

UNITED STATES OF AMERICA
CENTERS FOR DISEASE CONTROL

+ + + + +

NATIONAL INSTITUTE FOR OCCUPATIONAL
SAFETY AND HEALTH

+ + + + +

ADVISORY BOARD ON RADIATION AND
WORKER HEALTH

+ + + + +

72nd MEETING

+ + + + +

THURSDAY
OCTOBER 7, 2010

+ + + + +

The meeting convened at 11:00
a.m., Eastern Standard Time, via
teleconference, Paul L. Ziemer, Acting Chair,
presiding.

PRESENT:

PAUL L. ZIEMER, Acting Chair
HENRY ANDERSON, Member
JOSIE BEACH, Member
BRADLEY P. CLAWSON, Member
R. WILLIAM FIELD, Member
MICHAEL H. GIBSON, Member
RICHARD LEMEN, Member
JAMES E. LOCKEY, Member
WANDA I. MUNN, Member
DAVID B. RICHARDSON, Member
GENEVIEVE S. ROESSLER, Member
PHILLIP SCHOFIELD, Member

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS
1323 RHODE ISLAND AVE., N.W.
WASHINGTON, D.C. 20005-3701

TED KATZ, Designated Federal Official

REGISTERED AND/OR PUBLIC COMMENT PARTICIPANTS

ADAMS, NANCY, NIOSH Contractor

BARRIE, TERRIE, ANWAG

HOWELL, EMILY, HHS

HINNEFELD, STU, DCAS

FITZGERALD, JOE, SC&A

KOTSCH, JEFF, DOL

LIN, JENNY, HHS

MCKEEL, DAN

MAKHIJANI, ARJUN, SC&A

MAURO, JOHN, SC&A

NETON, JIM, DCAS

RABINOWITZ, RANDY, Contractor

RUTHERFORD, LaVON, DCAS

SUNDIN, DAVE, DCAS

WADE, LEW, DCAS

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

(202) 234-4433

www.nealrgross.com

T-A-B-L-E O-F C-O-N-T-E-N-T-S

Roll Call, Mr. Katz, DFO	4
Welcome, Acting Chair Ziemer	9
Discussion of NIOSH 10-Year Program Review, Dr. Wade	10
Reviewing Public Comments to Board, Mr. Katz, DFO	14
Special Exposure Cohort (SEC) Petition Status Update - Mr. Rutherford, DCAS - Update on petitions to be presented at the November 2010 Board meeting	21
Status of DOL Policy Issuance on Use of Ruttenber Data, Mr. Kotsch, DOL	29
Coordinating DCAS Support of Board Activities, Acting Chair Ziemer	41
Updates from Work Groups and Subcommittees (as necessary) WG/SC Chairs	51
Board Correspondence, Acting Chair Ziemer	62
Future Plans/Suggestions for the November 2010 Board Meeting Agenda, All Members	63
Adjournment	73

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

(202) 234-4433

www.nealrgross.com

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

2 (11:00 a.m.)

3 MR. KATZ: It's eleven o'clock.
4 Let's begin. This is Ted Katz. I'm the
5 Designated Federal Official for the Advisory
6 Board on Radiation Worker Health. And this is
7 a teleconference meeting which is -- the
8 teleconference meetings are primarily to get
9 us prepared for upcoming face-to-face Board
10 meetings. We have one in November in Santa
11 Fe.

12 Let us begin with roll call. Now,
13 I believe -- Dr. Melius, you're not on the
14 line, is that correct?

15 ACTING CHAIR ZIEMER: I just got
16 an email from him, Ted, and he'll join us
17 later he hopes.

18 MR. KATZ: Okay. I have that
19 email too. I just wanted to make certain he
20 wasn't there. Absent, Dr. Melius. Dr. Ziemer
21 has volunteered to act as Chair for this
22 meeting. Let me get us going though with roll

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

(202) 234-4433

www.nealrgross.com

1 call of Board Members and others, beginning
2 with Board Members. We've just heard Dr.
3 Ziemer, but let's go on down the list with the
4 rest.

5 MEMBER BEACH: Josie Beach.

6 MEMBER ANDERSON: Henry Anderson.

7 MEMBER GIBSON: Michael Gibson.

8 MEMBER LOCKEY: Jim Lockey.

9 MEMBER MUNN: Wanda Munn.

10 MEMBER FIELD: Bill Field.

11 MEMBER ROESSLER: Gen Roessler.

12 MEMBER RICHARDSON: David
13 Richardson.

14 MR. KATZ: Okay, I thought I heard
15 maybe Wanda Munn got trampled by someone else.
16 Are you on, Wanda?

17 MEMBER MUNN: They wouldn't dare.
18 Yes.

19 MR. KATZ: Okay. Now I know Bob
20 Presley probably cannot make it. So -- and I
21 didn't hear him. I thought Dr. Lemen, Dr.
22 Poston --

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

(202) 234-4433

www.nealrgross.com

1 MEMBER LEMEN: Dr. Lemen is here.

2 MR. KATZ: Was that Dick?

3 MEMBER LEMEN: Yes.

4 MR. KATZ: Okay, so we have Dr.
5 Lemen.

6 MEMBER GIBSON: Ted, this is
7 Mike. I'm here.

8 MR. KATZ: I heard you, Mike.
9 I've got you checked off.

10 Do we have Dr. Poston? Okay. I
11 didn't hear Brad Clawson. Okay. Apparently
12 no Mr. Clawson, no Dr. Poston, no Mr. Presley,
13 and no Dr. Melius. Dr. Poston wasn't
14 expected. Dr. Melius isn't expected right
15 now. So I think we can get started. Let me
16 ask everyone who -- on the line -- well, let
17 me do the rest of the roll call first and then
18 I'll get to this.

19 MEMBER CLAWSON: Ted, this is
20 Brad.

21 MR. KATZ: Okay.

22 MEMBER CLAWSON: I'm the one who

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

1 spoke over Wanda.

2 (Laughter.)

3 MEMBER CLAWSON: Sorry, Wanda. I
4 dared.

5 (Laughter.)

6 MEMBER MUNN: That's okay. We'll
7 take care of that later.

8 MR. KATZ: I also want to say I
9 didn't get Phil Schofield. Phil, are you on?

10 Okay, let me go to the rest of the
11 roll call. How about NIOSH ORAU Team?

12 MR. HINNEFELD: This is Stu
13 Hinnefeld from DCAS.

14 DR. NETON: Jim Neton, DCAS.

15 MR. RUTHERFORD: LaVon Rutherford,
16 DCAS.

17 MR. SUNDIN: Dave Sundin, DCAS.

18 MR. KATZ: Okay. Very good. How
19 about SC&A Team?

20 DR. MAURO: John Mauro, SC&A.

21 MR. FITZGERALD: Joe Fitzgerald,
22 SC&A.

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

(202) 234-4433

www.nealrgross.com

1 DR. MAKHIJANI: Arjun Makhijani,
2 SC&A.

3 MR. KATZ: Very good. How about
4 other HHS or federal officials or contractors?

5 DR. WADE: This is Lew Wade.

6 MS. HOWELL: This is Emily Howell.

7 MR. KATZ: Emily.

8 MS. HOWELL: Hi. I think I spoke
9 over Nancy.

10 MS. LIN: This is Jenny with OGC.

11 MR. KOTSCH: Jeff Kotsch,
12 Department of Labor.

13 MS. RABINOWITZ: Randy Rabinowitz,
14 contractor.

15 MR. KATZ: Did I hear someone from
16 DOE?

17 MEMBER SCHOFIELD: Phil Schofield,
18 I'm on the line.

19 MR. KATZ: Great. Glad to have
20 you, Phil. Moving along, last, but not least,
21 any members of the public on the line who
22 would like to be recognized?

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

(202) 234-4433

www.nealrgross.com

1 DR. McKEEL: This is Dan McKeel.

2 MS. BARRIE: This is Terrie Barrie
3 with ANWAG.

4 MR. KATZ: Welcome to both of you.
5 Let me ask everyone when you're not speaking
6 to the group, mute your phones. If you don't
7 have a mute button, hit *6. Right now,
8 there's quite a bit of background noise, so I
9 imagine a few people are not muted.

10 And then Paul, it's your agenda.

11 ACTING CHAIR ZIEMER: Thank you
12 very much, I'll call the meeting to order. I
13 do want to ask if everyone can hear me. The
14 line at this end seems very faint. Is anyone
15 having trouble hearing me? I don't hear any
16 response. You either didn't hear me or --

17 MR. KATZ: Paul, you're very clear
18 on this end.

19 DR. MAURO: Paul, this is John.
20 You're very clear.

21 ACTING CHAIR ZIEMER: Okay, very
22 good. Thank you. I assume everyone has a

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

(202) 234-4433

www.nealrgross.com

1 copy of the agenda. It was distributed by
2 email to Board Members and it's been on the
3 website as well. So we will proceed through
4 the agenda as it's given in order. Dr. Melius
5 is unable to be here, at least at the start of
6 meeting. He may join us later at which point
7 I'll yield the
8 Chair back to him since he is the official
9 Chair. But this came up at the last moment
10 and he did ask me to fill in, so I'm glad to
11 do that for him.

