

U.S. DEPARTMENT OF HEALTH AND HUMAN SERVICES  
CENTERS FOR DISEASE CONTROL  
NATIONAL INSTITUTE FOR OCCUPATIONAL  
SAFETY AND HEALTH

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ADVISORY BOARD ON RADIATION AND  
WORKER HEALTH

+ + + + +

LINDE WORK GROUP

+ + + + +

MONDAY

JANUARY 25, 2010

+ + + + +

The Work Group convened, via teleconference, at 2:00 p.m. Eastern Standard Time, Genevieve S. Roessler, Chair, presiding.

PRESENT:

GENEVIEVE S. ROESSLER, Chair  
JOSIE BEACH, Member  
MICHAEL H. GIBSON, Member  
JAMES E. LOCKEY, Member

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## ALSO PRESENT:

TED KATZ, Designated Federal Official  
NANCY ADAMS, NIOSH Contractor  
ISAF AL-NABULSI, DOE  
ANTOINETTE BONSIGNORE, Petitioner  
CHRIS CRAWFORD, OCAS  
MONICA HARRISON-MAPLES, ORAU Team  
EMILY HOWELL, HHS  
JEFF KOTSCH, DOL  
LAURA KROLCZYK, Office of Senator Gillibrand  
JENNY LIN, HHS  
JOHN MAURO, SC&A  
JAMES NETON, OCAS  
STEVE OSTROW, SC&A  
BEN ROSENBAUM, Office of Senator Gillibrand  
MUTTY SHARFI, ORAU Team

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

2 2:01 p.m.

3 MR. KATZ: Okay, so let's get  
4 started with the roll call. I know Gen has a  
5 pressing schedule and will probably be worried  
6 about her cell phone anyway as this goes on.

7 This is the Advisory Board on  
8 Radiation and Worker Health. I'm Ted Katz,  
9 I'm the Designated Federal Official. This is  
10 the Linde Work Group of the Advisory Board.

11 As always, we begin with roll call  
12 with Board members. Since this is a site,  
13 please also speak to whether you have a  
14 conflict of interest for this site for  
15 everyone governmental involved in this,  
16 beginning with the Board members then.

17 CHAIR ROESSLER: This is Gen  
18 Roessler, Advisory Board member, Chairman of  
19 the Linde Work Group, no conflict.

20 MEMBER LOCKEY: Jim Lockey,  
21 Advisory Group Board member, no conflict.

22 MEMBER GIBSON: Mike Gibson,

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1 Advisory Board member, no conflict.

2 MEMBER BEACH: Josie Beach,  
3 Advisory Board member, no conflict.

4 MR. KATZ: And do we happen to have  
5 any other Board members not on the Work Group,  
6 but on the call?

7 (No response.)

8 Very well. Then the OCAS-ORAU  
9 team?

10 DR. NETON: This is Jim Neton in  
11 Cincinnati, no conflict.

12 MR. CRAWFORD: This is Chris  
13 Crawford in Cincinnati, no conflict.

14 MS. HARRISON-MAPLES: Monica  
15 Harrison-Maples, ORAU, no conflict.

16 MR. SHARFI: Mutty Sharfi, ORAU  
17 Team, no conflicts.

18 MR. KATZ: Thank you.

19 Now SC&A?

20 DR. MAURO: John Mauro, SC&A, no  
21 conflict.

22 MR. KATZ: Welcome, John.

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1 DR. OSTROW: Steve Ostrow, no  
2 conflict.

3 MR. KATZ: Very good.

4 Then HHS or other federal employees  
5 or contractors for feds?

6 MS. HOWELL: Emily Howell, HHS.

7 MS. LIN: Jenny Lin, HHS.

8 MS. ADAMS: Nancy Adams, NIOSH  
9 contractor.

10 MS. AL-NABULSI: Isaf Al-Nabulsi,  
11 DOE.

12 MR. KATZ: Welcome, Isaf.

13 MS. AL-NABULSI: Thanks.

14 MR. KOTSCH: Jeff Kotsch with  
15 Labor.

16 MR. KATZ: Oh, welcome, Jeff, too.

17 Very good. Then, now, last but not  
18 least, members of the public and any staff of  
19 congressional offices who wish to be noted in  
20 the record.

21 MR. ROSENBAUM: Ben Rosenbaum,  
22 Senator Kirsten Gillibrand's office.

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1 MR. KATZ: Welcome, Ben.

2 MS. KROLCZYK: Laura Krolczyk,  
3 Senator Kirsten Gillibrand's office.

4 MS. BONSIGNORE: Antoinette  
5 Bonsignore, petitioner.

6 MR. KATZ: Okay, that sounds like  
7 that's it.

8 Then let me just remind all the  
9 parties on the phone, especially since we're  
10 entirely dependent on the phone, please mute  
11 your phones except when you're addressing the  
12 group. If you don't have a mute button,  
13 please use the \*6 button. That will work as  
14 mute. Use \*6 again to come off of the mute.  
15 And if you have to leave the call at any  
16 point, please don't put the call on hold.  
17 Just disconnect and call back in because the  
18 hold is disruptive.

19 Thank you.

20 Gen, it's your meeting.

21 CHAIR ROESSLER: Okay, thank you,  
22 Ted, and thanks to the rest of you.

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1 I did not get out a printed or  
2 published agenda. I thought we would follow  
3 our usual procedure and usual agenda.

4 We're holding this meeting because  
5 at our December 14th meeting in Cincinnati we  
6 identified some issues -- I think they  
7 primarily came from Antoinette -- that NIOSH  
8 said they would follow up on. So we'll take  
9 those first, I think, if Chris and Jim are  
10 ready for their presentation.

11 Then we will see if we have any  
12 response from SC&A. After that, we will hear  
13 from Antoinette.

14 Our Work Group meetings are not  
15 actually designed for public comment.  
16 However, this Work Group has had the policy  
17 that Antoinette, as the claimant's  
18 representative, participates.

19 So that is the way I see the  
20 agenda. Ted, do you have any changes?

21 MR. KATZ: No, that sounds good to  
22 me.

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1 CHAIR ROESSLER: Okay.

2 MR. KATZ: Thank you.

3 CHAIR ROESSLER: Then, if everyone  
4 is ready -- and actually, I should mention  
5 that the transcript from the December 14th  
6 meeting is on the CDC OCAS website. You can  
7 find that there.

8 In emails, you should have gotten  
9 two documents from Chris Crawford. One was  
10 the summary of the Linde Ceramics Plant SEC.  
11 This is the brief descriptions of the actual  
12 SEC 00-107 that was issued November 3rd, 2008.

13 I have gone through that and I'm  
14 really impressed with this short summary. It  
15 certainly is easier to read and to identify  
16 the main items of interest. That is actually  
17 No. 1 under Chris' agenda.

18 You should also have that summary  
19 from Chris, NIOSH's response to the issues  
20 that came up last time, and then Steve Ostrow,  
21 if you want to refer back to that, he has a  
22 listing of the various findings and

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1 resolutions that we have dealt with in this  
2 Working Group. I think that is the paperwork.

3 So go ahead, Chris.

4 MR. CRAWFORD: Thank you, Gen.

5 I don't know if we need to say  
6 much. Perhaps Ms. Bonsignore has a comment  
7 about the summary of the SEC 107 Evaluation  
8 Report. I hope it is useful.

9 MS. BONSIGNORE: Yes, it is useful,  
10 and I have provided it to the workers. They  
11 have found it useful.

12 I think that that kind of  
13 transparency in this process would be a useful  
14 addition to all SEC Evaluations in the future.

15 I think that workers would appreciate having  
16 the very technical language of the ERs reduced  
17 to something that is easily understood. So I  
18 thank you for that.

19 CHAIR ROESSLER: I agree with you,  
20 Antoinette, and I think, too, it should be  
21 made available for all SEC petitions. I don't  
22 know who put this together, but certainly they

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1 should be complimented.

2 DR. NETON: This is Jim. I will  
3 credit where it's due; Chris Crawford put it  
4 together, with some editorial help from other  
5 folks, but he bore the brunt of it.

6 We will take that under advisement,  
7 that it was good, and that it's being  
8 suggested that we adopt this at other SECs.

9 MR. KATZ: Well, thank you,  
10 Antoinette, for starting this ball rolling.

11 MS. BONSIGNORE: You're welcome.

12 MR. CRAWFORD: Then, if everyone  
13 agrees, I'll go on to Point 2 in the NIOSH  
14 response document, which is entitled,  
15 "Justification for the Use of Vacuum Cleaning  
16 GA", meaning general area, "for Linde  
17 Renovation Period".

