that these raw notes
2 were to be maintained and should not be
3 discarded. So I'm wondering, what is the
4 difference between, say, the recordings that
5 you make and the raw notes, you know, which
6 are not verbatim but pretty close to
7 everything that is said or as close to
8 everything that is said as we can get?

9 So I am a little bit confused
10 about not keeping the recordings, even though
11 it is not a deliverable. Our raw notes that
12 have not been proofed by people who are
13 interviewed are not deliverables, but we are
14 asked to maintain them.

15 John, am I remembering that right?

16 MR. KATZ: I can tell you, Arjun,
17 you are remembering that correctly.

18 MR. MAKHIJANI: Okay.

19 MR. KATZ: I was present for those
20 discussions. And that is correct. I don't
21 know if someone from OGC is on the line right
22 now. They might want to answer. I'm not sure

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1 whether a recording is the same thing as a
2 government record when it's written. I have
3 no idea.

4 MR. MAKHIJANI: Okay.

5 MR. KATZ: And I have no idea
6 about did on the --

7 MR. RAFKY: I would have to look
8 into it. Unfortunately, Emily is not in the
9 office this week. So before I answer
10 definitively, I would just want to talk to her
11 to get some more background from her since she
12 has dealt with this previously.

13 I'm sure we could get back to you
14 by the end of this week or the beginning of
15 next week on this.

16 MR. MAKHIJANI: Yes. That would
17 be helpful because we haven't made recordings
18 so far. And, you know, I don't know whether
19 we might want to revisit that or what, I mean,
20 something obviously we would need to talk
21 about if there is a difference.

22 MR. ELLIOTT: Okay. So basically

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1 the question is, is a recording considered a
2 government record for our purposes?

3 MR. MAKHIJANI: Yes. I guess that
4 is the more precise. I wouldn't have known to
5 put it that precisely, but yes, that's right.
6 That's how Ted --

7 MR. RAFKY: Okay. Yes. Let me
8 look into it and talk to Emily when she is
9 back at the end of the week. And we can get
10 back to Ted or if there is someone else we
11 should get back to first, that would be fine.

12 MR. MAKHIJANI: Thank you.

13 MR. ELLIOTT: You are remembering
14 it correctly, though, Arjun, and I would defer
15 to the lawyers to provide the counsel on this.
16 The counsel that I got when it came to the
17 issue of these recordings was that they were
18 not a government record but were not going to
19 be FOIA-able.

20 Recordings do present if they
21 become a part of the government record. We
22 were given an understanding from some attorney

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1 who is knowledgeable in this area that they
2 present unique problems of their own.

3 How do you turn a recording into a
4 verbatim transcript? You can do it, but now
5 we're talking additional resources. And how
6 do you store these things? Then there was how
7 do you excerpt them, you know, if you want
8 only a portion of what was said?

9 So there are a number of problems
10 associated with retaining recordings as part
11 of a government record.

12 MR. MAKHIJANI: Yes. No, I am not
13 questioning. In this context, I am not
14 questioning how you go about preparing the
15 summaries and minutes and so on. It's just
16 that I got confused about process and what is
17 retained again by this discussion, as I was a
18 little bit the last time. I just wanted some
19 clarity.

20 CHAIRMAN GIBSON: While we are on
21 the issue of notes and summaries of notes and
22 things that are posted, let me just go back

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1 for a minute and maybe revisit this issue of
2 classified interviews and notes that are
3 somehow clear or declassified and how they are
4 posted.

5 Just brief conversation over
6 lunch, I can see how that there can be
7 significant information that a cleared person
8 would need to go look at. How are you
9 comfortable, Larry, that the notes that are
10 posted are encompassing enough to get the
11 information out there?

12 I guess I have heard Kathy's
13 concern. And I see her side, but I want to
14 hear your side about how you fill the clear
15 notes without making reference to something
16 that may still be classified.

17 MR. ELLIOTT: We do it all the
18 time. We do it all the time. This is not
19 something new. I am just amazed by this in a
20 way.

21 From day one in this program, we
22 have been working closely with DOE on making

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1 sure that NIOSH's documentation and documents
2 that get generated under this program are not
3 classified information. And so in that
4 process of working with DOE -- and maybe I'm
5 amazed because it must be new to the Board and
6 new to SC&A and it's not new to us. But we
7 come to the ability where we can use different
8 words and still reveal the information that is
9 necessary for dose reconstruction.

10 So yes, there are many, many words
11 and phrases that are kept in secret vaults at
12 DOE that we don't talk about, but the words
13 and phrases that we do use in our documents
14 have been cleared so that we are not violating
15 national security interests and at the same
16 time demonstrating our ability in our
17 communication about how we are doing our job.

18 You heard me take off in the last
19 Board meeting about the fact that I was not
20 going to serve in this director of this office
21 and see another Iowa situation where NIOSH
22 presents something that it can't talk about

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1 all the parameters and variables. I'm not
2 going to do that.

3 Lawyers, they get their backs up
4 in the air for that because when I say that,
5 that starts putting pressure on other people.

6 But I am not going to bring that to bear
7 because I think we can actually bring to the
8 public forum documentation and documents that
9 have words and phrases that don't violate
10 national security concerns.

11 We have done it. We have done it.

12 We have demonstrated our ability to do it.
13 And not in one instance have I -- I have a
14 clearance. I'll just lay that out there. I
15 do have a clearance. And I have the ability
16 to go behind the screen and see what is left
17 there that is not being talked about.

18 And I think it is important the
19 Board members have clearances, SC&A have
20 clearances, and they can do the same thing
21 because the public, not all the public, are
22 going to be able to have that privilege. So

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1 we're serving as their servants to do that.

2 That's my take on it. I mean, you
3 know, people can raise up an issue and make it
4 out that there's something behind the screen.

5 And let's say there's an issue about a
6 facility and a special radionuclide used at
7 that facility.

8 And someone could say that because
9 you can't name the species of that
10 radionuclide, you can't explain how you are
11 doing dose reconstruction. I don't think we
12 have ever seen that situation occur. I don't
13 believe it is going to occur. I believe we
14 have the ability to find words and phrases
15 that don't block us into a black box type of
16 an affair.

17 And certainly if anybody wants to
18 see what words and phrases we can't use in the
19 public, we have cleared people who can go do
20 that. And we can engage in secure
21 conversations with the appropriate and cleared
22 people to examine these issues that are raised

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1 up, you know, highly insoluble tritide that
2 you can't talk about by name at a certain
3 location.

4 Well, we can go talk about it.
5 And my bet is that it will go away because
6 there is some other word that we can use, like
7 highly soluble tritide.

8 I've just used it three or four
9 times here. If I had used one of many other
10 words, I couldn't sit here in this room much
11 longer because they would be beating down the
12 door.

13 CHAIRMAN GIBSON: Questions or
14 comments on the issue of notes and the extent
15 or summary of the notes, what they cover?

16 MR. ELLIOTT: I think that's
17 something we can add to the flesh of this,
18 where we take notes, are there summary minutes
19 or interview notes, whether we have them or we
20 don't, because there are some things that we
21 don't.

22 MEMBER BEACH: I think we need a

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1 clear place to go find those notes if we want,
2 like we --

3 MR. ELLIOTT: That's what this
4 would be, I think.

5 MEMBER BEACH: Exactly. I think
6 that was part of the issues before with
7 [Identifying information redacted]. We have
8 already mentioned him. He is just one small
9 example.

10 And now we know where they are
11 posted, but I don't know if they are going to
12 be all posted just like that.

13 MR. ELLIOTT: You're going to have
14 to go three different places --

15 MEMBER BEACH: Yes.

16 MR. ELLIOTT: -- if you want to
17 see information that is submitted by that
18 individual.

19 MEMBER BEACH: Yes. And that's
20 the clear path of this group, I think, is to
21 be able to find all of those places and be
22 able to look at those and not just for him but

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1 for anyone in that situation where they are
2 submitting stuff.

3 MR. KATZ: Just to clarify, under
4 items 2 and 4 of this diagram, just since
5 we're speaking about things being submitted,
6 like [Identifying information redacted], I
7 mean, in that case, these aren't interviews.
8 These are documentation submitted. It's just
9 another category of input versus an interview.

10 The program receives
11 documentation, and SC&A also receives
12 documentation that ends up in the site
13 research database and will end up reflected in
14 this new system, right?

15 MR. ELLIOTT: Yes. Now, the
16 question I would have is okay. So John has
17 submitted something to on Nevada test site
18 that goes to an SEC ER issue. Are we
19 capturing that in the Outreach Tracking
20 System? I mean, it's not outreach per se.
21 It's incoming to us.

22 MR. KATZ: But you have your doors

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1 open for people to come to you.

2 MR. ELLIOTT: Yes, through the
3 docket. And that becomes through the docket
4 door. I mean, I am just guessing.

5 MEMBER BEACH: See, but I consider
6 it outreach because you have gone to meetings.
7 He may have been involved in one of your
8 outreach meetings and then later on went "Oh,
9 I forgot about that. Here. Let me send you
10 100 e-mails or one e-mail" or --

11 MR. ELLIOTT: So we should default
12 to that.

13 MR. KATZ: In my mind, it's the
14 same business. Your doors are open. You want
15 input from the public. I mean, in
16 [Identifying information redacted]'s case, he
17 has submitted input through working group
18 meetings, associated with working group
19 meetings, and associated with full Board
20 meetings, and independently of both of those,
21 where I don't believe he sent things to the
22 docket but he sent them directly to you as

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1 well as to SC&A. It is the same intent, seems
2 like they would all be reflected as --

3 MR. ZEITOUN: But the time it goes
4 to him it goes to the docket.

5 MR. KATZ: Well, no. I don't
6 think you brought it to the docket when it is
7 sent to you.

8 MR. ELLIOTT: I want it sent to
9 me. We don't typically, you know -- we may go
10 back to the individual and suggest that they
11 submit it for the docket.

12 MR. KATZ: Right.

13 MEMBER BEACH: But then I or this
14 workgroup would want to know in his case that
15 was done, you know, what he submitted, how it
16 was handled, if it was or wasn't, what you did
17 with it or didn't do with it. I mean, those
18 are some of the tracking things.

19 MS. BREYER: So I think like if he
20 submits an SEC evaluation report and goes
21 through the consult call, we do that, just
22 doesn't qualify, let's say, for example, and

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1 then he sends ten pages of information, to me
2 it will go in OTS, which is an OCAS SEC
3 application. And then we respond to it. To
4 me that is not outreach.