12 So I do officially welcome
13 everyone. We appreciate you all being here on
14 the call this morning. Hopefully, we'll be
15 able to go through the agenda in a concise
16 manner. And I don't anticipate that this will
17 be an extended meeting, but certainly we're
18 open to any discussion items on these agenda
19 matters that anyone might have.

20 So thank you for being with us.

21 We'll begin with, well, the first
22 item is a discussion of the 10-year review. I

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

(202) 234-4433

www.nealrgross.com

1 don't know what remarks Dr. Melius was
2 intending to make, but I do want to call on
3 Dr. Wade to give us an update on the status of
4 that and then see if Board Members have
5 comments or questions.

6 Dr. Wade, would you kind of give
7 us a status report?

8 DR. WADE: Can you hear me, Paul?

9 ACTING CHAIR ZIEMER: Yes.

10 DR. WADE: Very good. The status
11 report is a little bit different than it's
12 been before in that as you'll notice at Phase
13 1 of the review where we're looking at five
14 issues. Those issues are individual dose
15 reconstruction, Special Exposure Cohort,
16 customer service, timing, quality of science
17 issues. Those pieces have all been completed.

18 You've seen the three pieces that
19 have been produced by government contractors,
20 that is the DR piece, the timing piece, and
21 the Special Exposure Cohort piece. The docket
22 is open to receive comments on those pieces.

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

(202) 234-4433

www.nealrgross.com

1 Those pieces are being modified based upon the
2 comments we've heard to this point and they
3 will reappear on the website once they're
4 modified to reflect the comments that we've
5 received to this point.

6 There will be a little bit of a
7 delay in terms of the other three pieces.
8 That's the quality of science piece and the
9 customer service piece in that those pieces
10 were authored by NIOSH employees, not NIOSH
11 contractors, and therefore, there's a hurdle
12 that we have to go through in terms of
13 clearing the NIOSH office through the NIOSH
14 process and that's underway. As soon as that
15 hurdle is cleared, those reports will be
16 distributed to you. They will also appear on
17 the website. So we're making progress.

18 I have in my hands all of the
19 pieces for Phase 1. They're just going
20 through the various reviews necessary to be
21 shared as appropriate. So that's my brief
22 report.

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

(202) 234-4433

www.nealrgross.com

1 ACTING CHAIR ZIEMER: Okay, thank
2 you, Lew. Are there any questions by the
3 Board Members?

4 I'll just make an additional
5 comment here or a question perhaps. Lew, I
6 assume that on those first three pieces,
7 there's still opportunity for Board Members to
8 review and comment on those. I, myself, am
9 working on Randy Rabinowitz's part and have
10 completed my review. I'm still working on the
11 comments and still in Nancy Adams's piece as
12 well. So I assume we're still okay time-wise
13 on getting those comments in.

14 DR. WADE: Certainly, Paul. And
15 once the pieces are modified and appear, there
16 will be an opportunity to comment upon the
17 modified piece as well. So yes. Board
18 Members, at your convenience, please.

19 ACTING CHAIR ZIEMER: Other
20 questions, Board Members?

21 Hearing no questions or comments,
22 so I'm assuming that we're completed with that

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

(202) 234-4433

www.nealrgross.com

1 item.

2 Dr. Wade, any of your other -- I
3 know Randy is on the line. I didn't hear
4 whether Nancy was, but any of the other
5 participants have comments they want to make?

6 DR. WADE: I certainly will let
7 them speak for themselves.

8 MS. ADAMS: This is Nancy Adams I
9 have no comments.

10 ACTING CHAIR ZIEMER: Very good.
11 Let's proceed then. The next item is called
12 Reviewing Public Comments to the Board and Ted
13 Katz has the lead on this. As background
14 material, I might point out that earlier this
15 fall, I think the date was August -- no,
16 that's not the right date. In any event, I
17 guess it was in September, Mr. Katz
18 distributed the latest set of tracking items
19 on public comments. So Ted, do you want to
20 comment on that and take us through any issues
21 that you want to raise?

22 MR. KATZ: Thank you, Paul. This

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

(202) 234-4433

www.nealrgross.com

1 is Ted. In mid-September, I think it was
2 probably the 15th or thereabouts, I sent to
3 all the Board Members a sort of new format for
4 this project we have now of the Board
5 responding to comments as it wishes, public
6 comments that are heard during the full face-
7 to-face Board meetings, be they comments
8 during the public comment session or during
9 the other place we get them, during the SEC
10 sessions, too.

11 I went through public comments at
12 the last teleconference a quarter ago or two
13 quarters ago. And in that case I think Jim
14 and I both felt that that was perhaps not the
15 best approach. I ran through the comments,
16 what had been done, how they had been disposed
17 of in one way or the other by DCAS or by the
18 Board during the Board meeting in direct
19 response to the comment and then raised the
20 opportunity for Board Members to engage on any
21 of the items that they might, whether they
22 hadn't been fully responded to or whether they

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

(202) 234-4433

www.nealrgross.com

1 had thoughts about the responses to date.

2 So we're going to try to do this a
3 different way now because I think really it
4 just felt a little uncomfortable the sort of
5 the weight of the presentation was on me and I
6 think it's best for the Board to speak for
7 itself. So what I've distributed to you is a
8 tracking document just like we had for the
9 last session where we went through this, that
10 is prepared by DCAS and its contractor that
11 shows all the comments in very summary form,
12 really, just almost practically titled. And
13 shows their disposition in terms of those
14 items that either DCAS responded to
15 independently, subsequent to the meeting, or
16 that might have been responded to in real time
17 during the Board meeting and then those that
18 had not yet been responded to.

19 So you have that again in one of
20 the documents I distributed to you in
21 September. And then to make this, I hope,
22 easier for you, what I did was broke up that

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

(202) 234-4433

www.nealrgross.com

1 tracking sheet and took each comment and then
2 appended it with the actual transcript of the
3 dialogue related to that comment, so that you
4 could see exactly and fully what the comment
5 was and what response might have been made
6 during the Board meeting to the comment and
7 then consider whether there are matters that
8 are unaddressed that you think the Board ought
9 to engage in more fully, or whether there's an
10 item there that DCAS responded to and you
11 might have advice for DCAS and responding
12 differently or more fully or what have you.

13 So you have those two documents.
14 The document with the transcripts, of course,
15 is quite long because I have all those public
16 comments, page by page, but I've done it so
17 that each one is a separate item and should be
18 easy, at least for you to work with. There
19 are probably not that many comments that you
20 would want to engage in. That gives you all
21 the material in one place.

22 And then in the November meeting,

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

(202) 234-4433

www.nealrgross.com

1 we're planning for Board Members to raise
2 those comments, just those comments for which
3 you feel there ought to be more Board
4 discussion. So that's what will happen in
5 November. At least that's Jim's and my plan
6 for what would happen in November. And
7 really, I'm just raising this to you now in
8 this session so that if you have thoughts
9 about the presentation of these materials, it
10 would make them easier for you to work with or
11 thoughts about the process going forward, you
12 could raise those. And my hope is to have
13 both -- I've sent to you the May comments in
14 this package as I've described it and I
15 believe DCAS is working on the August comments
16 and will be presented in a similar -- in the
17 same format.

18 So that's where we are with it.
19 And what I would like to know now is if you
20 have thoughts about this process or the
21 presentation, any changes you'd like to see?

22 ACTING CHAIR ZIEMER: Thanks, Ted.

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

(202) 234-4433

www.nealrgross.com

1 It's been very helpful, I think, to see these
2 individual comments addressed and some
3 followup being done. So that's very helpful.

4 Let me ask now, Board Members, do
5 you have comments or questions for Ted at this
6 point?

7 MEMBER ANDERSON: This is Andy. I
8 think the process presented here should work
9 well for us. I absolutely agree. It's very
10 useful to see those comments and then at least
11 track them to a certain extent.

12 ACTING CHAIR ZIEMER: Thanks,
13 Andy. It was my impression in reading these
14 that we probably don't want to get into a
15 situation where we, in detail, take action on
16 approving or disapproving every comment, but
17 rather as you review them, Board Members --
18 this is my own thoughts now and they don't
19 necessarily represent what we're going to end
20 up doing -- but it just seems to me that it
21 would make sense if you see something that
22 raises a red flag either in the response, if

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

(202) 234-4433

www.nealrgross.com

1 you feel it's unresponsive or incorrect, then
2 you would raise that issue at the follow-up
3 meeting. Was that your intent, Ted?