18 Jim just brought up, besides the  
19 text, which I assume most of you have had a  
20 chance to read -- I'm sorry it didn't come out  
21 a bit earlier, but I hope everybody has had a  
22 chance to look at it.

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1           Jim just pointed out that an  
2 analogous activity, which is pneumatic  
3 jackhammering, basically, done on surfaces  
4 that were previously cleaned, actually shows  
5 about half the airborne contamination level  
6 the vacuum cleaning does, which is another  
7 reason we chose that. Otherwise, I think the  
8 explanation in here pretty much stands on it.

9           Are there any comments?

10           CHAIR ROESSLER: I think probably,  
11 Chris, for the record, you should briefly go  
12 over and state what your conclusions are.

13           MR. CRAWFORD: Very good.

14           The issue was, during the remedial  
15 period, and specifically during the renovation  
16 period of the remedial period, which is the  
17 1960s so far, we needed to choose a  
18 representative airborne contamination  
19 activity, I might call it, to give some idea  
20 of what airborne levels of contamination might  
21 have been during the renovation period, when  
22 there was activity like jackhammering and

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1 vacuuming and sweeping, and so forth.

2 To do this, we went back to the  
3 original decontamination period in 1950, where  
4 conveniently there were measurements of  
5 various activities and how much alpha dust  
6 output was present in the air during each  
7 activity.

8 Many of the activities have both  
9 general area samples and breathing zone  
10 samples. They are also arranged to give you  
11 both minimum, maximum, and average exposures  
12 during these activities.

13 I'm just checking the SRDB number,  
14 if I have it here. This is the Heatherton  
15 1950 document. I'll have to give you the SRDB  
16 number later. It's on page 25 of that  
17 document, labeled page 25.

18 NIOSH decided to use the vacuum  
19 cleaning process, which is a general area  
20 sample, air sample, taken during the  
21 decontamination in 1950. The minimum exposure  
22 at that period was .1 MAC. That is a Maximum

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1 Air Concentration, is what that stands for,  
2 where 1 MAC is 70 dpm, I believe, per cubic  
3 meter. The maximum concentration was 5.3 MAC  
4 and the average, 1.2.

5 We chose this as a representative  
6 sample of what a renovation activity might  
7 produce. We felt that this was quite  
8 conservative. The reason for that is that (a)  
9 the original work was done in a highly-  
10 contaminated environment. The renovation  
11 work, which was done a decade later or so, was  
12 taking place in a facility that had already  
13 had one decontamination done. It should have  
14 reduced the amount of embedded radionuclides  
15 that could have been made airborne during any  
16 kind of a surface-disruptive activity.

17 We also looked at other kinds of  
18 activities. I think you will see in the  
19 explanation in the NIOSH response some of them  
20 we felt weren't representative of a more  
21 general renovation effort. In other words,  
22 the original decontaminators knew where the

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1 contamination was, they went directly to those  
2 spots, and they removed, for the most part,  
3 the entire surface around the most  
4 contaminated areas.

5 This was not the objective during  
6 the renovation period, where you are moving  
7 machinery around or erecting walls and doing  
8 normal industrial processes like that. There  
9 it would be strictly random whether you ran  
10 into a contaminated area or not. So we  
11 thought a more general activity like vacuum  
12 cleaning better represented the amount of  
13 material likely to have been airborne.

14 Also, as I mentioned, if we look at  
15 that table 5 in the Heatherton 1950 document,  
16 we looked at what jackhammering would do in a  
17 previously clean surface. We found that it  
18 was only half as contaminating as vacuum  
19 cleaning. So this seemed to us another  
20 indication that we were being conservative.

21 I hope, Gen, that is a fairly good  
22 description of what that item is about.

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1                   CHAIR ROESSLER: Perhaps I should  
2           have stated earlier that, when we met in  
3           December, this came up again because  
4           Antoinette mentioned that she felt that  
5           statements from the workers who were actually  
6           there, that they were not being paid close  
7           attention to. Then Dr. Neton said that we can  
8           revisit this document, and that is what has  
9           taken place.

10                   I assume, then, Chris, your summary  
11           of this is after revisiting the information  
12           that was provided, the statements from the  
13           workers?

14                   MR. CRAWFORD: Yes, Gen, that's  
15           correct. We did look at the workers'  
16           statements. One thing we note is that, while  
17           there was a considerable amount of renovation  
18           work, it would be hard to consider that work  
19           continuous during a 10-year period. So we  
20           already feel that we are being conservative in  
21           granting this level of exposure to the workers  
22           for the entire 10-year period. I hope that is

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1 understood, that that vacuum cleaning proxy is  
2 being used for the entire 10-year period for  
3 all workers at the site.

4 DR. MAURO: Chris, this is John  
5 Mauro.

6 You had mentioned that the 1950  
7 cleanup work that was going on observed dust  
8 levels ranging from .1 to about 5 MAC. Am I  
9 correct, is that going to be your start point  
10 for the 1954 start date for this particular  
11 SEC petition? In other words, are you looking  
12 at your 1950 data, where there was decon work  
13 going on as being the place that's going to  
14 start your process?

15 When you summarized your writeup,  
16 which was a very good summary, I was looking  
17 for sort of the bottom line, though: okay,  
18 here's how we're going to do the dose  
19 reconstruction. We're going to assume this  
20 concentration, starting in 1954, and we're  
21 going to assume it declines or stays constant  
22 at some rate, up until some date at the end of

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1 the time period of interest.

2 That certainly, I'm sure, is in  
3 other material, but I was sort of looking for  
4 that kind of explanation, sort of a  
5 quantitative description. Okay, given all  
6 that, here are the assumptions we're going to  
7 use. I guess I'm still a little unclear on  
8 what that is.

9 MR. CRAWFORD: What you're  
10 describing is not the case.

11 DR. MAURO: Okay.

12 MR. CRAWFORD: What I'm describing  
13 right now is the level of airborne  
14 contamination that we're assuming for the  
15 renovation period of the 1960s, during the  
16 remedial period. It does not include the  
17 period between '54 and '60 and the period  
18 after '69.

19 DR. MAURO: Okay. So you're  
20 zeroing-in on just that one piece, that one  
21 slice in time?

22 MR. CRAWFORD: Right, yes.

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1 DR. MAURO: Okay.

2 DR. NETON: This is Jim.

3 That's the time period where the  
4 renovation activities occurred that had the  
5 potential to generate some airborne. The  
6 other period before that was more, I could use  
7 the term quiescent, I guess. It wasn't really  
8 any activities going on other than general  
9 warehouse activities.

10 DR. MAURO: Please forgive me if  
11 this is a repeat, but could you paint the  
12 picture for me, beginning at '54, then up to  
13 the renovation period in '60, and then post-  
14 '60? What is the overarching story on how  
15 you're coming at this problem?

16 MR. CRAWFORD: Basically, and I  
17 want to point out to all the Board members and  
18 other listeners that we're basically working  
19 on two different tasks at the same time here.  
20 We have an SEC issue: can we bound the dose  
21 during the period of the SEC 107 petition? I  
22 think we've answered that question. This

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1 issue that we're now dealing with is more of a  
2 dose reconstruction issue having to do with  
3 the Site Profile.

4 To answer John, we felt, and we  
5 have evidence that, the airborne survey that  
6 was done in 1981-82, which was published in a  
7 1982 report, provides evidence that we have a  
8 relatively low amount of airborne activity at  
9 that time.

10 DR. MAURO: Okay.

11 MR. CRAWFORD: Also, we feel that  
12 the gamma measurements, that is, the  
13 measurements of the fixed contaminants, their  
14 gamma output from surface readings which were  
15 done around 1950 and then again in the  
16 eighties, remained constant over time, which  
17 is evidence that the airborne concentration,  
18 which, after all, has to be derived from the  
19 embedded contaminants, was probably more or  
20 less steady-state.

21 We are not proposing, in other  
22 words, to use what we consider a non-

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1 representative decontamination level of the  
2 1950 decontamination effort. We don't think  
3 it would be physically representative of  
4 conditions that were experienced by workers on  
5 the site after 1954.

6 We have one little piece of  
7 information, John, that I would like to point  
8 out. In that table 5 again, in the Heatherton  
9 document, they took one measurement a half an  
10 hour after sandblasting. The sandblasting  
11 maximum contaminant level was 49 MACs, but a  
12 half hour later it was 1 MAC, which is still a  
13 significant level, but that is not the point.  
14 The point is in only a half an hour it  
15 dropped by a factor of 49.