5 MEMBER BEACH: Some of it is like
6 profile stuff.

7 MS. BREYER: Some of it could be.

8 MEMBER BEACH: And that's --

9 MS. BREYER: Again, I just go back
10 to what he is submitting or how he submits it
11 and what it's in relation to. But it's not in
12 relation like a specific worker outreach
13 meeting, just like one day we randomly get it.

14 I don't think it would go in OTS because OTS
15 tracks it by the meetings.

16 Now, if something comes in in
17 relation to a certain meeting, I can see it
18 possibly going into OTS. But if something
19 comes in just because one guy is sitting at
20 home and he wants to write up a ten-page site
21 profile, that is not going to go into OTS.

22 MR. ELLIOTT: I don't think you

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1 all realize the amount of information that is
2 submitted to us.

3 MS. BREYER: I mean, not just as
4 --

5 MR. ELLIOTT: This outline that I
6 have given you is outreach meetings.

7 MEMBER BEACH: Right.

8 MR. ELLIOTT: And the website
9 docket is probably the only outlier in that
10 whole scheme.

11 MEMBER BEACH: Right.

12 MR. ELLIOTT: It's not necessarily
13 a meeting, but it's not -- and I think what
14 Lori is trying to describe to you is that we
15 get gobs of information just fed to us.

16 MEMBER BEACH: Well, I guess that
17 is a struggle that we are having is to try to
18 figure out how that information is utilized,
19 not utilized, if there is important
20 information. I mean, I am sure you get ten
21 pages of something you can't use. And maybe
22 there's one little nugget of something that

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1 goes, "Oh. Well, we had better check into
2 that." I guess that is what I am struggling
3 with, is how do we see --

4 MS. BREYER: I just don't know
5 that all of that is worker outreach. Some of
6 that is just responsiveness in general to
7 individual claimants. And in [Identifying
8 information redacted]'s case, a lot of that is
9 an individual with individual issues that he
10 may submit 20 pages of documents on his own
11 and how we will respond to that on an
12 individual claim basis. I guess that's part
13 of --

14 MR. FUNK: This is John Funk. I'm
15 being discussed.

16 MR. ELLIOTT: Hey, John Funk.

17 MEMBER BEACH: Hi, John.

18 MS. BREYER: We're using you as an
19 example.

20 MR. FUNK: I would like to make a
21 point clear here. Most of the information I
22 submitted has not been, oh, to my claims.

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1 They have been claims to people who have been
2 associated with my group. I think this is
3 kind of being misrepresentative. They are not
4 all my claims.

5 I have used my claims in some
6 cases simply because I am more familiar with
7 my particular claim, but I haven't used this
8 forum to promote my own agenda. I am actually
9 working for everybody out there.

10 If you look at the issues I
11 brought up, they cover the whole entire test
12 site from one end to the other.

13 MR. KATZ: No disagreement, John.

14 No disagreement. But a point I would just
15 like at least to be thought about here with
16 respect to this, it seems to me a little bit
17 arbitrary, I mean, whether they submitted
18 properly to the docket or whether they just
19 know that Larry Elliott runs the programs or
20 they send it to Larry Elliott or they're
21 submitting it, it's general information and
22 they're submitting it in interaction with you

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1 over an SEC petition. It seems to me those
2 distinctions are really arbitrary in a sense.

3 The program is getting information
4 that is potential valuable for its work. And
5 to the extent you can track that, that is
6 valuable because then the question of, are we
7 making good use of the information that is
8 coming in the door and however, if it's a fire
9 hose or how? You know, every volume there is
10 still the same question.

11 MS. BREYER: But that is
12 considered outreach. And I don't even know
13 how you begin to tackle that.

14 MR. FUNK: One thing I would like
15 to make --

16 MS. BREYER: I mean, if everybody
17 who sends us a letter questioning how
18 something is used, either in a dose
19 reconstruction site profile or SEC petition,
20 that is --

21 MEMBER BEACH: So we are not
22 interested in dealing with questions. And

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1 I'll speak for myself. It's more when you
2 have someone supplying you with a lot of site
3 information.

4 MS. BREYER: Right. And regularly
5 what they will say is, "At the site," X, Y,
6 and Z "happened. And that is not discussed in
7 my dose reconstruction." And then they will
8 have ten statements about how something that
9 happened to them wasn't addressed in a dose
10 reconstruction. And so, then, if that's
11 considered outreach, I just think that --

12 MEMBER BEACH: I understand your
13 dilemma.

14 CHAIRMAN GIBSON: The workgroup is
15 named Worker Outreach, but one of the intents
16 when this group was put together was to see
17 how the information used from claimants and
18 advocates is evaluated. So, you know, I don't
19 think we need to get wrapped around the words
20 "worker outreach" as much as the information
21 that's provided and how it's used or not used
22 or evaluated.

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1 MR. KATZ: Just in thinking about
2 the evaluation process, down the road, you
3 know, if there were an evaluation to be done,
4 then, the working group's looking at things,
5 and they see that, well, you know, OCAS does
6 really well at handling its interview
7 information and so on and integrating that.

8 But when it comes to information
9 that is submitted ad hoc by individuals from
10 the outside, you know, OCAS has a hard time
11 sorting through that information and making
12 use of it. Well, that's, then, useful
13 information for OCAS to know.

14 So it's all within the proper
15 scope of the question of how well. I mean,
16 OCAS certainly is opening itself up to the
17 public to submit information by whatever means
18 to help it with its work.

19 So how well is it working with all
20 that information that's coming? I think that
21 it's still fully within the scope of this
22 Working Group's interests and the program's

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1 interest in improving its work.

2 MEMBER MUNN: Doesn't the directly
3 received information that we're discussing
4 here right now fall under items 2 and 4 up
5 there? Isn't that part of -- wouldn't it all
6 be SEC or --

7 MEMBER BEACH: Yes.

8 MEMBER MUNN: -- site profile
9 information? Regardless of where it came, it
10 would be --

11 MR. KATZ: For people on the
12 phone, items 2 and 4 are the SEC evaluation,
13 you know, issues and site profile development.

14 MEMBER MUNN: Just because they go
15 to Larry doesn't mean they disappear into
16 Larry's outbox. You know, if --

17 MR. KATZ: The idea is that they
18 don't disappear.

19 MEMBER MUNN: They don't. They
20 don't disappear.

21 MR. KATZ: They get traction where
22 they need to.

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1 MEMBER MUNN: They're tracked on
2 one of those two issues.

3 MR. FUNK: Can I make another
4 comment? This is John Funk again. This is
5 the first time I even knew anything about this
6 Outreach Program.

7 As all of you know, I have been in
8 this, involved in this, since 2005, long
9 before this subject even came up. And I
10 didn't even know this meeting was even taking
11 place. Somebody called me.

12 So I think one of your ideas of
13 how you can make this more acceptable to the
14 public, the more inclusive is to keep
15 everybody informed.

16 I would like to let you know I
17 wasn't informed about this meeting. I found
18 this out secondhand through somebody else.

19 MR. KATZ: Thanks, John.
20 Actually, we're coming up pretty soon to the
21 worker --

22 CHAIRMAN GIBSON: Right. If we

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1 can maybe just leave our two discussions right
2 now and open up the phone lines for workers,
3 claimants, their representatives, or their
4 advocates to go ahead and make comments at
5 this time? Just be sure and identify yourself
6 for the court reporter. And go ahead and feel
7 free to make your comments.

8 MR. FUNK: I would like to start
9 first, if I could, here unless somebody is
10 ahead of me. This is John Funk.

11 CHAIRMAN GIBSON: Sure. Go ahead.

12 WORKERS, CLAIMANTS, REPRESENTATIVES, AND
13 ADVOCATES

14 MR. FUNK: Okay. First, I think
15 that the subject was brought up just how much
16 can the Board absorb on something like this.
17 And I think that is a good question just
18 exactly. We don't want to overwhelm them but
19 a lot of other things where we have already
20 got something that is working somewhat.

21 And the second point -- I've got
22 these notes kind of messed up here because I

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1 have been writing them down as we have been
2 going along -- I would like to make a point
3 that Sanford and Cohen needs to have more
4 funding to pursue items that come up to
5 investigate them.

6 As it is right now, they can't
7 look at anything unless there is funding for
8 it. And there's been a lot of cases where if
9 Sanford and Cohen had had the funding, they
10 could have probably cut short a lot of these
11 problems. Okay. That's one.

12 I'm a little bit surprised that
13 this thing is even started right now like it
14 is. It has been ten years coming. So it is a
15 little bit late, but late is better than
16 never, I guess.

17 I notice we brought up the subject
18 of tape recordings. I really don't understand
19 why tape recordings make everybody run for the
20 closet. If you say something in a tape
21 recording, I think people are smart enough to
22 know when those off-the-record statements and

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1 statements that you could be held accountable
2 for -- I think that the tape recordings are
3 good because it gives the claimant a level
4 playing field on who said what.

5 Now, when we get all done and they
6 come out with a government document where
7 everything is detailed and transcribed there,
8 it is almost indisputable. However, if you do
9 have a tape recording you can go back to, I
10 think the Board members can judge that for
11 themselves, where to use that.

12 Another thing we got into, there
13 is a problem with the redacting process here.

14 I have asked numerous times with NIOSH for a
15 list of the redacting officers because I
16 believe there are times when Martha DeMar at
17 the DOE library has really got carried away in
18 the redaction process.

19 I hardly see where the date and
20 the day and time of the day should be redacted
21 off a document. I think the only thing the
22 redacting of an author does is just proves how

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1 worthless a document really is if we knew who
2 the author of that report was.

3 I'll give you one example. I have
4 a report. I'm not going to name it. But
5 basically what it does, it goes through and it
6 details this event and everything that took
7 place and all of the hours and time cards.
8 And she missed one of the pages of getting the
9 guy's name off of it.

10 And I happened to notice the name.

11 I happened to know that this person worked in
12 mercury. And most of the information that
13 this person wrote was either second, third, or
14 even fourth-hand information.

15 The only thing redacting these
16 authors' names off of these reports does, it
17 denies you the ability to pull the worth of
18 the reports.

19 MR. KATZ: John, I am just going
20 to try to keep you on track here. I mean,
21 redaction is done for Privacy Act protection.

22 It is not negotiable. It's just the way the

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1 world is. People have a right to their
2 privacy.