4 MR. KATZ: Yes, as well as -- I
5 mean there may be comments there that haven't
6 been responded to that you feel should be and
7 there may be situations where, for example,
8 DCAS may have responded to it or the Board may
9 have responded to it in part during that Board
10 meeting, but you feel like a more robust Board
11 response is deserved.

12 ACTING CHAIR ZIEMER: Sure, right.
13 There are a number of them that are labeled
14 as no response necessary and those are the
15 ones you're referring to if the Board Members
16 feel there should be a response?

17 MR. KATZ: Sure.

18 ACTING CHAIR ZIEMER: Those that
19 were no response is necessary typically are
20 ones where a comment is made simply for the
21 record. Okay. Other comments or questions,
22 Board Members?

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

(202) 234-4433

www.nealrgross.com

1 MEMBER MUNN: This is Wanda. It
2 was helpful for me to have the page references
3 there. I appreciate that.

4 ACTING CHAIR ZIEMER: From the
5 transcript.

6 MEMBER MUNN: Yes.

7 ACTING CHAIR ZIEMER: Yes, thank
8 you. That is helpful, Ted.

9 MR. KATZ: Okay, good.

10 ACTING CHAIR ZIEMER: It makes the
11 document a little long, but nonetheless, it
12 saves us from going back and digging through
13 those transcripts to try to find the exact
14 wording.

15 MR. KATZ: Right, you can just
16 take the tracking document, find those
17 comments that you have interest in, and then
18 it's very easy to search it in the longer
19 document and pull it up.

20 ACTING CHAIR ZIEMER: Right. Any
21 others?

22 If not, thank you. We'll proceed

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

(202) 234-4433

www.nealrgross.com

1 to the next item which is a presentation by
2 LaVon Rutherford which is an update on the SEC
3 petition status.

4 So LaVon, we appreciate hearing
5 what's coming down the pike.

6 MR. RUTHERFORD: All right, thank
7 you, Dr. Ziemer. Actually, we plan to present
8 five SEC Evaluation Reports at the November
9 meeting. Hangar 481, which is a revision to
10 an Evaluation Report, we actually, the only
11 thing that was revised in that Evaluation
12 Report was a new picture was placed in of the
13 actual Hangar 481. And we also allowed the
14 petitioner some time to review all the
15 documentation that was FOIA'd. That
16 petitioner has reviewed all that information
17 and is ready to move forward with discussion.

18 Texas City Chemical, we've revised
19 our Evaluation Report and that report should
20 be out within the next couple of weeks. And
21 we will present that revised evaluation at the
22 meeting. Simonds Saw and Steel, it's an 83.13

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

(202) 234-4433

www.nealrgross.com

1 Petition Evaluation. This report should be
2 out in a couple of weeks. It is in its final
3 stages of review now.

4 Linde Ceramics, again another
5 83.14. It's for a period of the early
6 operational period 1947 to 1953. We have held
7 up releasing this Evaluation Report until the
8 radon tunnel issue, we felt like we had
9 addressed that. We have a position out on
10 that radon tunnel exposures and we're ready to
11 release this Petition Evaluation and that's
12 coming through now and we anticipate that will
13 be out within the next few weeks as well and
14 we will present that one.

15 BWXT, as you may recall, we
16 recommended two Classes for BWXT, the two
17 early operational periods. We recommended
18 those at the July meeting. The Board
19 concurred with those recommendations and both
20 Classes have been added.

21 We also committed, at that Board
22 meeting, to continue our evaluation of the

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

(202) 234-4433

www.nealrgross.com

1 later years, the 1985 to 2001. We completed
2 our evaluation of that period of BWXT and we
3 will be presenting an 83.14 evaluation
4 recommending some additional years at BWXT.

5 So again, the five are Hangar 481,
6 Texas City Chemical, Simonds Saw and Steel,
7 Linde Ceramics, and BWXT.

8 Also, in my SEC summary update, I
9 will be presenting our findings of our review
10 of the SEC Class Definitions. If you recall,
11 that review is going back from the beginning
12 of our first Classes that were added under the
13 rule and looking at how we added those Class
14 Definitions, the basis for the Class
15 Definitions and if it would change based on
16 how we have been recommending Classes today.

17 So again, I will be doing a report
18 on that as well and that's about it.

19 ACTING CHAIR ZIEMER: Okay, thank
20 you, LaVon. Board Members, do you have
21 questions for LaVon?

22 MR. HINNEFELD: Paul, this is Stu

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

(202) 234-4433

www.nealrgross.com

1 Hinnefeld. There's one other thing that's not
2 a new or revised petition, but we'll be
3 presenting to the Board one more time the GE
4 Evendale SEC. At least we expect to, isn't
5 that right, LaVon?

6 MR. RUTHERFORD: Yes, that is
7 correct. I apologize about that. That is
8 actually an update that we will be providing,
9 based on what information that we have found
10 through discussions with GE out of the United
11 Kingdom as well as some additional research
12 that we've done on-site.

13 Thanks, Stu, I appreciate that.

14 MEMBER ROESSLER: This is Gen
15 Roessler. Do I have my mute off?

16 ACTING CHAIR ZIEMER: Yes, you do,
17 Gen.

18 MEMBER ROESSLER: Okay, LaVon, on
19 the Linde, you gave the dates quickly, but I
20 think they are not correct. I was just
21 looking through my paperwork here. I think
22 the SEC that we're now working on, I'm the

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

(202) 234-4433

www.nealrgross.com

1 Work Group Chair, is 107. And I think the
2 dates are January 1, 1954 through July 31,
3 2006.

4 MR. RUTHERFORD: Dr. Roessler, you
5 are correct. That is for that SEC. What we
6 are presenting is actually a new Petition
7 Evaluation that was for the earlier years. If
8 you remember, we actually have an SEC from the
9 1942 through 1946 period. This Petition
10 Evaluation here will cover the 1947 through
11 1953 period. The reason that we had held up
12 on this Petition Evaluation was because of the
13 work on the one that you were speaking to, the
14 work on the residual period. It was
15 recognized that the tunnel exposures needed to
16 be also addressed in this Petition Evaluation
17 as well. So we held up on releasing this
18 Petition Evaluation until radon exposures in
19 the tunnel for that residual period which that
20 information is used as well in this Petition
21 Evaluation.

22 MEMBER ROESSLER: Okay, when you

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

(202) 234-4433

www.nealrgross.com

1 mentioned the tunnels that raised a red flag.

2 So yes, it's okay. I understand. Thanks.

3 ACTING CHAIR ZIEMER: Other
4 questions or comments?

5 MEMBER LOCKEY: LaVon, Jim Lockey.

6 When will you update the General Electric?
7 Do you have a date on that?

8 MR. RUTHERFORD: We will be doing
9 that update at the November meeting. Again,
10 we have had some additional discussion with
11 GE. We have also done additional data capture
12 on site and we have had some correspondence
13 with GE out of the United Kingdom as well.

14 MR. HINNEFELD: This is Stu. We
15 can provide -- rather than hit the Board with
16 it cold at the meeting, we can provide a
17 summary of essentially what we're going to say
18 in advance. But I don't have a date for that
19 just yet. Is there a date you need it by?

20 MR. RUTHERFORD: Stu, would that
21 be a couple of weeks before the meeting?

22 MR. HINNEFELD: Yes, it should be

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

(202) 234-4433

www.nealrgross.com

1 at least a couple of weeks before the meeting.

2 MR. RUTHERFORD: Okay, thank you.

3 ACTING CHAIR ZIEMER: Okay, any
4 others? I'll throw this out as a general
5 question, but I think some of these are going
6 to require then some additional work by the
7 Board's contractor. For example, we have
8 revised ERs on Texas City Chemical and Simonds
9 Saw.

10 MR. RUTHERFORD: Actually, Dr.
11 Ziemer, the Simonds Saw is not a revision.
12 It's a first issuance.

13 ACTING CHAIR ZIEMER: Or a first
14 issuance, okay, yes. I thought you had said
15 revision, but you're right. That's first
16 time.

17 Texas City Chemical though is a
18 revised, I believe.

19 MR. RUTHERFORD: That is correct.

20 ACTING CHAIR ZIEMER: And --

21 MR. RUTHERFORD: Hangar 481 is a
22 revision, but Hangar 481 was never given to

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

(202) 234-4433

www.nealrgross.com

1 the Board contractor.

2 ACTING CHAIR ZIEMER: Right.

3 MR. RUTHERFORD: It just is a
4 reminder. That was one where we held up, or
5 the Board held up taking action on it until
6 the petitioner had time to review some FOIA
7 documents and they've completed that.

8 ACTING CHAIR ZIEMER: Right. So
9 the revised ERs, like on Texas City Chemical,
10 is that ready or what's the time table for
11 that actually being distributed to the Board,
12 roughly?