16 So we think that to take the high  
17 contamination levels found, airborne  
18 contamination levels found in the 1950 effort,  
19 and then just straightlining it would  
20 massively overestimate exposures in the early  
21 fifties and then after 1969.

22 DR. MAURO: So what is the MAC

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1 you're assuming for 1954 as your start point  
2 for airborne dust-loading?

3 MR. CRAWFORD: We assume it is the  
4 same as the 1981 measurement.

5 DR. MAURO: And that is in terms of  
6 MACs?

7 MR. CRAWFORD: I didn't express it  
8 in terms of MACs, but it is 10 to the minus  
9 8th levels of uranium, for instance, 10 to the  
10 minus 9th levels of thorium and radium.

11 DR. NETON: You mean microcuries  
12 per cubic centimeter?

13 MR. CRAWFORD: Yes. Sorry.

14 DR. MAURO: I am just trying to get  
15 oriented. You know, I think in terms of your  
16 starting points, I understand what you're  
17 saying; the 1950s end up, the .1 to 5 MAC  
18 numbers are for the 1950s, which may not be at  
19 all appropriate to apply to, let's say, a  
20 quiescent period that may have begun in '54, I  
21 guess.

22 But I like to think in terms of, in

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1 order to set the picture, okay, so you are  
2 assuming some constant concentration of  
3 airborne dust-loading, dpm per cubic meter --

4 MR. CRAWFORD: Right.

5 DR. MAURO: -- of some  
6 concentration. But I guess it would just be  
7 useful for me to think in terms of some  
8 fraction of a MAC, and you're assuming that  
9 that's going to be constant from 1954 right up  
10 to the 1980s, with this perturbation that  
11 occurs in the 1960s.

12 DR. NETON: Exactly. Right.

13 DR. MAURO: Okay.

14 DR. NETON: John, Mutty Sharfi is  
15 on the phone.

16 Mutty, do you have that information  
17 handy, what dpm per cubic meter we're talking  
18 about? Are you there, Mutty?

19 MR. SHARFI: Yes, I'm here.

20 I have to dig it up.

21 DR. NETON: Okay.

22 MR. CRAWFORD: I don't want to pull

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1 the context of this discussion, but are we  
2 discussing a TBD issue or the SEC part of this  
3 issue?

4 DR. NETON: Well, John was just  
5 trying to get a handle, I think, on what  
6 levels we were going to use there.

7 DR. MAURO: Yes. Listen, I'm  
8 sorry, if I stepped in and asked the question  
9 that's really out of context of the intent of  
10 this meeting, my apologies. I was just trying  
11 to get a picture of the whole story.

12 DR. NETON: Right.

13 DR. MAURO: This helps me  
14 visualize.

15 DR. NETON: Right.

16 DR. MAURO: But if the whole  
17 purpose of this conference call was to talk  
18 about the 1960 period, the renovation, then I  
19 probably am raising issues maybe that have  
20 already been resolved.

21 DR. NETON: Well, yes, we had  
22 talked about this issue at the last meeting.

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1 It was my impression that there was some  
2 misunderstanding of what was going on here. I  
3 think Chris just summarized it pretty well,  
4 that this is not your traditional situation  
5 where AEC activity stopped and then it was  
6 turned over to workers, and then you could use  
7 something like this straight-line -- was it  
8 TIB-71, I forget -- 70 approach.

9 Because, in fact, the work areas  
10 were D&Ded fairly extensively, as indicated in  
11 our report. What effectively you were left  
12 with, then, was primarily fixed contamination.

13 So it's a little different scenario.

14 So, then, you have this lower  
15 level, fairly low level of fixed contamination  
16 remaining from the early fifties all the way  
17 through the eighties with very little going on  
18 in the building, with the exception of this  
19 1960s period.

20 DR. MAURO: Okay.

21 DR. NETON: And the sixties period  
22 was the take-home question we were trying to

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1 answer for purposes of this meeting, but the  
2 other issue is relevant as well.

3 CHAIR ROESSLER: And it's my  
4 understanding, and from reviewing our  
5 transcript, that I think we had pretty much  
6 resolved all of this during our discussions.  
7 But Antoinette brought up the question as to  
8 whether NIOSH OCAS had really looked at the  
9 worker affidavits.

10 DR. NETON: Correct.

11 MS. BONSIGNORE: This is  
12 Antoinette.

13 If I could just interject here just  
14 briefly? I'm a little confused as to why  
15 we're talking that there's a line of reasoning  
16 here that the renovation work only occurred  
17 during the 1960s.

18 The worker statements that I  
19 submitted after December 14th clearly talk  
20 about continuous renovation during the  
21 fifties, sixties, and seventies. I'm looking  
22 at one of the statements right now.

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1           So forgive me for interrupting, but  
2       I'm just a little confused about this  
3       allegation that the fifties, after 1954, there  
4       was this, I believe the term was quiescent  
5       period.

6           MR. CRAWFORD: This is Chris.

7           The information is certainly a  
8       little vague. I did look specifically. There  
9       were two workers who gave statements  
10      specifically talking about the moving of very  
11      large industrial metal shears. One of them  
12      said it took place in '62; the other one said  
13      in '57. From my reading of the many  
14      documents, the 1962 statement appeared to be  
15      more likely to be true.

16          MS. BONSIGNORE: Yes, I understand  
17      that, but I am looking at the statement that  
18      you are referring to from one of the workers  
19      who was most knowledgeable about the  
20      renovation work, and I will read directly from  
21      his statement.

22          "This renovation was continuing

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1 during the 1950s, 1960s, and 1970s."

2 This is the same worker you're  
3 talking about that you're taking information  
4 about the 1960 period. So I have to ask you  
5 why you would parse one worker's statement to  
6 accept some part of it as being credible and  
7 another part as not being credible.

8 MS. HARRISON-MAPLES: Chris, may I  
9 say something?

10 MR. CRAWFORD: Of course.

11 MS. HARRISON-MAPLES: This is  
12 Monica.

13 All of the affidavits in the  
14 information that we were given in the original  
15 petition indicated that the renovation period  
16 was across the 1960s, without being able to  
17 give us any more definitive information than  
18 that. People's memories, and in my interviews  
19 of the former workers, they all said, yes, it  
20 happened in the sixties.

21 We looked for specific  
22 documentation to substantiate both the start

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1 and end date. We were able to find  
2 information beginning in the sixties talking  
3 about renovating Building 30 and certain  
4 buildings. So we had documentation evidence  
5 in support of what we had been told by the  
6 former workers.

7 We chose to extend that all the way  
8 to '70, even though we didn't have any clear  
9 evidence that it went on to '70, but our  
10 original interviews with the former workers  
11 indicated that it was in the sixties. And  
12 that's where that initiated from, the period  
13 of being from 1960 to 1970.

14 We, from our initial interviews,  
15 thought that we were bounding the renovation  
16 period. Now here we run into some trouble in  
17 terms of defining what is the renovation  
18 period because what we understood as  
19 renovation was significant changes to the  
20 structure of the building.

21 That's all I've got, but that was  
22 the initial discussion of renovation.

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1                   MS. BONSIGNORE: I understand that,  
2                   but, as I've tried to point out, I did provide  
3                   some additional documentation after the  
4                   December 14th meeting.

5                   MS. HARRISON-MAPLES: We haven't  
6                   found any documentation in support or to  
7                   counter the workers' statements at this point.  
8                   The original workers' statements, we found  
9                   some documentation which we were able to use  
10                  to support those workers' statements, and we  
11                  were able to give as much benefit of the doubt  
12                  as we could for the entire period of 1960 to  
13                  1970.

14                  MS. BONSIGNORE: And can I ask you,  
15                  what specific research you've done after  
16                  reviewing the documents I provided after  
17                  December 14th to validate or disprove that  
18                  some of the renovation work could have  
19                  occurred during the 1950s specifically?

20                  MS. HARRISON-MAPLES: We had  
21                  already gone back to the site and requested  
22                  records and licensing materials having to do

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1 with renovations. We talked with people at  
2 the site, when we initially got the petition,  
3 and everything that we were able to get from  
4 the site at that point indicated starting in  
5 the early sixties, around 1962.

6 And because there was some  
7 uncertainty as far as the exact start date, we  
8 chose to just start with 1960.

9 MS. BONSIGNORE: Perhaps my  
10 question wasn't clear. I'm asking what  
11 research you have done after I submitted the  
12 documents, the affidavits, workers'  
13 statements, after December 14th.