3 MR. FUNK: Yes, but do you think
4 redacting the -- I mean, for example, if you
5 know somebody who wrote the report who wasn't
6 there and didn't have the information, why
7 should that report hold any validity?

8 MR. KATZ: Again, John, worker
9 outreach is sort of the focus of this
10 discussion. So it would be good for you to
11 keep your comments, you know, on target with
12 respect to what the Working Group is
13 addressing.

14 MR. FUNK: We will get on to that.
15 Okay. As far as the outreach, I think the
16 subject was brought up: getting the claimants
17 to have faith in the system.

18 I think one of the things that
19 would probably be a big improvement to have
20 faith in the system was to in the Work Board
21 meetings, I have noticed there seems to be an
22 attitude where nobody allows the other guy to

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1 make his presentation without interruption.
2 It seems to be a lot of cross-fire goes on at
3 these, and they don't seem to be run very
4 professionally and need to be cleaned up a
5 little bit.

6 Let's see. Let's see. Okay. I
7 think I've covered most of it except for I
8 still think that they should be more open in
9 contacting more people to get worker input.

10 And, like I said, I haven't worked
11 toward just my own case. I have been working
12 on everybody's concerns. And I think that,
13 you know, like a lot of stuff we put in, they
14 said it's not important. And it does not
15 reflect on the dose reconstruction. Maybe it
16 doesn't for that moment, but it might later,
17 just like I believe it was Josie who said that
18 with all of this information, there might be a
19 couple of nuggets.

20 Now, it is very true there is a
21 case where there might be something. And it
22 has shown up already in a couple of cases

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1 where things that were brought up in the past
2 and then they were written up as nothing
3 suddenly they found that it was important.

4 So there are a lot of things about
5 this Outreach Program. If you're going to run
6 it, you're going to have to start listening to
7 the people.

8 And also I believe John Mauro went
9 into the point of explaining the whys and
10 what-fors. You know, people want to know why
11 their information wasn't used. And I think
12 other than to say, "Well, I can't tell you
13 because it's classified," I think you ought to
14 have a better explanation of why you can't use
15 that information.

16 That has been used on me a lot
17 where I ask for information and why. They
18 say, "Well, we feel this way."

19 And I'd say, "Well, show me the
20 documents."

21 "Well, we can't. They're
22 classified." So you're never going to get

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1 people's faith as long as you keep hiding
2 behind national security.

3 And you're going to have to get
4 DOE to open up and start sharing this
5 information and start honoring these Freedom
6 of Information requests or we're just going to
7 be back where we were ten years ago, which is
8 where we're at right now.

9 Now, that's about all I've got to
10 say.

11 CHAIRMAN GIBSON: Thank you, John.

12 Is there anyone else on the phone
13 who would like to make a comment?

14 MS. CLAYTON: Yes, I would. This
15 is Dorothy Clayton.

16 CHAIRMAN GIBSON: Okay.

17 MS. CLAYTON: And I am calling
18 regarding the SC&A report on my husband:
19 Glenn Clayton. A couple of meetings ago I had
20 called in and requested that all interoffice
21 correspondence be included and also other
22 interviews be included. And I was just

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1 wondering if those documents had been
2 submitted to the working board.

3 MS. ROBERTSON-DEMERS: I don't
4 know the answer. We will have to ask John.

5 MS. CLAYTON: Hello?

6 MR. KATZ: Did you hear that? We
7 don't have that information at hand. So we
8 don't know whether they would be submitted to
9 the site research database. Is that what --

10 MS. CLAYTON: They were supposed
11 to have been sent to the working board, yes.
12 And that was two meetings ago that I made that
13 request.

14 MS. ROBERTSON-DEMERS: The NTS
15 Working Group or --

16 MS. CLAYTON: NTS at the -- I was
17 on a conference call then at the meeting. I
18 think it was in Cincinnati. I'm not sure
19 where it was at. But it was the meeting
20 before the Amarillo meeting.

21 MR. KATZ: Right. That would be
22 Albuquerque.

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1 MS. CLAYTON: Okay. Albuquerque.
2 Yes, it was. That's when I called in and
3 made that request because they're missing a
4 lot of information here that is very
5 important.

6 For instance, on page 18 of the
7 SC&A report, under the SC&A comments, it says,
8 "Mr. Clayton was one of the earlier claims.
9 And more detailed information was provided to
10 NIOSH." And I'm wondering why they don't
11 provide that detailed information now.

12 And also right under that, in the
13 very same paragraph, it says, "The thyroid
14 monitoring is available in what NTS refers to
15 as other monitoring data. And this data is
16 not routinely provided." And maybe that's
17 from the claimant data submitted to NIOSH.
18 Now, this is from the SC&A report. And it
19 just goes on and on.

20 On page 19, "Air sampling data in
21 area access logs are available for the reentry
22 team if requested." Do they request those?

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1 And then on page 22, it says, "The
2 history indicates that Mr. Clayton was
3 monitored for gamma and gross fission
4 products. However, an internal dose was not
5 assigned and not included in the total whole
6 body dose listed on the radiation exposure
7 history form."

8 So I am just wondering, you know,
9 is this information going to be available? I
10 haven't been able to help any of the ladies I
11 have been working with since day one in this
12 program back in 2001, under radiation, even
13 though they worked 25-30 years at the test
14 site with my husband.

15 MS. ROBERTSON-DEMERS: Dorothy,
16 this is Kathy. I was not involved in that NTS
17 meeting. So I don't know exactly what the
18 request was that you made, but it sounds like
19 you have a bunch of questions that you might
20 want to submit and get answered.

21 MS. CLAYTON: Right, Kathy. I had
22 asked for just the interoffice correspondence

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1 relating to the comments made in the SC&A
2 report and also the other interviews. Other
3 interviews were conducted other than the one I
4 had. And those should be also submitted to
5 the working board so they can see all of the
6 evidence. That was my request at the time.

7 MS. ROBERTSON-DEMERS: Well, I can
8 answer one of those questions. The Nevada
9 test site interviews that we did as a part of
10 the SEC petition review have gone to the
11 working group.

12 MS. CLAYTON: The interviews have
13 gone to the working group?

14 MS. ROBERTSON-DEMERS: Yes.

15 MS. CLAYTON: Okay.

16 MEMBER MUNN: I don't believe that
17 working group has met recently.

18 MS. CLAYTON: Yes. And the
19 interoffice correspondence that backs up what
20 I was saying in this report or the information
21 I gave to you, to SC&A?

22 MS. ROBERTSON-DEMERS: That I am

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1 not sure of. I guess we will have to get back
2 to you on that.

3 CHAIRMAN GIBSON: Mrs. Clayton,
4 this is Mike Gibson. This working group here
5 is not the NTS Working Group. So the members
6 of the Board that are on this working group
7 are not necessarily members of the NTS Working
8 Group.

9 So if you submitted your question
10 to them, we may not have been made aware of
11 that. So you may want to contact the Chair of
12 NTS Working Group to see where your request is
13 or submit additional questions.

14 MR. KATZ: Yes. Dorothy, this is
15 Ted again, the Acting Designated Federal
16 Official. I have attended the NTS Workgroup
17 meetings. I don't recall receiving a set of
18 queries from you for the Working Group.

19 MS. CLAYTON: It was a verbal
20 request. I called in. I was on the line.

21 MR. KATZ: Okay. Well, I mean,
22 the last time NTS met was prior to the

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1 Amarillo meeting. So it was in early May or
2 April, I think.

3 MS. CLAYTON: It was at the
4 Albuquerque meeting.

5 MR. KATZ: Okay. At the
6 Albuquerque meeting. I don't know that the
7 Working Group took up -- I don't recall. We
8 can look at the transcript from that meeting
9 and see what you raised.

10 And I will look at that transcript
11 and see what questions you raised and forward
12 those because I am not sure that the NTS
13 members reviewed public comments during that
14 full Board meeting. So maybe they haven't
15 followed up on that.

16 MS. CLAYTON: Who is the chair on
17 that NTS?

18 MR. KATZ: Bob Presley, Robert
19 Presley.

20 MS. CLAYTON: Okay.

21 MR. FUNK: Hey, Ted, this is John.
22 I think I have both the Working Board meeting

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1 and the Presidential Advisory Board meeting.
2 I think I did mention that Mrs. Clayton was
3 very unhappy or dissatisfied with the report
4 that was done for her.

5 MR. KATZ: Yes, yes, John. There
6 is no question. You have mentioned that. You
7 have mentioned that to the Board. You have
8 mentioned that to me and to SC&A, I believe,
9 as well.

10 MS. CLAYTON: Okay.

11 MR. KATZ: Dorothy, anyway, I will
12 follow up on the question of looking at what
13 questions you did raise at the Board meeting
14 and forward those to Bob Presley and the
15 working group entire.

16 MS. CLAYTON: Okay.

17 MR. FUNK: Ted, there is one more
18 thing I forgot I left out. I don't know
19 whether this reflects on this meeting or not,
20 but this is an outreach, I guess, if you're
21 looking for facts to get these things
22 straightened out.

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1 There are a lot of problems with
2 these technical base documents, supporting
3 documents. And I raised issues on some of
4 these, especially the identifying the mine
5 shafts and the grill shafts and the job
6 classifications.

7 And they keep bouncing these back
8 at me like they're not important. They are
9 very important. And they are going to have to
10 look into them. Once again --

11 MR. KATZ: Okay. John, that is an
12 NTS issue. I mean, I actually believe they
13 have engaged very much on that subject, but it
14 is really not a function of this group. It's
15 not what these Working Group members here can
16 address.

17 MR. FUNK: All right. Thank you.

18 MS. BARRIE: This is Terrie
19 Barrie. Is there time for one more comment?

20 MR. KATZ: Yes, of course, Terrie.

21 MS. BARRIE: Okay. I haven't
22 listened to the entire meeting today, but I do

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1 have a couple of suggestions. Number one, I
2 love this idea of having the public being able
3 to make comments during the Working Group
4 meeting. It's so important, as Ms. Clayton
5 and John Funk just mentioned.

6 We don't have that opportunity
7 when there is a Working Group meeting for the
8 individual site, especially like NTS. And I
9 think that you should recommend to all of the
10 working groups that we do have an opportunity,
11 instead of having all this frustration pent up
12 inside that we can't do anything or can't say
13 anything during a particular working group.

14 And this was not an original idea
15 of mine, but I want to pass it along. And
16 please forgive me if this has already been
17 mentioned.