13 MR. RUTHERFORD: Yes, it will be
14 within the next week and a half. I say week
15 and a half because it's pretty much ready to
16 go, but I have to verify it will not require
17 another DOE ADC review.

18 ACTING CHAIR ZIEMER: Right, and
19 then the privacy review will follow
20 immediately so we can get those out to the
21 petitioners as well.

22 MR. RUTHERFORD: Correct.

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

(202) 234-4433

www.nealrgross.com

1 ACTING CHAIR ZIEMER: Okay, thank
2 you. Certainly, we want to have those all
3 distributed well in advance of the Board
4 meeting.

5 Other comments or questions?
6 Okay, let's proceed then. The next item on
7 the agenda is the status of the Department of
8 Labor's, actually, review of the Ruttenber
9 data and what there -- I guess there's a final
10 policy issuance? Jeff Kotsch is on the Board
11 -- or on the phone. Not on the Board, Jeff,
12 but on the phone. Can you give us a report on
13 where we stand on that?

14 MR. KOTSCH: Sure, Paul. Good
15 morning. This will be fairly brief.

16 At the last meeting, I noted that
17 we would -- we will be using the building data
18 from what we call the Ruttenber database as
19 input into the placement of people into the
20 SEC Class at Rocky Flats, as well as we'll
21 also use the indications of positive neutron
22 dose, check those against dose reconstruction

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

1 to determine if they indeed included neutron
2 dose in their evaluation and if they didn't,
3 we're working with NIOSH on how we'll resolve
4 that.

5 I checked with our policy group
6 yesterday. They are in the final management
7 review phase of the bulletin that will
8 basically provide the details of how that --
9 how the use of the Ruttenger database will be
10 used in putting people into the SEC Class at
11 Rocky Flats. So I'm hoping -- I can never
12 predict those things, but we're hoping that
13 will pop out in the next few weeks and then
14 I'll let you know because it will be available
15 to be reviewed.

16 ACTING CHAIR ZIEMER: Thank you
17 very much, Jeff. I wonder if -- is Mark
18 Griffon on the line? I know Mark was awaiting
19 the final disposition on this, but -- at least
20 the Board will have an opportunity to at least
21 become informed on what the intent is and how
22 that database will be used in the placement

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

(202) 234-4433

www.nealrgross.com

1 of people at locations on site and how that
2 plays into the final adjudication of the cases
3 then.

4 MR. KOTSCH: Right.

5 ACTING CHAIR ZIEMER: Board
6 Members, any questions on that information or
7 generally on the Ruttenger data?

8 MEMBER RICHARDSON: This is David
9 Richardson. Can you hear me?

10 ACTING CHAIR ZIEMER: Yes. Go
11 ahead, Dave.

12 MEMBER RICHARDSON: I had asked
13 this question before and I just want to follow
14 up some more on it. I have no problem with
15 bringing in information to help making a
16 decision. My question was sort of about the
17 chain of custody of the data.

18 Why aren't you going directly to
19 the contractor and getting the same
20 information?

21 MR. KOTSCH: We do get information
22 from the contractor as well as from NIOSH and

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

(202) 234-4433

www.nealrgross.com

1 from a number of other sources. This is just
2 another piece of data to determine whether --
3 or another piece of information to see if it
4 provides any additional information.

5 MEMBER RICHARDSON: The
6 information that Ruttenber got should be the
7 information that you would get from the
8 contractor. If it's not, it raises a question
9 either about something which happened in the
10 transmission of the data or something which
11 has changed in the contractor's database since
12 they transmitted it to Ruttenber.

13 I'm sort of confused about this
14 issue. What is there that you want from the
15 Ruttenber data which you can't obtain from the
16 Department of Energy or one of their
17 contractors?

18 MR. KOTSCH: We think we can get
19 pretty much all that information from the site
20 data that we have. This is just an additional
21 check. This is just another piece of
22 information that we're using. It's been

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

(202) 234-4433

www.nealrgross.com

1 offered as a source of information.

2 MEMBER RICHARDSON: I can speak
3 sadly from my own experience. Whenever you
4 have more data, you're always finding
5 contradictory information and how do you
6 resolve those contradictions? Is there a
7 priority or a hierarchy to the information?

8 MR. KOTSCH: In this case I don't
9 know if there's a hierarchy per se between the
10 Ruttenber and the site, but these things are
11 done on a case-by-case basis. The evidence is
12 weighed as far as what the source of it is and
13 the discrepancies are resolved on a case-by-
14 case, if there are any.

15 MEMBER RICHARDSON: I guess I find
16 that unsatisfying. I would like, a priori,
17 there to be a procedure in place for when
18 there's a contradiction to be resolved.
19 Ideally, you would like to know the origin of
20 that contradiction. You can go back to hard
21 copy records and figure out which electronic
22 file has been -- has had errors introduced

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

(202) 234-4433

www.nealrgross.com

1 into it. But on a case-by-case basis really
2 doesn't tell me anything about what the
3 principles of what -- how you think the
4 information has been obtained, been
5 manipulated, and why you have an expectation
6 that one is more or less valid than the other?

7 MR. KOTSCH: The way the
8 compensation program works is we weigh all the
9 -- in each case, all the evidence is weighed
10 and determined and if there are
11 contradictions, those are attempted to be
12 resolved.

13 MEMBER RICHARDSON: I believe that
14 if the Board, I mean, and other people want,
15 it's not a --

16 ACTING CHAIR ZIEMER: I'm
17 wondering, Dave, if we have an opportunity to
18 see what's in the bulletin which Jeff, I
19 assume, will explain how you intend to use the
20 database vis-a-vis the claims. Is that
21 correct?

22 MR. KOTSCH: Yes. The bulletin

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

(202) 234-4433

www.nealrgross.com

1 provides guidance to the claims examiners, to
2 the field staff on how to use the data, the
3 information in that database in conjunction
4 with the other sources of information that
5 have to place people into the Class.

6 ACTING CHAIR ZIEMER: Certainly,
7 Dr. Richardson has raised some interesting
8 points. We do have to keep in mind that, in
9 reality, our Board doesn't have any sort of
10 jurisdiction over how the DOL actually carries
11 out its responsibilities in this regard, but
12 at least we do have the opportunity once
13 seeing the bulletin and then the intended use
14 to at least express concerns, if there are
15 any, as to how the material is used.

16 Dave, I would assume that although
17 we have no official sort of say on this, at
18 least we could make Jeff and the others at DOL
19 cognizant of concerns that might be raised.
20 If I understand correctly, and maybe counsel
21 can also help on this, but in terms of the
22 issues that Dr. Richardson has raised, I don't

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

(202) 234-4433

www.nealrgross.com

1 know if Emily Howell or others would be able
2 to at this point give an opinion as to what
3 our input on that matter might be, but we
4 could at least discuss it at the next meeting.

5 MEMBER MUNN: This is Wanda. One
6 of the problems with attempting to put
7 together procedures for someone else to
8 follow, and especially given our experience in
9 this particular program, is the enormous
10 variance of type of information that's
11 available from which people can work.

12 The fact that we have a site that
13 has something like the Ruttenger data does not
14 give us any assurance that other sites will
15 have similar kinds of studies which we could
16 even call for supplementary information. So
17 it's difficult to see how one can move away
18 from the individual aspect of how one weighs
19 the data. It simply is impossible to say that
20 we all have even nearly the same kind of data
21 from which to work, even inside certain areas
22 where we might have additional studies. Some

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

(202) 234-4433

www.nealrgross.com

1 people may not have been included in the study
2 and yet have other data from which dose
3 reconstruction can work.

4 So due to an enormous variety of
5 sources of information we have, it would seem
6 almost impossible to begin to fairly establish
7 something that would be criterion worthy.

8 ACTING CHAIR ZIEMER: Given that,
9 however, I think in this specific case, Dr.
10 Richardson, you can weigh in on this again,
11 but it seems to me that you're raising the
12 general question of perhaps consistency on how
13 things are adjudicated. Clearly, it's done on
14 a case-by-case basis, but are there some sort
15 of operational rules that provide the sort of
16 underlying methodology for how this is done,
17 even though it is on a case-by-case basis. If
18 there is a conflict in Ruttenger data versus
19 say the DOE database, what is it that's done,
20 what has priority and is there a decision-
21 making tool so that we don't get different
22 decisions for the same kinds of differential

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

(202) 234-4433

www.nealrgross.com

1 information. But perhaps -- that was what I
2 was trying to understand.

3 Is that what you were saying, Dr.
4 Richardson?

5 MEMBER RICHARDSON: Yes, exactly.

6 It's -- I mean --

7 ACTING CHAIR ZIEMER: It's a
8 consistency issue.

9 MEMBER RICHARDSON: It's a
10 consistency issue and there is -- I mean, when
11 I -- there's a starting assumption here that
12 more information is better and that's not
13 necessarily always the case. I mean here you
14 have, your expectation is that two data
15 providers have given you -- they should be
16 identical information. The type of
17 information describing Ruttenber collected or
18 compiled into a database was not information
19 that you went back and generated de novo. It
20 was information abstracted from site records.