14 MS. HARRISON-MAPLES: Basically,  
15 just a re-review of all of the documentation  
16 that has come in since this petition has been  
17 put forth, everything that we have in our  
18 records. We looked for any additional  
19 information having to do with renovation  
20 previous to 1960, and we weren't able to  
21 locate --

22 MS. BONSIGNORE: I'm sorry. So is

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1 what you're telling me that you've -- I'm a  
2 little confused here.

3 MS. HARRISON-MAPLES: I'm sorry.  
4 What I'm saying is that we continued to gather  
5 records from the site and from all of our  
6 sources, even after we have completed the  
7 Evaluation Report. So we went back and we re-  
8 reviewed everything that had come in since the  
9 Evaluation Report had been completed, and  
10 looked for any additional documentation that  
11 might support some change in the renovation  
12 period date.

13 MS. BONSIGNORE: So what you're  
14 saying is that you looked for additional  
15 documentation after I submitted the workers'  
16 statements after the December 14th Working  
17 Group meeting and found nothing to support  
18 those statements? Is that what you are  
19 saying?

20 MS. HARRISON-MAPLES: I didn't find  
21 anything additional. Yes, that's what I'm  
22 saying.

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1 CHAIR ROESSLER: But I think the  
2 answer that Antoinette is looking for, and I  
3 think the rest of us, too, after she submitted  
4 the additional information, you did look at  
5 it?

6 MS. HARRISON-MAPLES: Yes.

7 CHAIR ROESSLER: And you did take  
8 that into consideration, then reevaluated the  
9 other things you've previously had?

10 MS. HARRISON-MAPLES: Yes.

11 DR. NETON: This is Jim Neton.

12 Ms. Bonsignore, maybe I  
13 misunderstood, but I was under the impression  
14 from our last discussion on December 14th that  
15 your main concern was that there were a lot of  
16 construction-type activities that occurred  
17 that you believed would not be bounded by the  
18 modeling approach, or not the modeling, but  
19 the data that we used to estimate exposures  
20 during the renovations. That seemed to be  
21 your biggest concern at that time.

22 MS. BONSIGNORE: Well, it was, but

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1 I wasn't aware during our last meeting that  
2 the renovation work that occurred during the  
3 late 1950s was not being included in the dose  
4 exposure model that you are relying on here.  
5 I was not aware of that.

6 DR. NETON: Okay.

7 MS. BONSIGNORE: So, again, I need  
8 to stress again that I really believe that,  
9 and the workers are very concerned that the  
10 statements that they're providing are not  
11 being given due regard.

12 DR. NETON: Well, this is Jim  
13 again.

14 I think that we have. Again, we  
15 were trying to address the issue that I  
16 thought was on the table, which was, have we  
17 addressed the workers' concerns that  
18 construction-type activities were occurring  
19 and that the values of inhalation exposure  
20 that we were using for that period were valid,  
21 given the statements that were made?

22 I think that we have made a

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1 legitimate attempt here to address that issue  
2 and take the workers' statements into  
3 consideration.

4 Now the issue of the time period is  
5 something I'm hearing for the first time again  
6 by you, that that's another concern that you  
7 have.

8 MS. BONSIGNORE: Well, it's a  
9 concern because of some of the statements that  
10 have been made here about general renovation  
11 efforts versus specific renovation efforts  
12 that occurred during the 1950s versus later  
13 time periods.

14 I think, if we are going to have a  
15 claimant-favorable analysis here, that just to  
16 be limiting this to general activity  
17 vacuuming, vacuum cleaning, just seems  
18 counterintuitive to me, considering the  
19 statements that I have provided.

20 DR. NETON: Well, that's at the  
21 heart of the issue that Chris tried to address  
22 earlier, that we believe that the vacuuming

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1 activities are representative, would be  
2 representative, if not higher, exposures than  
3 what occurred during this renovation period,  
4 precisely because there were jackhammering  
5 measurements after they decontaminated the  
6 buildings that are lower than the maximum  
7 value that was observed during vacuum  
8 cleaning. That's why we are using it.

9 MS. BONSIGNORE: I understand that,  
10 but perhaps this is my lack of technical  
11 expertise here, but why wouldn't you consider  
12 all of the efforts, the vacuum cleaning, the  
13 jackhammering, consider all of that in a  
14 combined analysis?

15 DR. NETON: Well, because the  
16 major, the purpose of all of that  
17 jackhammering in the 1950s and sandblasting  
18 was to clean the surface of the facilities  
19 from radioactive materials. And they were  
20 fairly successful at that.

21 So, when the facility was released  
22 for general use, it was the belief that they

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1 were fairly clean. Now that wasn't perfectly  
2 clean. So there were some residual levels,  
3 but they were much lower than the levels that  
4 existed during the heavy activities of the  
5 decontamination period.

6 MS. BONSIGNORE: I understand that  
7 they would be lower, but I don't think it  
8 would be accurate and fair to suggest that the  
9 decontamination efforts through 1954, when the  
10 building was handed back over to Union  
11 Carbide, that the facility was clean. I mean  
12 we are talking about standards from the 1950s.

13 DR. NETON: That's not what we're  
14 suggesting. I mean we're saying that it could  
15 have been as high as five times the maximum  
16 allowable air concentration for uranium in  
17 air. That's a fairly good exposure, given the  
18 fact that the buildings were cleaned to some  
19 degree, to a large degree. They weren't  
20 perfectly clean. We acknowledge that.

21 MS. BONSIGNORE: Okay. Well, I  
22 mean, clearly, we're at an impasse here. I

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1 don't believe that the workers' statements are  
2 being given due regard here on many levels,  
3 and you, obviously, disagree. So I have no  
4 desire to keep banging my head against a wall,  
5 you know. I'm just going to renew my  
6 objection to this issue, and I guess we could  
7 move along.

8 CHAIR ROESSLER: I would ask a  
9 question, Antoinette. Do you feel that NIOSH  
10 has looked at the testimony? And I think what  
11 they're doing is coming up with a method to  
12 bound the dose. They're not ignoring the fact  
13 that there was radioactivity exposures there,  
14 but they are coming up with a claimant-  
15 favorable method of bounding the dose.

16 Do you object to that approach? Or  
17 perhaps we could have some input here from  
18 SC&A that might bring this a little closer to  
19 closure.

20 MS. BONSIGNORE: Yes, I do object  
21 to that approach, Gen.

22 DR. OSTROW: Okay. This is Steve

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1 from SC&A.

2 I reviewed all the worker  
3 statements, and I'm going to take a viewpoint  
4 I guess like John normally does on this.  
5 Let's look at, a little bit, the purpose of it  
6 all, the overview.

7 I think the overview, and Gen just  
8 stated that, is does NIOSH's approach bound,  
9 reasonably bound, a dose a worker could have  
10 gotten during the renovation period? And from  
11 what I hear, from what I have read, NIOSH's  
12 approach is taking the value for the vacuum  
13 cleaning and applying it uniformly for a 10-  
14 year period, and they are not saying that is  
15 the exact dose. They are saying that is a  
16 reasonable, scientifically-based, bounding  
17 dose and encompassing any activities that  
18 might have gone on during that period. It is  
19 a high dose and it bounds the period. I think  
20 that is what we sort of have to focus on.

21 I think, notwithstanding the  
22 workers' statements, or taking into account

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1 the workers' statements, I actually think it  
2 does bound the dose as far as we go.

3 MEMBER LOCKEY: John, Jim Lockey.

4 Is that they are applying the  
5 vacuum dosing as a continuous exposure for  
6 that 10-year period as the higher limit? Is  
7 that right?

8 MR. CRAWFORD: That is correct.

9 MEMBER LOCKEY: As if somebody was  
10 vacuuming continuously eight hours a day, 40  
11 hours a week, for 10 years?

12 MR. CRAWFORD: Yes.

13 DR. OSTROW: And SC&A's opinion is  
14 that this seems to be a high dose from what it  
15 probably actually was.

16 MEMBER LOCKEY: From a work  
17 perspective, that doesn't occur.

18 MR. CRAWFORD: Dr. Lockey?

19 MEMBER LOCKEY: Yes?

20 MR. CRAWFORD: Let me also point  
21 out that we're assuming that every Linde  
22 worker, no matter where they were stationed,

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1 is assumed to be in Building 30 during that  
2 renovation for the entire 10 years. Probably  
3 only 45 to 75 workers were actually working in  
4 Building 30 at any one point, from what I  
5 could tell from the various documents.

6 MEMBER LOCKEY: Was the vacuuming  
7 dose upper bound higher than when they were  
8 doing jackhammering, et cetera, when you had  
9 that data?