18 The working group for a specific
19 site should be held at those sites, instead of
20 in Kentucky, where you are now. For instance,
21 the Mound site should have been held at Mound.

22 You people have to travel anyway. So I think

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1 that would broaden participation by the
2 public, number one; and have people realize
3 the work that you do.

4 I am going to get off the subject
5 here, too. I want to talk about the problems
6 with the Rocky Flats and the Ruttenberg
7 database.

8 I am not sure if everyone knows,
9 but I received a FOIA request. And NIOSH
10 apparently has noted that there is a
11 discrepancy between the two. And I am very,
12 very disappointed that this has been known to
13 NIOSH for about a year now and nothing has
14 been done.

15 Now, Mark Griffin has said that he
16 is going to contact NIOSH to schedule a
17 meeting. And I am just hoping that the
18 meeting is scheduled sooner, rather than
19 later.

20 Thank you.

21 MR. KATZ: Terrie, just on the
22 last point, just to note, NIOSH is actually

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1 engaged in an evaluation of those two
2 databases, a comparative evaluation, which I
3 think they are pretty far along on. And
4 that's what they will be working with, Mark
5 and the working group, so that there can be a
6 thorough discussion of those as soon as all of
7 that work is done. So that is certainly on
8 the burner right now.

9 MS. BARRIE: Okay. Is SC&A
10 involved with that?

11 MR. KATZ: SC&A is not yet
12 involved, but certainly they will be part of
13 that working group meeting. And anything that
14 they need to be tasked with they will be
15 tasked with once there is that discussion.

16 Mark Griffin is directly involved
17 with that and I would just also note highly
18 competent in the technical sense to grapple
19 with that as well.

20 MS. BARRIE: Great. Well, thank
21 you so much.

22 MR. KATZ: Any other members of

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1 the public who would like to comment?

2 MR. FUNK: One last comment, Ted.

3 This is John Funk again. I would hope that
4 NIOSH, DOL, and everybody concerned, the
5 primary agenda would be to find the truth, to
6 find the facts as they exist. If they hurt us,
7 they do. If they do, it's good they do.

8 I think the truth is the most
9 important thing that we find out. And I would
10 like to see both sides. Well, we have to take
11 that position. But I would like to see the
12 government take the position of a not us
13 against them mentality anymore.

14 So far what I have experienced --
15 and I believe it is shown -- seems to me like
16 it's an us against them mentality. And I
17 would like to see that stopped if we could
18 possibly do it.

19 MR. KATZ: Thanks for that
20 comment, John. I think that's a good spirit.

21 Terrie, as long as you raised the
22 question, I just want to -- I can't resolve

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1 it, but let me just address your question
2 about holding working group meetings on
3 location.

4 I mean, we have had discussions
5 about that over time. I won't resolve it by
6 myself, but let me just say there is
7 extraordinary expense in actually holding
8 these working group meetings on location
9 because it means all of the Cincinnati people,
10 people located here have to travel. And it
11 also means it's a lot more work setting up
12 these meetings at a particular site versus the
13 standard place where we have a setup arranged.

14 So it's not that it's not
15 appealing because certainly in an ideal world,
16 I think it is very appealing to hold those
17 working group meetings on location, but in a
18 practical and financial sense, it is pretty
19 difficult to deal with. So I just want to
20 sensitize you to there are some challenges to
21 actually effectuating something like that.

22 Okay. Mike?

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1 CHAIRMAN GIBSON: And, Terrie, I
2 will take the comment to the other workgroup
3 chairs that they consider having a public
4 comment meeting for the other workgroup
5 meetings.

6 MS. BARRIE: Thank you. I
7 appreciate that.

8 MR. FUNK: Yes. I think most
9 workgroups allow, particularly the SEC
10 petitioners, usually allow them time to make
11 comments. And we have had a number of them at
12 the different workgroup meetings actually be
13 present in the room.

14 MR. KATZ: That is true. That is
15 true. Particularly with the petitions, I
16 don't know of an instance where the
17 petitioners don't have opportunities to
18 provide their input during the working group
19 meeting.

20 MS. BARRIE: Yes. I understand
21 about the petitioners being allowed. However,
22 I don't believe the Mound petitioner was

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1 present during the last meeting, but there
2 were other advocates for Mound that were
3 online and would have probably been happy to
4 make comments, too.

5 MEMBER BEACH: Yes. And, Terrie,
6 this is Josie, the Chair of Mound. We had a
7 very tight schedule. And you're right. We
8 should have had maybe time. I believe they
9 were informed of the meeting and could have
10 shown up if they wanted to. But we just ran
11 out of time with all the things we had to
12 cover.

13 MR. KATZ: Yes. And that is just
14 the other general thing I would say. We do,
15 again, as we just said, allow participation by
16 petitioners. And other people speak up, too,
17 even if they're not the petitioner. It
18 happens. And generally we don't shut them
19 down.

20 But we don't have a public comment
21 session, just because we are already operating
22 with not enough time and too much work to do.

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1 And these working group meetings are open to
2 the public, but they normally wouldn't be.
3 With any other advisory committee, they
4 wouldn't even be open to the public.

5 So we are trying to be as
6 transparent and allow as much involvement as
7 possible, but at the same time, there is a lot
8 of work to be done, which is we try to really
9 limit that situation.

10 MEMBER SCHOFIELD: And, John, this
11 is Phillip Schofield here again. I want you
12 to know that the stuff you do submit to the
13 Board members and the workgroup, we do go over
14 that information.

15 But a lot of that stuff goes to
16 either SC&A or OCAS. And they look at it.
17 And they go back and see where this fits in
18 with the records or how does this fit in in a
19 particular question we have.

20 So all of that information is
21 valuable and is actually ultimately used
22 because this sometimes answers questions or it

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1 actually raises even new questions.

2 But NTS is just one of those sites
3 that has got a long history. A lot of things
4 went on out there. So a lot of the records
5 are sketchy. The official records a lot of
6 times are sketchy or some of it is based off
7 of memories, which any time you submit a
8 document or somebody else does, that people
9 say, "Well, you know, this occurred in a
10 certain area." And they are basing that on
11 their memory.

12 And a lot of times it turns out,
13 well, that wasn't the right area. So it is
14 valuable that you keep submitting this stuff.

15 MS. KLEA: Hi. This is Bonnie.
16 Can you hear me?

17 MR. KATZ: Yes, Bonnie.

18 MS. KLEA: Talking about data,
19 what can be done about groups of people that
20 were committed to lifetime secrecy and no
21 available data has been able -- we have not
22 been able to get it under a FOIA request from

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1 DOE?

2 MR. KATZ: So, Bonnie, I'm not
3 sure I can answer the question. If you have
4 made a FOIA for DOE information and DOE has
5 responded that the information doesn't exist
6 or is not available, I'm not sure.

7 MS. KLEA: Well, this is for the
8 Van Owen facility. And I've talked to SC&A
9 about it already. And they've done interviews
10 on this [Identifying information redacted]
11 -year-old man who is still alive. But we had
12 a large accident at the Van Owen facility in
13 1958.

14 And I have a list of the names and
15 addresses of all of the plutonium project
16 engineers who were committed to lifetime
17 secrecy. So I have two witnesses that are
18 alive that I know it happened, but we can't
19 get data.

20 MR. KATZ: Right. Well, I mean,
21 if they hold classified information, they
22 can't give you data. That's correct. They

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1 would be violating national security, I guess,
2 if they were to provide you.

3 But as to SC&A and OCAS both have
4 individuals who have clearances. And there is
5 a whole system for obtaining classified
6 information when it is necessary for any of
7 this work.

8 MS. KLEA: Okay. Well, the
9 workers don't know what happened. And that's
10 the problem. They were in a building when
11 there was a large nuclear release. And they
12 don't know what happened, but they are
13 witnesses to the flight tests that all showed
14 very hot outside, inside, everywhere.

15 And no one knows what happened.
16 But the workers were still committed to
17 lifetime secrecy. And we have not been able
18 to get any record of the accident from DOE.

19 I mean, do you have more power
20 than a --

21 MR. KATZ: Yes, yes. So I guess
22 that is what I am saying is, again, OCAS and

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1 SC&A, both of whom are looking at that
2 facility, right, Santa Susana, --

3 MS. KLEA: Right.

4 MR. KATZ: Both of them are
5 looking into that. They both have full access
6 to whatever information is germane for the
7 questions of being able to do dose
8 reconstructions and deal with petitions.

9 MS. KLEA: All right.

10 MR. ELLIOTT: Bonnie, this is --

11 MS. KLEA: I am submitting
12 evidence on a new facility besides just the
13 four that we have. I have a new facility, and
14 I have a worker who's alive with volumes of
15 records from the work done at a Van Nuys
16 facility, which I put on a disk, a CD. And
17 then I will be mailing that to Kathy
18 Robertson. I hope that won't be a problem
19 getting a fifth site.

20 MR. ELLIOTT: Well, let's talk
21 about this.

22 MS. KLEA: All right.

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1 MR. ELLIOTT: I mean, you are
2 going to give this new information on a new
3 facility to SC&A.

4 MS. KLEA: Yes.

5 MR. ELLIOTT: That doesn't go
6 anywhere. SC&A is not tasked to deal with new
7 information on a facility that is not
8 designated as covered under this program.

9 MS. KLEA: Okay. Well, who should
10 I send it to?

11 MR. ELLIOTT: Bonnie, this is
12 Larry Elliott.

13 MS. KLEA: Yes, Larry?

14 MR. ELLIOTT: You should send that
15 information, if you have information that you
16 believe identifies a facility doing work for
17 the Atomic Energy Commission or later DOE, I
18 would suggest you give that to DOE and DOL.

19 MS. KLEA: DOE and DOL, not that I
20 know who exactly to send it to.

21 MR. ELLIOTT: Well, at DOE, you
22 would send it to Pat Worthington or Regina

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1 Cano. At DOL, you would send it to Rachel
2 Layton.

3 MS. KLEA: Okay. Can --

4 MR. ELLIOTT: If you send it to
5 me, I will forward --

6 MS. KLEA: Do you know those
7 addresses?

8 MR. ELLIOTT: If you send it to
9 me, I will forward it to both of them.

10 MS. KLEA: Okay. And I don't know
11 who --

12 MR. ELLIOTT: You can go on our
13 website, and you can go to "Related Links."
14 On the toolbar on the right-hand side, pick
15 "Related Links." And you can go to both DOL
16 and DOE and see the addresses for those
17 individuals, however you wish to do it.