21 Now, if you got Ruttenber's
22 compilation, kind of a cache that you did of

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

(202) 234-4433

www.nealrgross.com

1 the data, and you got another source, a cache
2 of the same information, when you have two
3 sources of it, I think it would be worthwhile
4 to think about a principle for saying which
5 one you're going to take as the standard.

6 DR. MAKHIJANI: This is Arjun.
7 May I say something about that last comment?

8 ACTING CHAIR ZIEMER: Sure, Arjun.

9 DR. MAKHIJANI: David, I'm not
10 sure that Jim Ruttenber's information was all
11 from records. I think there were interviews
12 and some new information that was generated,
13 although this is now from memory of some years
14 back, having worked with the Board on this
15 question. We can look into that. There might
16 be some new information there.

17 MS. HOWELL: Dr. Ziemer?

18 ACTING CHAIR ZIEMER: Yes.

19 MS. HOWELL: Hi, it's Emily. I
20 was just going to say, certainly the Board can
21 inquire of DOL whether or not they have
22 procedures in place to address consistency

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

(202) 234-4433

www.nealrgross.com

1 concerns. If the Board has an opinion that
2 they can reach without additional work about
3 the best practices, then those are something
4 that the Board could potentially include in a
5 letter to DOL, but once we get kind of beyond
6 that to further inquiry and then debate about
7 procedures that DOL might apply, that's kind
8 of moving outside the scope of this Board's
9 responsibilities in terms of advising NIOSH.
10 And of course, any questions or information
11 that the Board provides to DOL, they're free
12 to respond to as they see fit.

13 I mean, obviously, the Rutenber
14 data is something that we've been going around
15 within the Board and with DOL for several
16 years now. And I think you guys have
17 outstanding questions, you know, Jeff has been
18 hearing your concerns and perhaps can address
19 them, but in terms of advising DOL about how
20 they should be verifying worker data and
21 employment, there you get into an area where
22 really we're kind of moving beyond what the

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

(202) 234-4433

www.nealrgross.com

1 Board is intended to do.

2 ACTING CHAIR ZIEMER: Thank you,
3 Emily, and that certainly was my impression
4 too, in terms of how we address this kind of
5 an issue. I think, though, it would be useful
6 for us, Mr. Katz, to put this on our agenda
7 for the next meeting at the time when we'll
8 have presumably the actual bulletin in hand so
9 we have an understanding of how the Ruttenger
10 data is being used to adjudicate cases. And I
11 believe the question that Dr. Richardson
12 raised is not unlike one we are raising for
13 ourselves and that is, how do we maintain
14 consistency in our decision-making processes
15 throughout this whole program? It's certainly
16 a useful question to consider, and if there's
17 no objection, we'll ask that Dr. Melius
18 include it in the agenda for the next meeting.

19 MR. KATZ: Paul, that's fine. My
20 only question about this is whether Mark might
21 not want to have actually the small, the Rocky
22 Flats Work Group chew on this and any other

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

(202) 234-4433

www.nealrgross.com

1 issues they might have prior to it being a
2 whole Board matter.

3 ACTING CHAIR ZIEMER: Well, that's
4 certainly appropriate. That's why I asked if
5 Mark was on the line to react to this. But
6 certainly it would be his prerogative if he
7 wants to get his Work Group to take a look at
8 this prior to the meeting. That's certainly
9 in order and I assume that you would work with
10 him on that to at least ask the question as to
11 whether he wants to do that and maybe to
12 apprise him of the question that was raised by
13 Dr. Richardson.

14 MR. KATZ: Right, and I'll do
15 that. My only question is, I'm acutely aware
16 of how many Work Group meetings we already
17 have scheduled prior to that meeting. It may
18 not be able to be done before.

19 ACTING CHAIR ZIEMER: Understood.

20 MR. KATZ: But we won't lose this
21 issue one way or the other.

22 ACTING CHAIR ZIEMER: Right,

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

(202) 234-4433

www.nealrgross.com

1 right. Okay, any other comments on this? If
2 not, we'll move to the next item which is an
3 issue of coordinating activities which
4 includes coordinating the Work Group and the
5 Subcommittee issues and the work products of
6 NIOSH and its contractor and the work products
7 that come from our Board support contractor as
8 well. And Dr. Melius was heading this one up,
9 but I think it's fairly straightforward in
10 terms of the agenda and that is to take a look
11 at the documents that we have in hand. And
12 Ted, you can help us on this.

13 We have several documents that
14 have been distributed to the Board Members,
15 one of which was Work Group coordination of
16 DCAS support tasks. We had one dated in
17 August and I think we had a more recent one.
18 In my files here it's dated September 16th
19 which gives the listing of the Site Profile
20 reviews that are in hand or when they're
21 scheduled to be delivered, any Evaluation
22 Report deliveries, and SEC items and other TBD

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

(202) 234-4433

www.nealrgross.com

1 tasks for the various Work Groups and
2 documents to be delivered and what the
3 delivery dates are.

4 Does everyone have a copy of that
5 document? Or anyone that doesn't, let us know.

6 I believe the date on it was September 16th.

7 Ted, can you speak to this?

8 MR. KATZ: I believe that's right.

9 That sounds like the right date, yes.

10 ACTING CHAIR ZIEMER: And I
11 believe, Ted, you've asked that people let you
12 know if there are items that need to be added
13 to this listing. Is that correct?

14 MR. KATZ: Yes, there's two
15 matters, I think, to be addressed. One is if
16 you are expecting work products that aren't
17 showing here, we want to catch those. So
18 please let me know. For example, Paul sent a
19 couple items to me earlier today or yesterday,
20 I think, which I've forwarded to DCAS, but so,
21 for all of you Work Group Chairs and
22 Subcommittee Chairs, if there's items that

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

(202) 234-4433

www.nealrgross.com

1 you're awaiting and they're not reflected
2 here, we want to capture them.

3 And then the second main issue
4 following that is if you see something is
5 coming up, whether it's an item that's
6 specifically requested by your Work Group, or
7 it's, for example, a TBD update, DCAS is
8 revising a TBD, you weren't aware of it and
9 you see the dates, then the issue there is
10 just the timing of that and whether that works
11 with your schedule for your Work Group. Being
12 aware of that is one thing, but also if it's a
13 priority to move something up, then to be able
14 to let DCAS know that their schedule, it would
15 be -- if an item could be moved up, it would
16 improve the work of the Work Group. And DCAS
17 can then possibly work with some of those
18 items and reorder them to meet your needs.

19 ACTING CHAIR ZIEMER: And in fact,
20 this is very helpful in terms of your actual
21 scheduling of Work Group times because you
22 will have an idea of when things will become

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

(202) 234-4433

www.nealrgross.com

1 available. If you have White Papers or other
2 review documents that are being generated, and
3 you know what the delivery dates are, that's
4 very helpful in terms of scheduling Work Group
5 times. I think the document is very helpful
6 for all the Work Groups.

7 Let me ask if there are comments
8 or questions on this. Again, it's an
9 informational item for you.

10 MEMBER CLAWSON: Paul, can you
11 hear me?

12 ACTING CHAIR ZIEMER: Yes.

13 MEMBER CLAWSON: Okay, I'm sorry,
14 my mute button isn't working here.

15 ACTING CHAIR ZIEMER: This is
16 Brad, right?

17 MEMBER CLAWSON: Yes, this is Brad,
18 I'm sorry. What date was that sent out
19 because I'm not -- I'm having --

20 ACTING CHAIR ZIEMER: I show it as
21 the 16th of September.

22 MR. KATZ: Yes.

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

1 ACTING CHAIR ZIEMER: And I think
2 it was called something like Work Group
3 Coordination for DCAS Tasks or something along
4 that line.

5 MR. KATZ: Yes, the title is
6 October Teleconference Item DCAS Coordination.

7 ACTING CHAIR ZIEMER: DCAS
8 Coordination, right.

9 MEMBER CLAWSON: Ted, could I just
10 have you send that to me. I'm not showing it
11 on my files here.

12 MR. KATZ: Okay, I sent it to both
13 of your addresses, but I'll send it again.

14 MEMBER CLAWSON: Okay, if you
15 would, I'd appreciate it. Thank you.

16 MR. KATZ: No problem.

17 ACTING CHAIR ZIEMER: Is there
18 anyone else that needs a copy that didn't get
19 it?

20 MEMBER MUNN: No, I have a copy.
21 I attempted to print it and that was
22 disastrous.

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

1 MR. KATZ: Wanda, it's impossible
2 to print.

3 MEMBER MUNN: It clearly is. I
4 thought I would print it so that I could go
5 over it.

6 ACTING CHAIR ZIEMER: Actually,
7 it's not impossible to print, and I -- if you
8 just --

9 MEMBER MUNN: You've printed it,
10 you're telling me?

11 ACTING CHAIR ZIEMER: Yes. You've
12 got to go into -- go to your page set-up to
13 start with, to get the right page set-up and
14 then you can also adjust what information is
15 on a page. This is an Excel spreadsheet, I
16 believe.