10 MR. CRAWFORD: Yes, if you take the  
11 jackhammering data that was done after the  
12 surfaces were cleaned. We have that  
13 measurement from 1950. So the level of the  
14 vacuum cleaning was twice as high, a little  
15 more than twice as high as the jackhammering.

16 DR. NETON: And that may seem  
17 counterintuitive, but you have to remember  
18 that these vacuuming activities were vacuuming  
19 the contamination that had already been  
20 cleaned, you know, removed, the pieces and the  
21 particulate, and there's no indication that  
22 they may have had HEPA vacs, or whatever.

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1                   So that was one of the issues I  
2 had, was that, you know, vacuum cleaner does  
3 sound like it would be, by today's standard, a  
4 cleaner operation, but that's not the case  
5 here.

6                   MEMBER LOCKEY: It was compared --  
7 what data was it compared to for  
8 jackhammering? What was that year?

9                   DR. NETON: There was a survey  
10 taken during the D&D period after they had  
11 decontaminated the surface, and for some  
12 reason, were jackhammering on it, and they  
13 took a measurement of that surface, of that  
14 air concentration during that activity.

15                   MEMBER LOCKEY: Okay.

16                   MS. BONSIGNORE: I would also like  
17 to make one other statement about someone  
18 mentioned that they only assumed about 45  
19 workers would have worked continuously in  
20 Building 30. Was that correct?

21                   MR. CRAWFORD: Forty-five to 75, I  
22 said, and it is not relevant because we are

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1 assuming that everyone who ever worked at  
2 Linde during that period, worked only there  
3 and only during the maximum renovation level.

4 MS. BONSIGNORE: Right, but the  
5 reason I am mentioning that is that all the  
6 workers worked in all the buildings at various  
7 points from the late 1950s onward and I  
8 believe Building 31 had a much higher radon  
9 concentration than Building 30, according to  
10 survey data, if my memory serves.

11 DR. NETON: Radon concentration?  
12 That's a little different issue than we have  
13 just been discussing, but I don't have the  
14 data in front of me to see if that's correct.

15 But if it is, then we would have to get into  
16 a discussion of the way we are approaching the  
17 radon model, which would be different than  
18 jackhammering during construction activities  
19 or renovation activities.

20 CHAIR ROESSLER: It's my  
21 understanding we had resolved the radon issue  
22 earlier and that, at this point, we are

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1       responding to Antoinette's questions about  
2       this issue of vacuum cleaning.

3                       This is Gen Roessler. I would like  
4       to say at this point that I think I have to  
5       agree with Antoinette. We might have to say  
6       that we agree to disagree on this.

7                       But the intent of these Work Group  
8       meetings is to have a technical exchange  
9       between NIOSH, OCAS' approach and our  
10      contractor, SC&A, who typically critiques this  
11      work in great detail, and then with the Work  
12      Group participating, asking questions, and  
13      coming, hopefully, to some sort of a  
14      conclusion on this.

15                      I think we have actually reached  
16      that point, except that I would like to have  
17      some input from the other Work Group members.

18      Dr. Lockey has asked some questions, and I am  
19      wondering if Josie or Mike have some questions  
20      at this point that might help us resolve this.

21                      MEMBER GIBSON: Yes, Gen, this is  
22      Mike.

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1                   You know, I understand the  
2 technical discussion, but what I did not hear  
3 from anyone was, when Antoinette asked the  
4 question, was there additional research done  
5 after she submitted the documents, December  
6 14th, I believe she said. And I believe what  
7 I heard was that OCAS just re-reviewed the  
8 information they had previously had in hand.  
9 And I just don't think that that is giving due  
10 justice to the information she submitted.

11                   CHAIR ROESSLER:           It is my  
12 understanding -- and maybe Monica and Chris  
13 can respond to this in a little more detail --  
14 that OCAS did take Antoinette's materials that  
15 she submitted, looked at her concerns, and  
16 then went back over all the other materials  
17 they had and reevaluated them in light of  
18 Antoinette's comments.

19                   Did I say that correctly, Monica?

20                   MS. HARRISON-MAPLES: Yes, you did.  
21                   There was certainly -- yes, that is exactly  
22 it. There is no point in elaborating.

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1                   CHAIR ROESSLER:    So, I don't know,  
2                   Mike, how it could be done differently.

3                   MEMBER GIBSON:    Gen, that's what I  
4                   heard, but if there was new information  
5                   provided by the workers, then there should be  
6                   some additional research done, new research  
7                   done other than just going over the previously  
8                   submitted information.

9                   CHAIR ROESSLER:    And where would  
10                  you get this additional -- where would you go  
11                  to do new research?    It seems like we've  
12                  pulled out everything that is available.

13                  MS. BONSIGNORE:   Well, with all due  
14                  respect, Gen, I think the idea that all of the  
15                  documentary evidence that may be available  
16                  about what happened at the Linde site during  
17                  this time period has already been uncovered  
18                  is -- I mean, there are data-capture efforts  
19                  that are going on continuously.   I mean, I am  
20                  currently waiting for some more information  
21                  from a FOIA request from the Department of  
22                  Energy about this time period.

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1           So, to suggest that all possible  
2 information has been uncovered by NIOSH just  
3 doesn't really hold water for me.

4           CHAIR ROESSLER: Well, then, that  
5 brings us to something I think came up at our  
6 last Work Group meeting, is the thing that the  
7 Board and the Work Group, I think, tried to do  
8 is bring closure to this sort of a situation,  
9 so that some decisions can be made in the  
10 interest of the claimants, that they don't  
11 have to sit and wait for the decision.

12           What I'm hearing from you, and I  
13 think I did at our last meeting, is that you  
14 feel that there is more information out there,  
15 that we're not ready to come to any  
16 conclusions.

17           MS. BONSIGNORE: Well, if the  
18 conclusion is going to be that this petition  
19 should be denied, yes, I would argue that  
20 there should be additional efforts to uncover  
21 information. I don't see how I would benefit  
22 the people I represent by conceding that all

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1 possible information has been uncovered and  
2 let this petition die. That does not serve  
3 the interests of the people that I represent.

4 CHAIR ROESSLER: Of course, we  
5 can't, at a Work Group meeting, we don't make  
6 that decision. We work through these issues.  
7 We then report to the Board and at the point  
8 that we do make a report to the Board and  
9 bring this up as a motion, the Board then  
10 votes. That is when the decision is made.

11 I think it is very preliminary to  
12 even assume that this decision would go either  
13 way, just based on the Work Group meeting.

14 MS. BONSIGNORE: I understand. I  
15 understand the process, Gen. What I'm trying  
16 to emphasize here is that I believe there have  
17 been three revisions to the Site Profile for  
18 Linde to date. That generally means that  
19 these are living documents because NIOSH is  
20 uncovering more and more information from  
21 these sites on a continuing basis.

22 So what I'm just trying to

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1 emphasize here is that, in light of the  
2 statements that I provided after the December  
3 14th meeting, I think there should be an onus  
4 upon ORAU and OCAS to make an effort to do  
5 additional research, and not just a  
6 reevaluation of the documents that they  
7 already have.

8 The documents that they already  
9 have, they have already come to a conclusion  
10 on, that their analysis is sound. I'm arguing  
11 that it is not sound.

12 CHAIR ROESSLER: Perhaps what we  
13 should do at this point, I think I see where  
14 we're going on this, Antoinette, and you might  
15 want to, after we finish the other items,  
16 advise us as to where we go on this, whether  
17 we make a presentation to the Board after we  
18 finish this Work Group meeting. This would be  
19 at the Board meeting in February. Or, if you  
20 come up with some specific items that we  
21 decide we have to follow through further,  
22 we'll do that.

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1                   But what I'm suggesting here is  
2                   that we perhaps go on to Chris' report, Item  
3                   No. 3, his other item, finish those, and then  
4                   come back to the more general discussion about  
5                   whether NIOSH needs to look for more  
6                   information. I'm not sure where they would  
7                   find it.

8                   I don't know. What do you think  
9                   about that, Ted?

10                   MR. KATZ: Well, Gen, I mean just  
11                   because one issue we sort of put to bed, so I  
12                   don't want to reopen it, is Antoinette had  
13                   asked, you might recall -- in the last Work  
14                   Group meeting in December we discussed this  
15                   issue of whether this would be presented in  
16                   February or not. Antoinette had reservations,  
17                   wanted to think about it, and she has  
18                   responded to that. Maybe I didn't circulate  
19                   that.

20                   But, anyway, she has asked that  
21                   this wait until the Buffalo meeting. So this  
22                   is not on the agenda for the February meeting.

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1 CHAIR ROESSLER: Okay.