18 MS. KLEA: Okay.

19 MR. ELLIOTT: And then on the
20 other matter that you brought up just before
21 this, if you have information about an
22 incident that occurred on the covered

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1 facility, I would encourage that you share
2 that with us at NIOSH, at OCAS so that we can
3 understand what incident you are talking
4 about.

5 And I would also encourage you to
6 encourage claimants to list that incident if
7 they were present during it in their
8 computer-assisted telephone interview.

9 MS. KLEA: Well, I am sure they
10 have. And I have had a second claimant for
11 the Van Owen facility. And I asked the
12 interviewer to look at this particular claim
13 and look at the testimony. And that didn't
14 help. He never commented on it in the closing
15 interview. So that sounds good in theory,
16 but, really, that does not work. I have not
17 had that --

18 MR. ELLIOTT: Well, it should work
19 because --

20 MS. KLEA: -- other claims are
21 compared to get information.

22 MR. ELLIOTT: It should work in

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1 this instance where an incident is being
2 identified in the close-out interview. And if
3 a dose reconstruction doesn't address that,
4 then it needs to address that. It either
5 needs to say that it has been accounted for in
6 the dose estimate in some way, shape, or
7 fashion or that it's not relevant to the dose
8 reconstruction.

9 MS. KLEA: Okay.

10 MR. ELLIOTT: And so in your
11 close-out interview, if you didn't get
12 satisfaction with that, please call me or send
13 me an e-mail about it. And I'll go back to
14 ORAU. And we'll work out what happened there
15 and get an answer on that situation.

16 MS. KLEA: Okay. Well, I am going
17 to be a part of another closing interview in
18 July with one of my reactor operators on a
19 failed reactor that failed in 1964, the snap
20 AER.

21 And how can anybody get a fair
22 hearing when you're using old health data

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1 which shows that the bladder cancers are not
2 very radiosensitive? You know, according to
3 the --

4 MR. ELLIOTT: Bladder cancers are
5 not very radiosensitive. That's why.

6 MS. KLEA: -- you know, a very
7 high incidence of bladder cancer.

8 MR. ELLIOTT: The bladder cancer
9 is not radiogenic. So that's just the way the
10 cancer risk model is.

11 MS. KLEA: What? What did you
12 say? Bladder cancer is not very radiogenic?

13 MR. ELLIOTT: That bladder cancer
14 is not very radiogenic.

15 MS. KLEA: Well, not according to
16 the BIER report. According to the BIER
17 report, they had higher incidence than they
18 ever suspected, very, very high, using old --

19 MR. ELLIOTT: Well, incidence is
20 different than cancer risk models. Incidence
21 goes into cancer risk models. So, you know,
22 we may be talking past each other here, but --

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1 MR. KATZ: Bonnie, some guidance
2 that might be helpful to you. There are two
3 things here. There is a dose reconstruction,
4 which it doesn't really matter. What you are
5 talking about is now an IREP issue, which is
6 the interactive radio-epidemiological program,
7 which is used by DOL to actually then
8 establish probability of causation based on
9 the dose reconstruction, but it's not a dose
10 reconstruction person's work to deal with
11 these risk models.

12 So there is the opportunity. And
13 it's solicited on the web, I believe, still to
14 provide comments on IREP. And it sounds like
15 you might have a comment on IREP with respect
16 to bladder cancer. And you are encouraged to
17 submit comments and information related to
18 that.

19 MS. KLEA: Well, yes, if I think
20 it would help. I don't know of any one of our
21 bladder cancers that has been compensated at
22 Santa Susana. And then in the whole country,

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1 you are only paying three percent. So, you
2 know, it sounds pretty hopeless if all of our
3 workers have bladder cancer, which they do.

4 MR. KATZ: Again, so, Bonnie, I
5 mean, that is a reflection of the current
6 cancer risk models that have been developed by
7 the National Cancer Institute and with some
8 involvement by NIOSH.

9 Those risk models do not attribute
10 a high level of risk to a given amount of
11 radiation dose in comparison to what you would
12 have, say, with a lung cancer. But that is
13 just to speak very crudely about this,
14 probably inaccurately.

15 But, again, the door is open on
16 scientific questions with IREP. And you
17 should feel empowered to submit comments and
18 questions with respect to IREP. If you don't
19 raise the questions, then certainly they may
20 not be taken out.

21 But BIER, these reports are very
22 important. And OCAS is well-aware of these

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1 reports, and the report that work on the IREP
2 program are well-aware of these reports. And
3 there is a lot of peer review among scientists
4 that goes into those programs already but
5 certainly raise issues if you have them.

6 MS. KLEA: Well, I think that we
7 are long past the conclusions of the BIER
8 report. And I see no changes have been made
9 whatsoever.

10 MS. ROBERTSON-DEMERS: Can I just
11 make a comment, --

12 CHAIRMAN GIBSON: Yes.

13 MS. ROBERTSON-DEMERS: -- just for
14 Larry's sake? The incident that Bonnie is
15 talking about is written up in our Santa
16 Susana site profile reviews. Additional
17 information was sent to Laura Hughes probably
18 about four weeks ago.

19 MR. ELLIOTT: Okay. Thank you.

20 CHAIRMAN GIBSON: Okay. Are there
21 any more public comments from workers or
22 advocates?

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1 (No response.)

2 CHAIRMAN GIBSON: If not, we'll
3 get back to the conduct of the meeting. And I
4 guess we are back to seeing if we have enough
5 information to pull together here to try to
6 define the mission of the workgroup.

7 MR. ZEITOUN: I have a question
8 that came up on the site conversation.

9 CHAIRMAN GIBSON: Okay.

10 MR. ZEITOUN: Let's say there is a
11 meeting regarding a site. And let's say Mound
12 or let's say anything, you know. And comments
13 came from the public regarding that site.

14 I understand that this does not go
15 into this database that we are talking about.

16 And although it's information related to
17 coming from the public on that site, am I
18 correct that it goes someplace else? It
19 doesn't go into the database that we are
20 discussing?

21 MR. ELLIOTT: It depends upon the
22 meeting, again.

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1 MR. ZEITOUN: Okay.

2 MR. ELLIOTT: If it's a town hall
3 meeting, where we're there to present
4 information about our responsibilities or our
5 operations, our program, or process and we
6 happen to interact with people and hear
7 something, we will bring back individual notes
8 perhaps. That would be how we would cover
9 that from a town hall type of a setting.

10 But on a TBD or an SEC evaluation
11 report focus group, those minutes would be a
12 summary of the conversation that was held.

13 MR. ZEITOUN: So in this case,
14 there is a possibility -- I'm using the word
15 "possibility" -- that not all the public
16 information may be found in this database in
17 one spot where the Board members or SC&A or
18 NIOSH want to go and say everything about that
19 site or all the comments that came on that
20 site will not be found in one database. It
21 could be in different locations in the
22 website.

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1 MR. JOHNSON: If the information
2 was provided at a meeting, it's in the
3 database.

4 MR. ZEITOUN: Okay.

5 MR. JOHNSON: If the information
6 was provided off meeting, you know, all bets
7 are off.

8 MR. ZEITOUN: Off these meetings
9 that you talk about?

10 MR. JOHNSON: Off these meetings.

11 MR. ZEITOUN: Yes. That's what
12 I'm trying to get at.

13 MR. JOHNSON: How would that
14 information have been communicated?

15 MR. ZEITOUN: So how does the
16 Board track all the aspects of comments that
17 came on that site? Do they have to go to
18 different sources, in addition to the
19 database?

20 MR. ELLIOTT: Again, this database
21 is initiated, entries into this database are
22 initiated, by meetings that are held.

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1 MR. ZEITOUN: Right. Right, sir.

2 MR. ELLIOTT: And what we have up
3 there, you know, I put Board meeting up there
4 late, you know, after Kathy's suggestion.

5 MR. ZEITOUN: Right.

6 MR. ELLIOTT: But I don't know
7 that we have -- we don't have any thought
8 right now or we don't have any way in our
9 minds of putting public comments caught,
10 captured, heard at a Board meeting into this.

11 We don't have a way for the public
12 health advisers who are doing interviews with
13 claimants to come out of that and say, oh,
14 hey, what about this? This person turned in
15 this document. I don't know if we have seen
16 it before.

17 MR. ZEITOUN: Right, right, right.

18 MR. ELLIOTT: So, you know, on 1,
19 2, 3, and 4 --

20 MR. ZEITOUN: So we're getting the
21 most.

22 MR. ELLIOTT: You're going to get

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1 in this tracking system what we glean from
2 that. Now, I guess we can paint through and
3 augment the middle column there.

4 MR. ZEITOUN: You know, based on
5 the discussion, I believe that you are going
6 to be augmenting it by trying to get the
7 letters into the system, whatever outside
8 letters come in for --

9 MR. ELLIOTT: See, that is a whole
10 other --

11 MR. ZEITOUN: Another attempt.

12 MR. ELLIOTT: We have another
13 system where incoming letters if -- we have a
14 controlled correspondence system. And so
15 let's say that some claimant, a petitioner, a
16 worker, an advocate, an activist writes to me
17 or writes to Dr. Howard or writes to Secretary
18 of HHS.

19 Then that incoming letter goes
20 into this controlled correspondence because it
21 generally begs for a response if nothing more
22 than just "We got your letter. Thank you."

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1 But it may in all likelihood have several
2 points that need to be addressed in written
3 response.

4 So those go into our controlled
5 correspondence, which is a totally separate
6 system. And, again, I don't know that I see
7 that as outreach. I see that as just our
8 day-to-day business interactions with folks in
9 their correspondence.

10 MEMBER MUNN: It's a process.

11 MR. ELLIOTT: Well, yes.

12 MR. McDOUGALL: If I may just
13 quickly? It sounds a little like you're
14 dealing with the one percent issues here. If
15 this Committee or this Working Group could
16 really evaluate and provide recommendations on
17 numbers 2 and 4 up here, most of the richness
18 in which I think you are going to be
19 interested in is in 2 and 4.

20 MR. ZEITOUN: That's in the
21 majority, I agree.

22 MR. McDOUGALL: Yes. And if you

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1 could get your arms around that, the rest of
2 it, you know, that's kind of the nice to
3 have.

4 MR. ZEITOUN: What triggered that,
5 Vern, is the comments we just heard. There
6 are certain issues coming up. And we cannot
7 remember, see?