17 MEMBER MUNN: Yes.

18 ACTING CHAIR ZIEMER: And what you
19 want to do is get it so that everything in the
20 horizontal direction is all on one page.

21 MEMBER MUNN: Yes, and that was
22 what I was attempting to do and so far have

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

1 not been successful in doing it. And it is
2 difficult to really --

3 ACTING CHAIR ZIEMER: Offline,
4 I'll send you some instructions. I had to
5 fiddle around awhile.

6 MEMBER MUNN: I'll try it again.

7 ACTING CHAIR ZIEMER: There is an
8 opportunity in Excel under page set-up to tell
9 it how -- you can change what the width of
10 that is.

11 MEMBER MUNN: I'll attempt it
12 again.

13 ACTING CHAIR ZIEMER: Yes, get all
14 the columns on one page.

15 MEMBER MUNN: I guess I was
16 offering an excuse for not having reviewed it
17 more thoroughly than I did. But it certainly
18 appears to be a comprehensive list.

19 ACTING CHAIR ZIEMER: Yes.

20 MEMBER MUNN: And I can see this
21 is going to be very helpful for some of us.

22 ACTING CHAIR ZIEMER: Okay.

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

(202) 234-4433

www.nealrgross.com

1 MEMBER MUNN: Once I get it in a
2 form where I can read it.

3 ACTING CHAIR ZIEMER: Any other
4 questions or comments on that item?

5 MEMBER CLAWSON: My question is,
6 one of the things is like what I've just got
7 into, I've been told that I will have a
8 certain file, I'll have a response by a
9 certain time and then when that time passes,
10 I'm all of a sudden notified that it's a month
11 later. I'm just wondering, you know, I guess
12 I would just expect that the courtesy, if
13 they're not going to make some of these papers
14 to us in time that they let us know a little
15 bit up front instead of the last minute. Is
16 this going to be possible with this?

17 MR. HINNEFELD: This is Stu.
18 We'll do that to the extent possible.
19 Sometimes we don't get word ourselves in a
20 very timely fashion, so we will try to
21 incorporate that into our work process to make
22 sure we get some timely indication of dates

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

(202) 234-4433

www.nealrgross.com

1 that may not be met in advance of the actual
2 date itself.

3 MEMBER CLAWSON: Well, yes. We
4 were setting up a Work Group on the
5 understanding that this paper would be to us
6 by this time and this time came and passed.
7 Luckily, we had scheduled a Work Group later,
8 but --

9 ACTING CHAIR ZIEMER: Which Work
10 Group is that, Brad?

11 MEMBER CLAWSON: Fernald.

12 ACTING CHAIR ZIEMER: Fernald.

13 MEMBER CLAWSON: Okay, and so I
14 just, you know, I hate at the very last minute
15 to have to cancel a Work Group meeting because
16 not being notified that something isn't going
17 to be there or whatever. I want these Work
18 Groups to be as meaningful as possible.

19 MR. HINNEFELD: We'll try to
20 establish a process for getting the
21 information out as quickly as we can.

22 MEMBER CLAWSON: Okay. Well, my

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

1 biggest thing is if there's a change from what
2 the original agreed-on time was going to be.
3 We all know that things are going to come up.
4 It happens to all of us on this, but just to
5 be notified so that we can make more
6 arrangements or whatever would be appreciated,
7 Stu.

8 MR. HINNEFELD: Yes, we'll give it
9 a shot. I'm guessing you're talking about
10 sliding of a couple weeks. You're not talking
11 about a couple of days, right?

12 MEMBER CLAWSON: Yes, this is
13 sliding a month.

14 MR. HINNEFELD: Yes, I know. I
15 think I know what you're talking about.

16 ACTING CHAIR ZIEMER: Well, thank
17 you. The first thing when you get it is go
18 through and make sure you're even on there. I
19 don't even see Fernald on this list.

20 MEMBER CLAWSON: I know. That's
21 why I was requesting because I wanted to see
22 kind of how it was responded to, but Ted will

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

(202) 234-4433

www.nealrgross.com

1 get that to me and we'll go from there.

2 ACTING CHAIR ZIEMER: And then
3 there were some others missing. That's one of
4 the things I was communicating to Ted. So
5 take a look. Make sure the facility of
6 interest is actually on the list and then you
7 can go from there.

8 MR. KATZ: So everybody, send me -
9 - if we're going to do this individually as
10 opposed to on the conference call, send me
11 your concerns. When you look through this
12 list, you find the items that aren't showing
13 there. Send them to me and I'll take care of
14 communicating with folks at DCAS on this.

15 ACTING CHAIR ZIEMER: Any other
16 comments or questions on this? Okay. Let's
17 move on then. The next item is updates from
18 Work Groups and Subcommittees as necessary.
19 And the "as necessary" part simply means if
20 you have some particular issue to raise or
21 item of interest to the Full Board, then you
22 report that. If you don't, then you can

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

(202) 234-4433

www.nealrgross.com

1 simply indicate no report.

2 I might add that for those of the
3 Work Group Chairs, if the only thing you have
4 to report is the time of the next Work Group
5 meeting, that's fine. Just indicate when
6 you'll be -- when the Work Group meeting is
7 scheduled and that will be in the record here.

8 You all should have copies of that
9 schedule, in any event, but that's fine if
10 that's your report.

11 So let's go through them, and Ted,
12 can you do this on a roll call basis and we'll
13 just take the Work Groups in order?

14 MR. KATZ: Yes, absolutely.

15 ACTING CHAIR ZIEMER: Including
16 the Subcommittees. Let's do the two
17 Subcommittees and then we'll do the Work
18 Groups.

19 MR. KATZ: Okay, well, we don't
20 have Mark for Dose Reconstruction
21 Subcommittee, but Wanda?

22 ACTING CHAIR ZIEMER: Well, can we

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

1 ask if anyone from that Subcommittee has -- do
2 we have anything to report?

3 MR. KATZ: Well, this is Ted. I
4 can report. We have a meeting scheduled for
5 November 8th.

6 ACTING CHAIR ZIEMER: Okay.

7 MR. KATZ: And we will be doing a
8 number of things including selecting another
9 set of dose reconstructions, possibly dealing
10 with selecting dose reconstructions for a PER
11 review, going over quality assurance issues
12 that have been raised and the first hundred
13 dose reconstructions that was reviewed, and
14 continuing on with the Subcommittee's review
15 of the eighth and ninth -- seventh, eighth and
16 hopefully into the ninth sets of dose
17 reconstructions. That's more or less the
18 agenda for that meeting.

19 ACTING CHAIR ZIEMER: Okay.

20 MEMBER MUNN: Thank you, Ted. I
21 was thinking, goodness, we're doing all kinds
22 of things in that Subcommittee, but I wasn't

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

(202) 234-4433

www.nealrgross.com

1 prepared to report on a thing. And this is
2 Wanda, the other Subcommittee, the Procedures
3 Subcommittee. We last met in July. We're
4 still having some issues with the electronic
5 database. It's been transferred over to DCAS'
6 hands, but we have one or two items,
7 especially our issue of linkage to other
8 documents so that we don't have to incorporate
9 full documents into the database itself.
10 Those things are still being worked on. We're
11 trying to get those smoothed out.

12 We at our last meeting did
13 complete our discussion with respect to the
14 first of the two-page archives that we would
15 use as sort of a structure to follow or follow
16 for the summary reviews that are going to be
17 taking place and placed on the website for the
18 public to have access to. We presented that
19 at the last Board meeting and that was
20 approved in its current form.

21 We're right now discussing with
22 the Agency how to get that new portion of the

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

(202) 234-4433

www.nealrgross.com

1 site ready and get the archived material up
2 and on it. In the interim, SC&A has provided
3 the Subcommittee with four more of the two-
4 pagers for this archived document.

5 We have been looking at it and
6 anticipate spending some time with suggestions
7 on those four at our upcoming Subcommittee
8 meeting which is scheduled for next week, the
9 13th, I believe.

10 We've had quite a bit of
11 discussion about how this database that has
12 been so valuable to us and has been so
13 difficult to get up and running will factor
14 into the use by other Subcommittees and Work
15 Groups over time. There's some difference of
16 opinion in the Subcommittee as to how that may
17 play out, but we ultimately expect at a bare
18 minimum that the platform itself will be
19 available and to any and all Work Groups who
20 want to use that instead of the paper matrix
21 form which is commonly used by most of the
22 Work Groups currently.