2 MR. KATZ: Any of it.

3 CHAIR ROESSLER: I think I  
4 understood that it might, but I wasn't sure  
5 that --

6 MR. KATZ: Yes, I may have failed  
7 to notify the rest of you about Antoinette's  
8 discussion with me about that following the  
9 meeting.

10 CHAIR ROESSLER: Okay. So, then, I  
11 think what we need to do, or perhaps the most  
12 efficient thing, is to go through the rest of  
13 the NIOSH response, and then see where we  
14 stand and, with advice from SC&A and  
15 Antoinette, decide what actions should be  
16 taken, then, before the Buffalo meeting.

17 MEMBER BEACH: Well, Gen, this is  
18 Josie. I have a quick comment.

19 And we may have already discussed  
20 this, but after reviewing the SC&A White Paper  
21 on the documents that Antoinette had sent to  
22 all of us, I noticed that it just pretty much

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1 identified what was in the documents, but  
2 didn't give us a real understanding of if SC&A  
3 found anything new or enlightening in their  
4 reading of those documents.

5 DR. OSTROW: Josie, this is Steve.

6 That's true. You characterized it  
7 correctly because SC&A wasn't really turned on  
8 to do a detailed review of these documents.  
9 We were asked just basically -- we had a lot  
10 of documents that Antoinette sent, and we,  
11 basically, did an inventory, just to keep  
12 track of what we actually had in hand.

13 MEMBER BEACH: Well, I thought we  
14 had suggested that you do an inventory to see  
15 if there was new information or if there was  
16 something different than what you had already  
17 looked at.

18 DR. OSTROW: My understanding, we  
19 just basically did an inventory.

20 MEMBER BEACH: Okay. Then I  
21 misread the email that was sent out, I  
22 believe, by you stating that you would look

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1 for any new information.

2 So you haven't done that, I'm  
3 assuming?

4 DR. OSTROW: No.

5 MEMBER BEACH: Okay.

6 MS. BONSIGNORE: I'm sorry. This  
7 is Antoinette.

8 Just to clarify what Josie just  
9 asked here, is it my understanding that SC&A  
10 has not reviewed the documents I provided from  
11 the workers, the testimony, affidavits, for  
12 any new information? Is that what you're  
13 saying, Steve?

14 DR. OSTROW: Yes. Basically, we  
15 were turned on by the Board, subsequent to the  
16 meeting, to go through all the documents, and  
17 I read them all, and basically inventory  
18 what's there but not to actually evaluate  
19 what's there in a written report. We stopped  
20 short of evaluating.

21 MS. BONSIGNORE: Will there be any  
22 effort for you to evaluate them?

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1 DR. OSTROW: That would be at the  
2 request of the Work Group. We could.

3 MEMBER LOCKEY: Jim Lockey.

4 Josie, I sort of remember that I  
5 thought that SC&A was going to evaluate them  
6 also, but --

7 MEMBER BEACH: Yes, definitely. I  
8 was surprised when I was reading through this  
9 that there was no evaluation done. So I would  
10 like to go on record as saying that I would  
11 like to see that, an evaluation of all the  
12 documents.

13 MEMBER LOCKEY: This is Jim Lockey.

14 I concur with that.

15 CHAIR ROESSLER: Yes, and I am not  
16 sure why or what happened in between where  
17 that didn't occur. Can anybody remember that?

18 MEMBER LOCKEY: I was under the  
19 impression that -- this is Jim Lockey -- that  
20 SC&A was going to evaluate it, not just  
21 inventory it, but evaluate it, to see if this  
22 was new information or information that

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1 already had been obtained.

2 CHAIR ROESSLER: But since we have  
3 time, it seems like that's an item, then, that  
4 should be taken care of after we finish this  
5 Work Group meeting, and that we will attempt  
6 to, then, in some way before the Buffalo  
7 meeting.

8 DR. MAURO: Okay. SC&A is fine  
9 with that, if that is the direction you are  
10 giving us.

11 CHAIR ROESSLER: Okay. Should we  
12 continue, then, with NIOSH's response?

13 MR. CRAWFORD: Okay. This is Chris  
14 Crawford.

15 We will go on to Point 3. Again,  
16 Point 3, which has to do with the tunnels that  
17 were located beneath many and between many of  
18 the Linde buildings, especially including  
19 Building 30, this is both a TBD potential  
20 issue and an SEC issue.

21 We have tunnel measurements. We  
22 have a -- I forget whether it was an 81 or a

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1 78 tunnel measurement of radium and uranium in  
2 water which was found in the tunnel. The  
3 tunnels were, apparently, frequently flooded.

4 That was useful information which we did pick  
5 up from the workers' statements.

6 We also have information, I  
7 believe, in the 2002-2003 remediation period  
8 where measurements were taken -- many  
9 measurements were taken in the tunnels. I  
10 believe Mutty was telling me every meter or so  
11 they would stop, take measurements of the  
12 floor and walls and so forth. So we have  
13 quite a bit of information late in the  
14 process.

15 The reason we think that is  
16 valuable information and useful for the entire  
17 period, the residual period, is that the  
18 tunnels, as far as we know, were never  
19 decontaminated. Their contamination,  
20 apparently, is the result of runoff from  
21 surface waters and snow, melted snow, that  
22 brought material from the contaminated soils

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1 into the tunnels.

2 That is, there was no process work  
3 done in the tunnels that we're aware of. They  
4 carried steamlines, electrical lines, perhaps  
5 communication lines. I'm not sure about the  
6 latter.

7 Workers, apparently, did work in  
8 the tunnels at all times of the year, but on  
9 an occasional basis: that is, when repairs or  
10 changes were needed.

11 The result is we have yet to  
12 establish a TBD method for assigning dose for  
13 work in the tunnels for any period, by the  
14 way, but we are working on that. We expect to  
15 be able to come out with a White Paper on that  
16 and a proposal for how to assign dose to  
17 workers who were in the tunnels.

18 For the SEC, we believe the key  
19 question is, can we bound the dose that a  
20 worker will have gotten in working in the  
21 tunnels. And we believe we have enough  
22 information to do that without at this time

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1 saying exactly what that bound is, but we can  
2 come up with it within a reasonable time frame  
3 and that is being worked on now by members of  
4 ORAU.

5 MEMBER GIBSON: Gen, this is Mike.  
6 I have a question.

7 When they say, work occasionally in  
8 the tunnels, what do you mean by that?

9 MR. CRAWFORD: What we mean by that  
10 is that nobody lived in the tunnels. They  
11 were utility tunnels. If a repair needed to  
12 be done or if a new line needed to be run,  
13 people would work in the tunnels.

14 So we decided that we have to come  
15 up with some reasonable occupancy level for  
16 the tunnels and for what classes of workers  
17 the tunnel work should be considered. This  
18 has yet to be done in detail.

19 MEMBER GIBSON: I guess the reason  
20 I am saying that is, you know, I have a 20-  
21 some-year background as a maintenance  
22 electrician. I was assigned to power

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1 distribution at Mound. So my work week,  
2 probably 30 of the 40 hours per week involved  
3 me going in and out of tunnels, manholes,  
4 substations, taking voltage readings, taking  
5 infrared scans, looking.

6 It's a preventative maintenance  
7 program. There are several workers that were  
8 assigned to do just that.

9 So, when you say it wasn't  
10 regularly occupied, no, it's not in the meant  
11 for that, but there could be several workers  
12 that that was probably three-fourths of the  
13 week, of their weekly work.

14 MS. BONSIGNORE: And to that point,  
15 what are you basing your estimate on how much  
16 time workers would have been working in the  
17 tunnels? Is that based on a specific document  
18 that you have?

19 DR. NETON: This is Jim Neton.

20 We're not ready, we don't have an  
21 estimate of that at this point. I think what  
22 Chris was saying is we don't believe occupancy

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1 would be 100 percent but some fraction of  
2 that, and the information that Mike Gibson  
3 just provided is excellent information. I  
4 mean he raises a very good point here, and we  
5 need to take that into consideration when we  
6 are developing the exposure assessments for  
7 this class of workers.

8 MS. BONSIGNORE: I guess what I'm  
9 asking here is what you are basing the  
10 estimate on. Is it just an educated guess or  
11 are you basing it on anything that you have in  
12 hand?

13 DR. NETON: Do you mean the  
14 estimate of the number of hours per week?

15 MS. BONSIGNORE: Yes. Yes, that's  
16 what I'm asking.

17 DR. NETON: We do not have an  
18 estimate at this point.

19 MS. BONSIGNORE: Okay, because --

20 DR. NETON: We are researching that  
21 right now. That's where we're at.

22 CHAIR ROESSLER: Antoinette, I

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1 think this is another item that we need to put  
2 on the agenda, that NIOSH has to complete this  
3 evaluation, come up with their approach to it.