8 So our issues that have to be we
9 should really as a Board -- I am a contractor
10 to the Board. Somehow we have to get a handle
11 around how these issues that are coming up in
12 meetings, in presentations could be controlled
13 and tracked. That's a concept.

14 And sometimes the one percent is
15 the most vocal ones.

16 MR. McDOUGALL: There is a lot of
17 rich information out there in the records of
18 those type 2 and type 4 meetings.

19 MR. ZEITOUN: Yes. Okay. It's a
20 concern.

21 MEMBER BEACH: And I don't
22 disagree. I think we really need to get our

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1 hands around 2 and 4. And, as Larry
2 mentioned, we need to figure out how to deal
3 with the middle section because I think that
4 is important, too.

5 Whether it's one percent, you
6 know, one percent still can be a great deal.
7 And I think it's important.

8 MR. ELLIOTT: I numbered these for
9 you --

10 MEMBER BEACH: Yes.

11 MR. ELLIOTT: -- because I think
12 those are our primary outreach activities.
13 That's where we focus our attentions: on
14 those primary four areas.

15 I'll be honest. You know, people
16 are going to shut me down for this. But the
17 Board meeting and the public comments, what I
18 listen for there is, do I need to take
19 somebody and get them off to the side and talk
20 with them and find out what is going on?

21 MEMBER BEACH: Right.

22 MR. ELLIOTT: And that's the best

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1 I think we can do with that kind of venue.
2 It's difficult to measure. You know, I could
3 write down every time I interact with somebody
4 in a public comment period at the Board and
5 tell you all how I handled it if that's what
6 you want me to do. But there is very little
7 juice for the squeezing there.

8 MR. KATZ: Some of that will be
9 captured anyway because if you find someone
10 who has something, an interesting story to
11 tell, you may interview them. And, as well,
12 SC&A --

13 MEMBER BEACH: Right, right.

14 MR. KATZ: -- tries to follow up
15 with people who have spoken up in meetings.
16 And I think you have successfully interviewed
17 people who have spoken up in meetings and
18 gotten good information. So some of that is
19 captured anyway.

20 MR. ELLIOTT: Yes, it's captured.

21 MR. KATZ: It may not in the end
22 of the day be associated with a Board meeting,

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1 but that same individual shared with you their
2 information.

3 MR. ZEITOUN: Yes. And I would
4 say 95 percent. I am not going to go up to 99
5 percent. You are going to capture this. But
6 as a contractor to the Board, we are not just
7 going to limit ourselves to this database.
8 There are different sources. There is nothing
9 lost, actually, the way I understand it. It's
10 just trying to track it different ways.

11 MEMBER BEACH: Right.

12 MR. ZEITOUN: And that's part of
13 the responsibility that the Board should give
14 to -- okay. Well, when do you think we are
15 going to be getting more input on this so we
16 can --

17 MR. ELLIOTT: You mean more flesh?

18 MR. ZEITOUN: Flesh, yes. We can
19 use it as is, no problem, you know.

20 MR. ELLIOTT: We'll work that up.
21 We'll have it before your next meeting. I
22 don't know when your next meeting is, but I

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1 think it's something that we can generate
2 here.

3 Let's couch it as a work in
4 progress because you may see it. When we put
5 it together, you may have questions about it.

6 MR. ZEITOUN: Right.

7 MR. ELLIOTT: It may lead to more
8 information you want to see on it.

9 MR. ZEITOUN: So it's Mike's
10 decision when he needs the provisions.

11 MEMBER MUNN: Well, it also is the
12 refining document for us as we work on the
13 document that we have in front of us.

14 MR. ZEITOUN: Correct, correct.

15 CHAIRMAN GIBSON: And so do we
16 have any suggestions on how to refine this
17 document as of today?

18 MEMBER MUNN: I would prefer to
19 have an opportunity to study it more
20 thoroughly than just a read-through and to
21 have the information that we developed with
22 respect to outreach meetings. It's very

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1 helpful, I think, to expand on the division
2 that was set out in this initial document with
3 respect to the generic type of worker
4 activities, which is, of course, furthered by
5 what we have seen in the diagram.

6 But past that, I would prefer that
7 we give ourselves an opportunity to not only
8 digest and comment on this document but also
9 to incorporate what we have discussed today
10 and the results of the .pdf file.

11 I would like to postpone that
12 until our next meeting unless someone has
13 specific information on these pages here that
14 they would like to pursue.

15 DEFINING THE MISSION STATEMENT

16 MR. ELLIOTT: Can I give some
17 thoughts, my thoughts?

18 CHAIRMAN GIBSON: Sure, yes.

19 MR. ELLIOTT: The mission
20 statement to me is usually one or two
21 sentences.

22 MEMBER MUNN: Yes.

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1 MR. ELLIOTT: I am not suggesting
2 this is wrong, but there is a lot of verbiage
3 here that is really background or it can be
4 referenced.

5 I think if I were to say in
6 response to somebody who asked me what the
7 mission of this workgroup is, I think you
8 captured it in one sentence on page 3 of 4
9 under measuring effectiveness if you say one
10 of the goals of the Workgroup on Worker
11 Outreach is to monitor and assess the
12 effectiveness of NIOSH's Worker Outreach
13 Program.

14 To me that is your mission
15 statement. That is essentially what the
16 workgroup was chartered to do. If you go back
17 and read the next of the transcript on the
18 charter of this workgroup, it was to do
19 assessments of the Worker Outreach Program.

20 And so you hold up a mission
21 statement that is very short and concise and
22 succinct like that, and then you can build

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1 from that. And you can say, "Okay. How are
2 we going to monitor and assess?"

3 You have that in 2 and 3 on the
4 first page: monitor/conduct meetings. You
5 have monitor the impact of the public input.
6 And so then you step away from that and say,
7 "How are we going to do that?"

8 Monitoring the meeting, that's
9 okay. Is one of us going to go attend those
10 meetings? You come back and provide the rest
11 of the Working Group feedback or input. Are
12 we going to suggest things to NIOSH to do
13 better? You know, you could set up a
14 structure here just from that one sentence
15 alone that leads you down a path toward an
16 assessment of the effectiveness of what we are
17 doing.

18 CHAIRMAN GIBSON: Okay. That
19 sounds good. Thanks, Larry.

20 MEMBER BEACH: Makes sense.

21 MR. ELLIOTT: Thank you. I would
22 welcome that. I really would. That's what

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1 we're on here, to improve on outreach efforts.

2 CHAIRMAN GIBSON: Any other
3 comments or ideas, suggestions?

4 MS. ROBERTSON-DEMERS: Do we need
5 to talk about the role that we are going to
6 play as a Working Group?

7 CHAIRMAN GIBSON: Sure, sure. We
8 can discuss that. Go ahead.

9 MS. ROBERTSON-DEMERS: Well, that
10 was a question.

11 (Laughter.)

12 CHAIRMAN GIBSON: Yes, I think
13 it's important, the role of all three. The
14 Working Group goes back to the Board. I think
15 we have defined NIOSH's role. I know you take
16 your guidance from what we have assigned to
17 you, but do you have any ideas of the role you
18 think you should be playing or how to do it or
19 --

20 MS. ROBERTSON-DEMERS: Well, when
21 I think about how to evaluate, one of the
22 things that maybe it probably is good for us

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1 to do is to evaluate the procedure 12 and the
2 associated database and get familiar with
3 that.

4 MEMBER BEACH: That seems more
5 like an action item, I guess.

6 MS. ROBERTSON-DEMERS: Well, I'm
7 just --

8 MEMBER MUNN: It needs to be
9 something probably all of us should do in our
10 review of the material now that we have the
11 full OTS, including the front and back. That
12 seems to be a logical thing for all of us.

13 MEMBER BEACH: But we would
14 request written response from SC&A to that
15 procedure.

16 CHAIRMAN GIBSON: Right. That
17 would be something we would task them to do.

18 MR. KATZ: I would just suggest
19 that the Working Group ought to read the
20 procedure and see whether they really need an
21 SC&A technical because this is not deep
22 science there.

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1 And it may be that you have
2 technical issues that you need SC&A to
3 contribute on. But you may feel you are in
4 comfortable territory to look at that
5 procedure and see if you understand it.

6 MS. ROBERTSON-DEMERS: Well,
7 actually, I have. And let me take you back in
8 time to the original procedure review. What
9 we essentially looked at was the front end of
10 the process because we did not have access to
11 WISPR at that time.

12 And so there has never been an
13 effectiveness evaluation. There has never
14 been a back end of the process evaluation for
15 the worker outreach. And that would start
16 from the minute the meeting was done to the
17 development of the minutes to workers for
18 review to how are the comments being responded
19 to.

20 That part hasn't really been
21 evaluated. And that is still a part of
22 procedure 12.

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1 MR. KATZ: I would just go beyond
2 what you are saying and say no one has laid
3 out in this Working Group yet a framework for
4 evaluating effectiveness in the first place.

5 I mean, you need to know, what do
6 you consider effective? What are the measures
7 of effectiveness? And then where is that
8 information to be gotten to make those
9 judgments? And that is part of what the
10 Working Group has to do.

11 If you follow sort of the line of
12 thinking that Larry just laid out for setting
13 your goals and so on, then under those goals,
14 that is exactly what you do.

15 You have to figure out what are
16 going to be your measures of effectiveness,
17 what are the parameters of effectiveness that
18 you are concerned with? And then where is
19 that information to be gotten?

20 MEMBER MUNN: We had a portion of
21 that discussion in our first meeting. And a
22 part of that is how do you evaluate

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1 effectiveness? Can you do it numerically?
2 And I think most of us agree pretty much you
3 probably couldn't, although I'm not sure that
4 we all came to that conclusion.

5 That was one of the reasons I was
6 so pleased to hear Larry brought us a
7 numerical assessment, incomplete though it may
8 be, what NIOSH knows in the way of changes
9 that have occurred as a result of outreach
10 activities and the defect that they have
11 gotten.

12 So up until this meeting, I don't
13 think it had --

14 MR. ELLIOTT: You had never heard
15 that --

16 MEMBER MUNN: We had never heard
17 that, never heard that. So that's --

18 MR. ELLIOTT: I don't think that's
19 a good number either.

20 MEMBER MUNN: No.

21 MR. ELLIOTT: We've got a whole
22 bunch of stuff to contribute. This is just

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1 what has populated thus far.