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

(202) 234-4433

www.nealrgross.com

1 We're discussing the best method
2 for having Work Groups report back to us on
3 actions which Procedures Subcommittee
4 transfers to the individual Work Group for
5 resolution of the findings on them.

6 And we have asked NIOSH to take a
7 closer look at the open items which we are
8 carrying, many of which have to do with old,
9 old procedures that were established when we
10 were first getting up and running which have
11 been superseded since then and are still being
12 carried on our list as being open, open
13 primarily because that procedure is no longer
14 in use. So we expect to get a report on that
15 particular item next week. And it's our
16 intention to have the four new summary reports
17 available for the Board at the Los Alamos
18 meeting for them to pass judgment on. That's
19 about it.

20 MR. KATZ: Thank you, Wanda.
21 Let's go then to Work Groups. Blockson I
22 don't think we need a report for. Brookhaven,

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

(202) 234-4433

www.nealrgross.com

1 Josie?

2 MEMBER BEACH: No report there for
3 me either.

4 MR. KATZ: Thank you. Chapman, I
5 don't think we need a report. And same goes -
6 - Fernald, Brad?

7 MEMBER CLAWSON: Yes, we've got a
8 Work Group scheduled for November 9th. That's
9 about it. That's about all I can say there.

10 MR. KATZ: Thank you. The next
11 one is Hanford, which Dr. Melius chairs.
12 There's no Work Group scheduled for that at
13 this point. The next one is INL, Phil is the
14 Chair.

15 Phil, are you with us?

16 MEMBER MUNN: I don't think so.

17 ACTING CHAIR ZIEMER: Phil was
18 with us earlier. I wonder if he's on mute
19 perhaps. Phil, if you're speaking, you're on
20 mute.

21 MR. KATZ: Okay.

22 ACTING CHAIR ZIEMER: We can skip

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

1 ahead.

2 MEMBER SCHOFIELD: There I am. I
3 got it off mute.

4 ACTING CHAIR ZIEMER: Okay, Phil,
5 there you are.

6 MEMBER SCHOFIELD: We have an INL
7 Work Group meeting November 30th and the
8 gaseous diffusion plants, December 1st.

9 MR. KATZ: Okay. Thank you, Phil.
10 He's killed two birds with one stone here.

11 Lawrence Berkeley, Dr. Ziemer.

12 ACTING CHAIR ZIEMER: No meeting
13 scheduled at this time.

14 MR. KATZ: Linde, Dr. Roessler.

15 MEMBER ROESSLER: We're scheduled
16 to have a Work Group meeting on Thursday,
17 October 14th at the Cincinnati Airport
18 Marriott starting at 9 Eastern.

19 MR. KATZ: And the next is Los
20 Alamos, that's Mark Griffon. We do have a
21 meeting scheduled for LANL. Let me remind
22 myself when it is. It's --

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

(202) 234-4433

www.nealrgross.com

1 MEMBER ROESSLER: The third, Ted,
2 November 3rd.

3 MR. KATZ: Thank you, Genevieve.

4 MEMBER ROESSLER: You're welcome.

5 MR. KATZ: Next we have you,
6 Josie, Mound.

7 MEMBER BEACH: I have no report
8 for Mound, although we do have a Work Group
9 meeting. I guess I do have something to say.
10 November 5th. I just sent an email to Brant
11 looking for information on where we are with
12 action items. I'm considering postponing
13 that, but won't know for a day or two and I'll
14 let you know, Ted, as soon as I hear back from
15 Brant.

16 MR. KATZ: That will be good to
17 know because I have it penciled in for the
18 November Board meeting.

19 MEMBER BEACH: I'm concerned
20 because I haven't gotten anything from NIOSH,
21 so I'm not sure we're going to be ready.

22 MR. KATZ: Let's talk offline,

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

(202) 234-4433

www.nealrgross.com

1 maybe later this afternoon, Josie?

2 MEMBER BEACH: Okay. Sounds good.

3 MR. KATZ: The next is, let's see,
4 Nevada Test Site, there's nothing active
5 there. Bob is not with us.

6 Pantex plant, Brad?

7 MEMBER CLAWSON: Yes, we've got our
8 tour finally for the end of this month, the
9 25th. We're going to go down there. We're
10 going in and touring the Pantex facility.

11 MR. KATZ: Thank you, Brad.
12 Pinellas, Phil?

13 MEMBER SCHOFIELD: On Pinellas,
14 we're trying to settle most issues there in
15 the Mound Work Group. If we can settle them
16 from Mound that will settle the majority of
17 issues at Pinellas.

18 MR. KATZ: Thank you, Phil. Dr.
19 Poston was not on when we started for Piqua.
20 Are you with us, Dr. Poston? Okay, we do not
21 have a Work Group scheduled for Piqua at this
22 point.

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

(202) 234-4433

www.nealrgross.com

1 Then Rocky Flats is Mark. I just
2 discussed that earlier. There's no Work Group
3 scheduled, but maybe they'll take up this
4 issue of interest from Dr. Richardson and
5 others once that issuance comes from DOL.

6 Santa Susanna is Mr. Gibson.

7 MEMBER GIBSON: Ted, DCAS is still
8 working on some stuff and it will probably be
9 early spring or late winter before we have a
10 meeting on that.

11 MR. KATZ: Thank you, Mike.
12 Savannah River site is also Mark. And we are
13 working on having a teleconference prior to
14 the Board meeting. It's uncertain that a
15 couple of you on the Work Groups still need to
16 respond to me as to whether you can do it, but
17 it looks like if it will happen, there will be
18 a teleconference on the 10th of November. So
19 those of you on the Savannah River site Work
20 Group if you haven't responded already, let me
21 know if that date works. It would be a one to
22 two hour teleconference, that's it. I think

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

(202) 234-4433

www.nealrgross.com

1 in the p.m., the afternoon.

2 Next, we have one of Dr. Melius's
3 Work Groups, SEC Issues. And it is -- he's
4 working on that. It's unclear when it will
5 meet. It probably will meet in advance of the
6 Board meeting.

7 Then we have TBD-6000, Dr. Ziemer.

8 ACTING CHAIR ZIEMER: Yes, we'll
9 be meeting next week on Tuesday in Cincinnati.

10 We have some documents both from NIOSH and
11 from our contractor to review, as well as some
12 new information from the petitioner. So that
13 will take place on Tuesday.

14 MR. KATZ: Thanks, Dr. Ziemer.
15 And for everybody, we're dealing with GSI.

16 ACTING CHAIR ZIEMER: Yes. General
17 Steel Industries primarily is the focus at
18 this point.

19 MR. KATZ: TBD-6001, Dr. Anderson?

20 MEMBER ANDERSON: We have not met.
21 We have a meeting coming up on November 4th,
22 or at least we're holding that date. It is

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

1 sort of depending on what additional
2 information becomes available.

3 MR. KATZ: Thank you, Henry.
4 Surrogate Data is Dr. Melius. He has not
5 scheduled a Work Group. I'm not certain
6 whether there will be a Work Group in advance
7 of the November Board meeting for that.

8 Weldon Springs, Mr. Gibson.

9 MEMBER GIBSON: Yes, Ted. October
10 19th we have a meeting scheduled for Weldon
11 Springs and then while I'm on the line,
12 October 20th for Worker Outreach Work Group.

13 MR. KATZ: Thank you, Mike. That
14 covers the slate.

15 ACTING CHAIR ZIEMER: Okay. Very
16 good. Thank you, Ted. Thank you, Work Group
17 Chairs.

18 The next item on our agenda is
19 Board correspondence. I've not been privy to
20 this. Ted, you'll have to tell us whether or
21 not there's correspondence that Dr. Melius was
22 intending to present or was this just a

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

(202) 234-4433

www.nealrgross.com

1 general item?

2 MR. KATZ: I don't know that Dr.
3 Melius was intending to present anything at
4 this teleconference. We did just very
5 recently in the last week receive a letter
6 from Congressman Olson, and according to Board
7 procedures, that will go before the Board, so
8 you will get copied on that and it will be an
9 item for discussion in November.

10 ACTING CHAIR ZIEMER: Okay. So no
11 other correspondence that we need to address
12 at this time?

13 MR. KATZ: No, not at this
14 meeting.

15 ACTING CHAIR ZIEMER: Then finally
16 we have suggestions for the November Board
17 meeting agenda and anyone that has comments --
18 Ted, let me have you lead it off. Do you have
19 any questions on this? Or can you tell us
20 anything that -- and would you also talk a
21 little bit about the Los Alamos tour?

22 MR. KATZ: Sure. Let's start with

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

(202) 234-4433

www.nealrgross.com

1 the tour. In advance of the Board meeting on,
2 I believe it's November 15th, I have not -- I
3 do not have firm plans from DOE yet. They do
4 affirm that there will be something, an
5 overview or tour or both. And it was
6 discussed that an overview might actually be
7 more effectively done at the museum. And so
8 that's one possibility. That probably will
9 happen.