4 And it seems like, built into this, on this  
5 item and maybe some others, before we have  
6 another Work Group meeting, we also have SC&A  
7 evaluate what NIOSH puts together.

8 MS. BONSIGNORE: I understand that,  
9 Gen. I'm just a little confused by what Jim  
10 -- I believe that was Jim speaking. Because  
11 here I'm reading at the bottom of page 1 of  
12 Chris' document. It says, NIOSH anticipates  
13 that workers that performed their duties in  
14 the tunnels would have worked no more than 20  
15 percent of the time in those tunnels.

16 So what I'm asking is what you are  
17 basing the upper bound of 20 percent on.

18 DR. NETON: That is a very good  
19 question. I don't know the answer to that,  
20 either.

21 Chris, do you?

22 MR. CRAWFORD: That was, in reading

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1 the myriad statements that were submitted, I  
2 read something that made me think that was a  
3 reasonable estimate.

4 We can certainly revisit that.

5 MS. BONSIGNORE: Who is speaking?

6 MR. CRAWFORD: But this is not, I  
7 think, the purpose of this meeting.

8 First of all, let me point out  
9 that, if they are in the tunnels, suppose we  
10 put them in the tunnels 100 percent of the  
11 time. That means they're not upstairs during  
12 the building renovation. This is a complex  
13 process.

14 MS. BONSIGNORE: I appreciate that,  
15 but --

16 MR. CRAWFORD: You need to think  
17 out where you are putting these people.

18 MS. BONSIGNORE: I appreciate that,  
19 but there could have been some workers who  
20 were working more than 20 percent of the time  
21 in the tunnels and then other workers working  
22 in the building at certain times.

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1 I'm just confused at how you came  
2 up with a number like 20 percent, and based  
3 upon what.

4 MR. CRAWFORD: One of the workers  
5 who remarked upon wading through the water in  
6 the tunnels mentioned that he went in there a  
7 certain amount of times. I don't have that in  
8 my memory, but it wasn't much.

9 DR. NETON: But, again, this is  
10 Jim.

11 We are going to take this under  
12 advisement, and certainly 20 percent is not  
13 the value that is locked in place here. We  
14 need to consider statements such as Mike  
15 Gibson has made and review other sources.

16 If it's true and we agree that 80  
17 to 100 percent is the right number, we would  
18 certainly be willing to use that occupancy  
19 factor.

20 MS. BONSIGNORE: And I assume that  
21 SC&A will also be tasked to review this issue  
22 as well as they are Issue No. 2.

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1                   CHAIR ROESSLER:       That was my  
2 suggestion, is that first we allow NIOSH to  
3 complete this, using whatever information has  
4 come up today and other available information,  
5 then SC&A look at what NIOSH has done before  
6 we take the next step.

7                   MS. BONSIGNORE:   Okay. Thank you,  
8 Gen.

9                   CHAIR ROESSLER:   Okay. I think,  
10 then, we probably have clarified and finished  
11 with No. 3. Well, we're not finished with it,  
12 obviously. There's work to be done.

13                  I think No. 4 in Chris' report  
14 we've also taken care of. I wonder if we  
15 could do No. 5 and then come back and come up  
16 with what our future task is?

17                  MR. CRAWFORD:   Very good. So, Gen,  
18 were you saying we're going to skip over No.  
19 4, which is fairly obvious?

20                  CHAIR ROESSLER:   Well, I didn't say  
21 skip over. I read it and thought that it  
22 dealt with No. 3, but go ahead. Please

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1 summarize No. 4.

2 MR. CRAWFORD: Only -- I wanted to  
3 acknowledge that I have personally reviewed  
4 all of the supplementary documents submitted  
5 by Ms. Bonsignore, all the testimony from the  
6 workers and so forth.

7 There were some useful details.  
8 Certainly, the tunnel work was one example of  
9 that. The size of the tunnels, for instance,  
10 was described by one worker. The working  
11 conditions were described, and even to some  
12 extent, the amount of time that that worker  
13 spent in the tunnels.

14 But, aside from the tunnel, there  
15 was a lot of testimony about moving the  
16 shears, and references to other renovation  
17 work that was done, and then a lot of  
18 references to the fact that Linde was a very  
19 dusty place.

20 This is interesting. It is not  
21 probative, let me say. It doesn't add very  
22 much to our understanding of the radiological

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1 conditions of the site.

2 That's not a complaint. That is  
3 just my summary of what I read.

4 MS. BONSIGNORE: I'm sorry. Who's  
5 speaking?

6 MR. CRAWFORD: This is Chris  
7 Crawford.

8 MS. BONSIGNORE: Okay. The purpose  
9 of the documents that I submitted about the  
10 renovation work, and perhaps I didn't make  
11 that clear, was for them to be a jumping-up  
12 point for additional research. I believe that  
13 is the obligation here, that petitioners  
14 provide initial information about working  
15 conditions and the overall dose that workers  
16 were exposed to. Then, the obligation and  
17 onus, is then upon ORAU and OCAS to do  
18 additional research in response to that.

19 So I would disagree with your  
20 characterization that the statements were not  
21 probative.

22 MR. CRAWFORD: This is Chris again.

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1                   It is difficult for me to  
2 understand what kind of research we could do  
3 about the Linde site that would add to our  
4 current understanding. We have a certain  
5 amount of scientific research. It does not  
6 now seem probable that we are going to  
7 discover much more, since we have done a  
8 pretty thorough search of the records at this  
9 point.

10                   What is left is for us to try to  
11 prove exactly what renovations were done and  
12 exactly when they were done, and how many  
13 personnel would have been affected by them.

14                   I don't know of any kind of  
15 research that would turn up this kind of  
16 information. We are going to have to use a  
17 sort of reasonable-man standard.

18                   MS. BONSIGNORE: I understand what  
19 you're saying, but I would assume that you  
20 probably felt that way upon the first Site  
21 Profile and then upon the second Site Profile  
22 and upon the third Site Profile.

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1           So forgive me, but I would assume  
2           that, when you issued those first three  
3           revisions of the Site Profile, that you  
4           thought you had done an exhaustive search of  
5           all the documents that were available at that  
6           time as well.

7           MR. CRAWFORD: Sometimes we revisit  
8           the documents when a new document is  
9           discovered. Other times, because of changes  
10          in standards, for instance, on other sites, we  
11          go back to a site like Linde and say, well, we  
12          did it this way over in this other site.  
13          Maybe we should consider this other method for  
14          Linde.

15          The TBDs are continually revisited  
16          on a more or less regular schedule. So it  
17          isn't unusual at all to have multiple  
18          revisions of TBDs.

19          MS. BONSIGNORE: I'm not saying  
20          it's unusual. I'm just saying that, from my  
21          review of all the revisions of the TBDs, that  
22          there have been additional reference materials

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1 added to each one.

2 So my humble suggestion is that to  
3 decide at this point that there's no  
4 possibility of any additional documentation or  
5 evidence about what the renovation work  
6 entailed at this site, that seems a bit  
7 premature to me.

8 CHAIR ROESSLER: Do you have any  
9 suggestions, Antoinette, as to where more  
10 information could be found to help out with  
11 this?

12 MS. BONSIGNORE: Well, you know,  
13 every time I look at updates to the OCAS  
14 website regarding data capture efforts, there  
15 seems to be an ongoing effort to find  
16 documents. I would think that that question  
17 would be better addressed to OCAS.

18 CHAIR ROESSLER: You see the  
19 problem that we get into on this, if we keep  
20 saying there might be more information, we  
21 need to look for more information, we keep  
22 delaying what we are supposed to be doing, and

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1 that is to be as efficient and timely as  
2 possible as we can with regard to the  
3 claimants. It's kind of a quandary.

4 DR. NETON: Gen, this is Jim, too.

5 I guess I would like to make the  
6 point that, when we do these revisions to the  
7 Site Profiles, they've always been to the dose  
8 reconstructions themselves, and no information  
9 has surfaced as of yet that would indicate  
10 that there were conditions out there that  
11 would indicate that we couldn't bound the  
12 exposures at the site.

13 I guess that is what we need to  
14 sort of focus on; is it likely that we're  
15 going to find information that would suggest  
16 that we couldn't produce a plausible upper  
17 bound for exposure during a residual  
18 contamination period at a site that had  
19 largely been decontaminated prior to release  
20 to the occupancy. That's the question I need  
21 to wrestle with.