2 MR. KATZ: Let's be concrete about
3 monitoring meetings. So what does it mean to
4 monitor a meeting? What is it exactly that
5 you are measuring about the performance at
6 that meeting? And you need to put that on the
7 table. And then you can develop a work plan
8 for having that done.

9 MS. ROBERTSON-DEMERS: Okay.
10 Well, I've got one measure of effectiveness.
11 And that is compliance with the procedure. I
12 mean, it sounds simple, but through many
13 conversations with individuals, workers, it
14 appeared to me that, at least with the old
15 procedure, there were some non-compliances
16 with that. So that would be one measure of
17 effectiveness.

18 MEMBER MUNN: So, Kathy, you are
19 talking about PROC-097 now?

20 MS. ROBERTSON-DEMERS: No. In
21 this case, it would be PROC-012.

22 MEMBER MUNN: Yes, but that's

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1 where we need to start.

2 MS. ROBERTSON-DEMERS: Right.

3 MR. ELLIOTT: I think you need to
4 start with procedure 12, OCAS procedure 12.
5 And you can also look at ORAU procedure 0031.

6 MR. MAURO: This is John. I think
7 that I joined you a little while ago. Sorry I
8 couldn't join you initially. But don't we
9 first need -- see, the way I look at it is a
10 hierarchy. You have a mission statement,
11 which dictates okay. This is the mission of
12 the workgroup. Then you have to have
13 procedures to implement that mission.

14 So, in effect, once you have the
15 mission statement, the next step is to draft
16 implementing procedures. We have done that
17 before. In other words, when we were given a
18 role of, for example, reviewing site profiles,
19 the first thing we did is what procedure are
20 we going to follow to review site profiles?
21 We developed a scorecard. We did this for
22 dose reconstruction reviews. We did that for

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1 procedure reviews.

2 Are we now saying that, well, now
3 we have a new mission statement, new mission
4 for the Board, which deals with outreach?
5 Once that mission statement is articulated,
6 then it becomes a matter of writing an
7 implementing procedure for that mission
8 statement, which it sounds like we're trying
9 to do on the fly right now? That is very
10 difficult to do, especially since we haven't
11 really laid out the mission statement in a way
12 that we are all seeing it the same way.

13 CHAIRMAN GIBSON: Well, it seems
14 to me before we even -- the mission statement
15 is still a work in progress, obviously. And
16 before we would define, try to define, a
17 procedure, to follow that mission statement,
18 you know, does SC&A have someone on staff that
19 can put together a framework to give us an
20 evaluation progress that they can measure
21 effectiveness?

22 MR. MAURO: That is what we do in

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1 all of our reviews. We write up a procedure
2 for evaluating the completeness, the accuracy
3 of the dose reconstruction, the scientific
4 validity of the procedure, the completeness of
5 the site profile, et cetera, et cetera. And
6 so we always have a template, standardized
7 approach for performing the actions that the
8 Board requests of us.

9 Once there's a mission statement,
10 I can see SC&A writing up a protocol. It
11 could be quantitative, and it could be
12 qualitative -- we have done both -- for
13 performing the functions that are laid out in
14 the mission statement.

15 For example, right now from the
16 early conversations -- I was on for about a
17 half-hour now. But, you know, there will be
18 data obviating the Outreach Tracking System
19 that is being developed, information acquired
20 from interviews and other data capture efforts
21 from people, science experts, claimants, et
22 cetera.

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1 Now, I could see one of the action
2 items being the degree to which the
3 information that has been captured in the
4 database has been used effectively in the
5 various work products that NIOSH prepares.

6 Let's say it's a site profile and
7 we would prepare a scorecard and evaluate all
8 of the pieces of information that were
9 captured in the interview process, for
10 example, that's in this database now.

11 And the degree to which it was I
12 guess articulated and dealt with in the work
13 product that NIOSH puts out. I mean, that is
14 an example that comes to the top of my head as
15 the kind of thing that we could do on behalf
16 of the workgroup and then prepare a report.

17 We would do this from time to time
18 under the direction of the workgroup. That
19 is, could you please prepare a report? Let's
20 say we're rolling along on Mound. And the
21 question becomes, okay. How well did the
22 Mound site profile or evaluation report in

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1 final form articulate and reflect
2 consideration of all of the information that
3 was obtained during the Outreach Program?
4 That would be an example of a part of a
5 procedure that would implement the mission.

6 MEMBER MUNN: But a great deal of
7 that sounds as though it would have to be
8 subjective, as it usually is, John.

9 MR. MAURO: Sure is. Yes.

10 MEMBER MUNN: And until we address
11 at least the meat of Kathy's suggestion, it
12 would be a little difficult to identify the
13 finer points, I would think. Her suggestion
14 that the first item that we considered be how
15 well the procedure has been followed is
16 probably enough in itself to fill out a
17 worksheet, a single worksheet, the kind of
18 thing that we usually do when you look at
19 that.

20 I guess my real question, then,
21 is, is this the right time for us to be
22 considering SC&A to put together a framework

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1 or do we still have work to do before we get
2 to that point?

3 In my view, we still have work to
4 do before we get to the point that we can be
5 clear about what we are asking them to do.
6 Maybe not.

7 CHAIRMAN GIBSON: We have work to
8 do more than the mission statement.

9 MEMBER MUNN: Well, yes. We have
10 to factor into the mission statement all of
11 this material here.

12 CHAIRMAN GIBSON: Right.

13 MEMBER MUNN: And if this is going
14 to be a part of what we anticipate and the way
15 of assessment, then that is information that
16 SC&A needs to know also more than just
17 procedure 12 before they begin to undertake
18 some effort to provide a framework to hang the
19 questions on.

20 MR. MAURO: You know, this is
21 John. It's somewhat of an iterative process.

22 It's almost like the chicken and the egg

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1 problem. That is, maybe it's not a linear
2 process where you identify a mission. And
3 then given a mission, you write procedures of
4 what it is you are going to do under that
5 mission statement.

6 You know, sometimes it goes the
7 other way. That is, what are some of the
8 things that intuitively one would say that
9 these would be good things to do in order to
10 evaluate the effectiveness of the Outreach
11 Program? We're starting to talk about some of
12 these things.

13 Maybe it's an iterative process
14 where you sort of put up a straw man of the
15 various things that might be reasonable to do,
16 almost like a laundry list, a brief couple of
17 sentences describing or maybe a paragraph
18 describing three, four, five, six different
19 kinds of things that the workgroup with the
20 assistance of its contractor might consider
21 doing, actually doing, and then feeding back
22 to the Board.

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1 Then that could also be fodder for
2 okay. It almost like helps to create what the
3 mission is. It's a funny thing. It goes both
4 ways. To start the mission statement, you
5 say, "Well, okay. Now what do we do to
6 implement it?" Maybe you want to do a little
7 bit of both.

8 We already took a shot at the
9 mission statement. And there is a lot of
10 discussion. And now we talk a little bit
11 about what are some of the things we are going
12 to do? What are some of the things we are
13 going to measure: qualitatively and
14 quantitatively?

15 And maybe a little bit of that is
16 needed now. We might be at that point. And
17 then let the two feed off each other and then
18 see how they all come together.

19 MEMBER MUNN: A dozen of those in
20 a two-sentence --

21 MR. MAURO: Something like that,
22 not a big effort. This would be still

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1 conceptualization of the kind of thing that,
2 let's say, SC&A thinks might be worth doing
3 and feeding back to the workgroup as being
4 measures of performance.

5 MEMBER MUNN: Correct. That would
6 be very helpful, I think, in how we decide how
7 to proceed.

8 CHAIRMAN GIBSON: I think that
9 sounds like a good idea. Josie, are you okay
10 with that, too?

11 MEMBER BEACH: Yes. We were just
12 looking for the procedure Larry had mentioned,
13 the ORAU-031.

14 CHAIRMAN GIBSON: Well, then can
15 we agree that --

16 MS. ZACCHERO: I can e-mail it to
17 you.

18 MEMBER BEACH: That would be
19 great. Thank you.

20 CHAIRMAN GIBSON: -- that we want
21 SC&A to go ahead and start putting together a
22 straw man, a list of things that they think

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1 might feed into the mission statement as we
2 review the information for the mission
3 statement, see how they collide before the
4 next meeting?

5 MEMBER MUNN: I would like that.

6 CHAIRMAN GIBSON: Okay.

7 MEMBER BEACH: I would agree with
8 that. And I think it is also real important
9 to get on the website and to be able to start
10 looking at that. I know we have mentioned it
11 many times. And that is one of your action
12 items.

13 MR. ELLIOTT: I will give you an
14 answer on an action item right now, if I
15 might. Leroy Turner tells me the Board
16 members and its contractors will need to
17 complete all the security requirements to
18 receive the CDC log-in credentials.

19 So once you have done your
20 security training, given your fingerprints,
21 background checks have been done, you have got
22 a user ID and a key fob, then you will get

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1 access.

2 MR. KATZ: Seven Board members
3 have that about.

4 MR. ELLIOTT: And so if anybody
5 has that or -- Leroy thinks that is all going
6 to come due within the next couple of weeks.
7 And then we are ready to give you access.

8 MEMBER BEACH: And that'll be more
9 -- once we have access to that, then will we
10 need more passwords and security to get on
11 that or will it be --

12 MR. ELLIOTT: No. Once you are in
13 the system, it will go to this.

14 MEMBER BEACH: It won't be like
15 that calendar. Thank you. Okay. I am going
16 to try. I should have all of my stuff. I am
17 going to try after this meeting.

18 MR. ELLIOTT: The Board members
19 don't have multiple passwords. So why would
20 they want anybody else having them?

21 MEMBER BEACH: I don't know. That
22 is a good question.

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1 CHAIRMAN GIBSON: So once we have
2 our key fob and our ID, we have met all of the
3 other requirements?

4 MR. KATZ: Yes.

5 MEMBER BEACH: Okay.

6 MR. ELLIOTT: And once you have
7 that, you tell --

8 MR. KATZ: Leroy knows it. Leroy
9 knows the individuals.

10 MR. ELLIOTT: You can get access,
11 and we can walk you through the access.

12 MEMBER BEACH: I should have that.
13 So I am going to try it out today after this
14 meeting and see if I can --

15 CHAIRMAN GIBSON: I got my
16 password last night.

17 MEMBER MUNN: Oh, you did? How
18 great. All right. You get a gold star.

19 MR. ZEITOUN: So what is next now,
20 Chairman?

21 CHAIRMAN GIBSON: Well, I think
22 that we are now officially tasking SC&A to put

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1 together a short list of things that they
2 believe need to be evaluated to make an
3 effective mission statement.