10 And then the question is whether
11 there can also be a tour of the site, whether
12 it's a windshield tour or whether we could
13 actually go into some facilities and they're
14 still working that question with the site. So
15 I don't have a report as to how that will come
16 out at this point.

17 ACTING CHAIR ZIEMER: So we don't
18 know at this point timetable-wise, for
19 example, a museum tour could readily be done,
20 I assume, in the afternoon.

21 MR. KATZ: Yes.

22 ACTING CHAIR ZIEMER: Which might

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

1 affect travel for some folks in terms of
2 whether they leave on Sunday or Monday. So I
3 guess --

4 MR. KATZ: So my aim would be, if
5 we're limited to a museum event, would be to
6 do that in the afternoon so that those who
7 could come in that morning can. I mean, for
8 those of us who are more far-flung, we're
9 going to have to come in on Sunday anyway.

10 ACTING CHAIR ZIEMER: Right.

11 MR. KATZ: But absolutely, I have
12 that intent.

13 ACTING CHAIR ZIEMER: Okay, and
14 then on the agenda itself we know which SEC
15 petitions are coming up. LaVon has reported
16 on that. We have agreed to at least include
17 something about the Rутtenber data and the DOL
18 documents on the agenda.

19 Are there other items, Board
20 Members, that you want to highlight or confirm
21 that will be on the agenda, particularly
22 relating to any of your Work Group issues? Is

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

(202) 234-4433

www.nealrgross.com

1 there anything to come before the Board? I'm
2 not aware that any of the Work Groups have
3 items that they're elevating at this time at
4 the Board level, but if you do, we need to
5 make sure they're on the agenda.

6 MEMBER MUNN: This is Wanda, Paul.

7 I don't mean to highlight it, but it is our
8 hope from the Procedures Subcommittee to have
9 the material that SC&A has given us.

10 ACTING CHAIR ZIEMER: Which would
11 be the next four short documents?

12 MEMBER MUNN: Correct, the next
13 four summaries. We hope to have those ready
14 to present to the Board.

15 ACTING CHAIR ZIEMER: Have those in
16 advance, yes. Right. Okay. Other items,
17 Board Members?

18 MEMBER CLAWSON: Do we have a --
19 what time we'll end on Thursday plan yet?

20 MR. KATZ: This is Ted. We plan to
21 end by noon.

22 MEMBER CLAWSON: Okay.

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

1 MR. KATZ: On Thursday.

2 MEMBER CLAWSON: So we can try to
3 get a flight out.

4 MR. KATZ: And right now I will be
5 sending you shortly, I hope by the end of the
6 day, an initial draft for you to look at of an
7 agenda and it's looking like it will be, the
8 first two days will be quite full.

9 MEMBER CLAWSON: So we sort of
10 have overflow to Thursday?

11 MR. KATZ: We have a good, long
12 hardworking day and Thursday a half day.

13 MEMBER CLAWSON: Okay. And how do
14 we get -- what's the best way to get up there?
15 Are we going to be approved to rent cars, or
16 --

17 MR. KATZ: You can fly directly
18 in, if you want. There's connections, I think
19 you have to go through Dallas-Fort Worth.

20 MEMBER CLAWSON: Okay.

21 MR. KATZ: Or you can fly to, for
22 example, Albuquerque and drive.

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

1 MEMBER CLAWSON: Okay.

2 MR. KATZ: That reminds me, Zaida
3 has not heard from most of you. Most of you
4 have not booked the hotel which is a due date
5 of this coming Tuesday, so all of you that
6 haven't proceeded with your travel plans
7 should probably do that over this weekend.

8 ACTING CHAIR ZIEMER: Ted, part of
9 that I think was uncertainty, both on the tour
10 part and the ending times.

11 MR. KATZ: I understand that.

12 MEMBER CLAWSON: Ted, also, too,
13 the hotel is not recognizing anybody arriving
14 before Monday.

15 MR. KATZ: Well, Zaida can
16 straighten that out.

17 MEMBER CLAWSON: I know, I just
18 wanted to mention that.

19 MEMBER ROESSLER: Does anybody
20 know about, apparently there's a train that
21 goes from the -- near the Albuquerque airport
22 on up to downtown Santa Fe. Does anybody have

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

(202) 234-4433

www.nealrgross.com

1 any information on that?

2 MEMBER SCHOFIELD: That train
3 won't work for anybody.

4 MEMBER ROESSLER: Okay. That's
5 good to know.

6 MEMBER SCHOFIELD: It's a commuter
7 train and the hours are such that it really
8 doesn't help -- I would strongly recommend
9 people just flying to Albuquerque, get a
10 rental car. There's no real taxi service in
11 Los Alamos for going up there and stuff. So I
12 think that would be the best bet for people.

13 MEMBER ROESSLER: Okay, thank you,
14 Phil.

15 MR. KATZ: You can fly right into
16 Santa Fe.

17 MEMBER SCHOFIELD: You can, yes.

18 MR. KATZ: Is that a problem? I
19 mean, tell us, Phil, if that's --

20 MEMBER SCHOFIELD: That airport
21 and some of the flights are usually pretty
22 small planes and kind of sketchy at times. I

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

(202) 234-4433

www.nealrgross.com

1 would still strongly recommend maybe just
2 flying to Albuquerque and get a rental car.

3 MEMBER LOCKEY: Hey, Brad, you
4 driving?

5 MEMBER CLAWSON: Yes, I'm driving,
6 so you fly into Santa Fe.

7 (Laughter.)

8 MEMBER LOCKEY: Thanks a lot. Do
9 you know which way Santa Fe is from
10 Albuquerque?

11 MEMBER CLAWSON: Yes, I do.

12 ACTING CHAIR ZIEMER: Okay. Any
13 other serious comments on the agenda?

14 MEMBER CLAWSON: I was just
15 wondering if we're going to have time as a
16 Board to be able to go over some of these
17 conflicts of interest. I've just had a few
18 things come up.

19 MR. KATZ: We don't have an
20 administrative session for that, Brad.

21 MEMBER CLAWSON: We will, okay.

22 MR. KATZ: We do not. We do not.

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

1 We do not have an administrative session set
2 aside. If this opens up because, for example,
3 Josie said that Mound may not be ready for
4 this meeting, if we have time open up and we
5 can set aside an administrative session, but
6 we don't have one set there right now.

7 MEMBER CLAWSON: I think,
8 personally, myself, it's something we need to
9 start addressing. So if we could, it would be
10 a good thing.

11 ACTING CHAIR ZIEMER: We can
12 address that in open session, can't we?

13 MR. KATZ: In February, we have to
14 do your annual training in any event. In
15 every year you have to do conflict-of-interest
16 training, ethics training, I should say. And
17 so it might be just as well to just leave that
18 and you can raise your questions in February.
19 That'll be in Augusta.

20 MEMBER CLAWSON: Okay. Because my
21 problem is I'm losing people that have been
22 working on my Work Group and I'm just trying

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

(202) 234-4433

www.nealrgross.com

1 to understand what's going on here.

2 MR. KATZ: Okay, well, you can
3 always communicate with me, Brad.

4 MEMBER CLAWSON: Okay.

5 ACTING CHAIR ZIEMER: Other
6 questions pertaining to the agenda?

7 MEMBER SCHOFIELD: One thing I'd
8 like to kind of see on there is at least a
9 brief discussion on the length of time it's
10 taken for some of these worker interviews to
11 be processed through DOE before they can be
12 posted. We've got ones from different sites
13 that are -- they've been with DOE for quite
14 some time now.

15

16 ACTING CHAIR ZIEMER: Maybe we can
17 have that as a subset of the DOE update.

18 MR. KATZ: Right.

19 ACTING CHAIR ZIEMER: Any others?

20 Thank you, Phil. Any other?

21 Okay, so Ted will be sending out a
22 preliminary agenda. You'll have an additional

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

(202) 234-4433

www.nealrgross.com

1 opportunity at that time, I believe, to, if
2 something pops into your mind, to ask for that
3 to be put on the agenda. Is that correct,
4 Ted?

5 MR. KATZ: Yes, yes. I'll be
6 sending you an email, I hope this week, with a
7 draft agenda.

8 ACTING CHAIR ZIEMER: Okay.

9 MR. KATZ: So please do let me
10 know if you have suggestions.

11 ACTING CHAIR ZIEMER: Okay, are
12 there any other items to come before us? If
13 not, I believe we'll declare the meeting
14 adjourned. And thank you all very much.

15 MR. KATZ: Thank you very much,
16 Paul, for hosting.

17 ACTING CHAIR ZIEMER: You bet.
18 And we'll see you all in Santa Fe.

19 (Whereupon, the above-entitled
20 matter went off the record at 12:17 p.m.)

21

22

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

(202) 234-4433

www.nealrgross.com