4 The members along with SC&A and
5 obviously NIOSH would have input. Larry has
6 already given some good ideas. We will be
7 working at putting together a mission
8 statement, provide draft number 2.

9 And then when we come together for
10 the next meeting, SC&A has their list together
11 and we have our second draft of the mission
12 statement.

13 We will come together and see if
14 they complement each other or they show a hole
15 in one of the items.

16 MS. ROBERTSON-DEMERS: Who is
17 going to do the revision?

18 CHAIRMAN GIBSON: The revision of
19 the mission statement? I will start that. If
20 anyone has their own revisions and comments,
21 please e-mail them to me. And I'll send them
22 back out to everyone else.

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1 MEMBER MUNN: Now, I would hope
2 that everyone would have some comments and
3 send them in to Mike so that we have multiple
4 views of how the mission statement needs to
5 be, if there's any correction that needs to be
6 made or any formatting changes that are
7 reasonable.

8 MR. KATZ: And just for
9 clarification, I think what John was saying,
10 in part, was that he would think about and
11 with others to not just the mission statement
12 but implementation plans and then see how
13 those may inform the mission statement by
14 coming up with specific implementation plans
15 like the example he gave about evaluating the
16 impact of input on the Mound site profile.

17 MEMBER MUNN: Yes.

18 MR. KATZ: That is just an
19 example, but that is an actual concrete
20 implementation plan for an evaluation. And it
21 sort of informs how you think about your
22 mission.

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1 MEMBER MUNN: What specifically
2 are we going to look at?

3 MR. KATZ: Yes.

4 MR. MAURO: Yes. That was Ted
5 speaking, I believe?

6 MR. KATZ: Yes.

7 MR. MAURO: That's exactly what I
8 had in mind. That is, you know, you come up
9 with some particular things that you think
10 might be valuable, as Mike said.

11 And then when we get back
12 together, we are prepared to see if the
13 mission statement and the kinds of things we
14 think might be useful make. And that will
15 help formalize, finalize the mission
16 statement.

17 And then maybe at that point, once
18 we get to the point where yes, this is our
19 mission statement and we have a pretty good
20 idea of the kinds of things we want done, the
21 next step might be the actual implementation
22 procedure, the checklist and so forth, that

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1 implements that mission statement taking into
2 consideration the examples that we developed.

3 So I think this is a tractable
4 process that will get us where we are trying
5 to get.

6 MR. KATZ: Right.

7 CHAIRMAN GIBSON: Okay. Is there
8 anything else we need to discuss other than --

9 MR. ELLIOTT: NIOSH had two action
10 items. I believe we completed them both
11 today. NIOSH will continue to work on
12 developing the Outreach Tracking System and
13 populate it with additional information. ORAU
14 is going to submit things to that for us to
15 populate it with some of the first contract
16 efforts.

17 I think that is what is on our
18 plate. And we are going to get to a --

19 CHAIRMAN GIBSON: You don't have
20 to repeat it, just however you want.

21 MR. ELLIOTT: Yes. We are going
22 to put the schema on paper and flesh out

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1 additional information about each one of those
2 that you might find pertinent and interesting.

3 MR. KATZ: And also, Larry, I
4 mean, if you have evaluation wishes, certainly
5 let them be known as well. That will feed
6 into this process.

7 MR. ELLIOTT: Okay. Good. Glad
8 to hear that.

9 MS. ROBERTSON-DEMERS: And we had
10 another action item that was still hanging out
11 there. And that is to attend the
12 information-gathering worker outreach meeting.
13 We need to be notified when that is going to
14 occur.

15 CHAIRMAN GIBSON: Okay. Can SC&A
16 be put on the schedule thing that Larry puts
17 out?

18 MR. ELLIOTT: Sure. And we will
19 let you know when the next one happens. I
20 don't know that there is any planned right now
21 in the schedules.

22 MR. ZEITOUN: I give you my card

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1 so you can put us on the distribution.

2 MR. ELLIOTT: Sure.

3 MEMBER BEACH: Well, there was
4 some talk of SC&A reviewing the new procedure.

5 And there was talk of them not needing to.
6 So I guess I am wondering if that is something
7 we want to discuss as a workgroup. And do we
8 want SC&A to officially review 12?

9 MEMBER MUNN: I have not reviewed
10 12 thoroughly myself. And the suggestion that
11 was made earlier, I think, was that until we
12 have reviewed 12 to see whether we feel that
13 it needs additional review or not, it would be
14 wise for us to postpone that for at least one
15 meeting.

16 MEMBER BEACH: Okay.

17 MEMBER MUNN: But perhaps that was
18 no general consensus on that.

19 MR. ZEITOUN: Regardless, you
20 know, we have to read it. It's an issue. We
21 cannot really try to --

22 MEMBER MUNN: Yes.

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1 MR. ZEITOUN: It has to be read.

2 MR. KATZ: Yes. My only point, I
3 made the comment. My only point was that once
4 the Board members review that procedure, you
5 may not feel like you need a technical review
6 with a document from SC&A giving the review
7 for it. It may be basic enough information
8 that you don't need that kind of technical
9 review from SC&A.

10 MR. MAURO: Right now I think I
11 read through a PROC-012. And it seems that
12 that lays out a nice menu of the different
13 kind of things that are going to be done and
14 the different kind -- I think in the
15 attachment, there were all the different forms
16 that will be completed. I guess that is part
17 of this database you folks were looking at
18 earlier.

19 I see that particular document as
20 being very helpful to us in identifying the
21 kinds of things that we might want to do
22 within that framework. That is, given that

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1 this the procedure that NIOSH is following,
2 right now we will take that as is and say,
3 "Okay. What are the kinds of things that the
4 Board and SC&A as the contractor might want to
5 do to evaluate the effectiveness and
6 performance of that program?"

7 As far as reviewing, in a funny
8 sort of way, I think as far as reviewing the
9 procedure itself, I think it might be
10 premature. Please take this as the way I
11 think about things. I would rather see what
12 are some of the things that we think might be
13 useful in terms of evaluating performance of
14 the Outreach Program within the context of
15 PROC-012?

16 And then cone we do that, also we
17 will have some insight because, in effect,
18 when we do that, we will be effectively
19 getting our thoughts together on what we think
20 about PROC-012. I think it will happen all by
21 itself if you see what I am saying.

22 MR. ZEITOUN: John, this is Abe.

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1 The only thing that I would say, I reviewed
2 and I concur with you that it's a well-done
3 procedure. However, I would recommend --
4 probably Larry would -- it's not a criticism.

5 But I think if we reach a conclusion, an
6 agreement among ourselves regarding the
7 definition of the outreach and it becomes
8 embedded in yours and it's embedded in ours,
9 we will go into a meeting the same way.

10 So that is the only thing that I
11 would say it will make it more focused.

12 MEMBER BEACH: Sounds fair.

13 MR. MAURO: And I think that this
14 process of identifying things that we would
15 like to do that we think might be useful will
16 almost drive the definition.

17 MR. ZEITOUN: Right.

18 MR. MAURO: You see, it almost is
19 like things actually happen backwards. The
20 definition of the scope is may very well be
21 self-defined, self-emerged from the kinds of
22 things --

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1 MR. ZEITOUN: And that's what
2 happened today, actually, John. That's what
3 happened today. All of the discussion led to
4 refining the objectives of the outreach.

5 MR. MAURO: Yes.

6 CHAIRMAN GIBSON: Kathy?

7 MS. ROBERTSON-DEMERS: Okay. If
8 we are not going to review 12, because
9 OTIB-0097 went away, are we just going to
10 ignore the findings that we have on that that
11 may still be applicable?

12 CHAIRMAN GIBSON: Yes. I think
13 we'll do that. I mean, I don't know that
14 we'll take any action on them right now.
15 Let's go ahead and get the things done that we
16 have defined here today. And then once this
17 group takes a little more structure, you know,
18 then we can go back and look at these findings
19 and definitely see which ones are still
20 applicable. Does that sound right to
21 everyone?

22 MEMBER MUNN: Yes.

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1 CHAIRMAN GIBSON: Okay. Anything
2 else before we talk about the next meeting?

3 MEMBER BEACH: That was going to
4 be my next suggestion. So that is good.

5 SCHEDULING NEXT MEETING

6 CHAIRMAN GIBSON: I would like to
7 get tentatively the next meeting scheduled so
8 we will keep this thing on track now that it
9 seems like we're getting a little momentum
10 here at no one's fault but mine.

11 MR. ELLIOTT: You waited on us for
12 a long time.

13 MR. ZEITOUN: It's Larry's. It's
14 Larry's.

15 (Laughter.)

16 MR. ELLIOTT: It is always
17 Larry's.

18 CHAIRMAN GIBSON: So if we look at
19 something you say shortly after the next full
20 Board meeting, would that give everyone enough
21 time to --

22 MR. ELLIOTT: The first week in

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1 August sometime are you suggesting? The next
2 Board meeting is the last week in July, right?

3 MR. KATZ: Yes.

4 MEMBER MUNN: I can't do the first
5 week in August. For the sake of impact on my
6 schedule, the second week in August would be
7 idea. Our Procedures is scheduled for
8 Thursday, the 13th. Wednesday, the 12th would
9 be great.

10 MR. KATZ: That is fine.

11 MEMBER BEACH: I am clear, too.

12 MEMBER MUNN: August 12th.

13 MR. KATZ: August 12th, is that
14 good for you?

15 CHAIRMAN GIBSON: It's good for
16 me. Is it good for you, Ted?

17 MR. KATZ: Phil, is August 12th
18 good for you?

19 MEMBER SCHOFIELD: August 12th? I
20 believe so. I believe that will be okay. I
21 don't know of anything I've got going on that
22 date.

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1 MR. ELLIOTT: Submit time cards.
2 That's a good date.

3 MR. KATZ: Okay. August 12, next
4 meeting.

5 CHAIRMAN GIBSON: As Wanda says,
6 is there anything else for the good of the
7 order?

8 (No response.)

9 CHAIRMAN GIBSON: If not, I
10 declare this meeting adjourned.

11 MR. KATZ: Thanks to everyone on
12 the line as well.

13 (Whereupon, the foregoing matter
14 was concluded at 3:41 p.m.)

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