22 I mean, Ms. Bonsignore is totally

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1 right, there is new information likely going  
2 to surface in a number of ways. But the key  
3 question is, is it likely that information  
4 would surface that would prevent us from  
5 bounding exposures?

6 DR. MAURO: Jim, this is John.

7 When I listened in on the previous  
8 meeting and this one, I have to say I walked  
9 away with a sense, a sensibility, that there  
10 was substantial amount of data during the  
11 decommissioning, the 1950 time frame, right up  
12 to the very end of the process. And I think  
13 this was sort of introductory when we first  
14 spoke, characterizing what was there in 1950.

15 And I also understand that there is  
16 data that has been collected on a number of  
17 occasions subsequent to that. Then, of  
18 course, we have this perturbation of  
19 renovation that occurred in between and there  
20 is a lot of work that was done trying to get a  
21 feel for how high the dust-loading might have  
22 been over what protracted period of time.

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1                   So I'm picturing a situation where  
2 I'm saying to myself, is it plausible to place  
3 an upper bound? Now I have to say my reaction  
4 to this was, well, when you're in a situation  
5 like this, if you know that it could not be  
6 higher than the numbers that you saw in the  
7 1950s, and that was up to, I guess, 5 MAC that  
8 you had mentioned, because after that, because  
9 everything has really been removed, and to  
10 assume that you're going to be generating dust  
11 loadings that even approach that would be  
12 inconceivable.

13                   And on that basis alone, I start to  
14 get a sense of whether or not you are in a  
15 position to place a plausible upper bound. So  
16 I guess I walked away from this with a sense  
17 that you're in a position to place a plausible  
18 upper bound.

19                   That is why, when we started this  
20 conversation, I did ask this question, and I  
21 realize that it sort of diverted a bit from  
22 this business of the renovation period. But I

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1 am more concerned that we know that it could  
2 not plausibly be higher than a given value.

3 I guess I was of the sense that you  
4 had the data that could put a lid on it. How  
5 far below that lid it really is, perhaps we  
6 don't know, but certainly we could put an  
7 upper lid on it.

8 Now I guess I realize that a lot of  
9 information is coming across now regarding  
10 more affidavits, more information about what  
11 took place during the renovation period.  
12 There is this matter of the tunnels. This is  
13 something that I guess I'm not familiar with  
14 personally, but where there's another place  
15 people could have been exposed, the question  
16 becomes, again, I ask myself, well, is there  
17 any reason to believe that the airborne levels  
18 of the dust loadings or the external fields  
19 could have been any higher than the conditions  
20 that were observed at the end of that 1950  
21 time period?

22 So, I mean, in my mind, once you

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1       could take it there, you've got the anchor  
2       upon which to build your models.

3                       Now is there anything that is, of  
4       the conversation that we are having right now,  
5       that defeats that anchor, that allows us to  
6       say, listen, there may be a better way to do  
7       it.    It may be based on the fact that --  
8       another point was made that we looked at the  
9       residual activity in the 1980s and we don't  
10      think it really changed very much.    So we  
11      believe the real numbers are way lower than  
12      any numbers you would use in the 1950s.

13                      But I keep finding myself going  
14      back to the OTIB-0070 philosophy, saying,  
15      fine, listen, if you have a different strategy  
16      that differs from OTIB-0070, and you could  
17      defend it, and it's lower, and you could  
18      defend it, then you make your case.    However,  
19      if there is any question, you can resort to  
20      the OTIB-0070 approach and place that  
21      plausible upper bound.

22                      So, you know, in discussing this

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1 matter with Steve, I guess I came away with a  
2 degree of comfort that, with that data that  
3 you have in the 50s, it puts you in a position  
4 that you can place a plausible upper bound,  
5 and that becomes, at the end of the story,  
6 yes, you can place a plausible upper bound and  
7 reconstruct the doses.

8 And once you have that, then it  
9 becomes a matter of, okay, what are you  
10 actually going to do, which becomes more of a  
11 site-profile question. You know, how are we  
12 really going to do it?

13 I'm sure everyone wants to get to  
14 the point where they are comfortable that they  
15 found that upper bound, but I guess I walked  
16 away from this, perhaps prematurely, with the  
17 sense that, yes, given that 1950s data, you  
18 were in a very strong position to place a  
19 plausible upper bound.

20 CHAIR ROESSLER: So it would be my  
21 conclusion, then, with what you have said,  
22 John, and what has transpired in this meeting,

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1 is that SC&A agrees that OCAS has a method for  
2 bounding the dose, based on the available  
3 data.

4 I do think, though, that we have to  
5 allow time for OCAS to look at the newer  
6 information and then to come back to us at a  
7 later date with that, and then for SC&A to  
8 reevaluate their look at the new data, if  
9 there is any new data.

10 DR. MAURO: It would almost -- you  
11 know, unless my model, and when I say model,  
12 the way I think about it is incorrect, that  
13 is, the real question is that there's new  
14 information coming in that could possibly  
15 defeat this upper bound that I have in my head  
16 in the 1950s, where you could say, well, no,  
17 there were things going on and measurements  
18 made and circumstances that would say, you  
19 know, it could have even been higher than  
20 that, and we don't know how much higher.  
21 That's when you are in an SEC world.

22 Now I guess, Chris and Jim, at our

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1 last meeting, that is why I had a sense that  
2 you had a grip and your arms around this  
3 particular issue. But there was some  
4 discussion during this meeting related to not  
5 taking advantage of that 1950 data, and you  
6 may very well have good reason not to do it.

7 Now am I misremembering what we  
8 talked about the last time, and that you  
9 really never intended to use that as your  
10 starting point; your actual levels are going  
11 to be well below that, based mainly on this  
12 1980 data?

13 MR. CRAWFORD: Yes.

14 DR. MAURO: Okay. So --

15 MR. CRAWFORD: But that is a TBD  
16 issue. I again want to emphasize we're not  
17 talking the SEC now.

18 DR. MAURO: Well, okay. Are we  
19 saying now -- and again, bear with me if I am  
20 rehashing old material because of so many  
21 sites we are working on. So I am incorrect  
22 when I say that your plan was to use the 1950

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1 data as your starting point and then let it  
2 drop down from there at some slope that is  
3 consistent with the data collected later? You  
4 have a whole different strategy based on the  
5 residual activity that was observed in the  
6 80s, with a general sense that there is no  
7 reason to believe that it really was higher in  
8 the earlier days, except for this interim  
9 period where there was renovation going on.

10 DR. NETON: This is Jim.

11 It's more than a general sense. I  
12 mean we went to some length in that last  
13 report that we issued to do some comparisons  
14 of the direct radiation exposure measurements  
15 to help support the fact that the levels of  
16 contamination appear to be consistent between  
17 the 1950s and the 1980s.

18 DR. MAURO: Yes. When we discussed  
19 this last, I remember expressing a degree of  
20 concern about using external radiation  
21 readings and what you get from that as a way  
22 to make judgments about trends in, let's say,

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1 residual activity and the associated  
2 inhalation exposures.

3 In other words, the fact that you  
4 may have seen relatively low levels from  
5 survey meters, that that automatically meant  
6 that the levels of, whether it's radon or  
7 resuspended uranium or other radionuclides  
8 that may be earlier, I mean, that is certainly  
9 encouraging that the external field is low and  
10 stayed low.

11 But to make the leap of faith that  
12 that alone allows you to conclude that the  
13 airborne levels of various radons, whether  
14 it's radium or uranium, is also assurance that  
15 those levels also remained extremely low all  
16 the way back to the 1950s, is -- I guess I was  
17 a little surprised to hear that during the  
18 course of this conversation.

19 We may have hashed a lot of this  
20 out already, but I have to say, after this  
21 phone call, I guess I'm going to take a little  
22 closer look at that line of thought.

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1                   So you're not using the 1950 data?

2           You had mentioned it earlier, but that is  
3 really off the table. You feel that it is not  
4 something that has any applicability to the  
5 start points of 1954.

6                   DR. NETON: I never say anything is  
7 off the table in these discussions. I mean we  
8 try to be open-minded. But, you know,  
9 certainly, we would appreciate your feedback  
10 on the June 18th, 2009 report that we issued.

11                   Is that right? Yes, it's June  
12 18th, 2009, that describes why we believe  
13 those numbers were -- and this was in direct  
14 response to your initial comments.

15                   DR. MAURO: Right, right. Yes.

16                   DR. NETON: But, you know, we're  
17 open. I mean, if SC&A has some valid  
18 criticisms that we can discuss in more detail,  
19 we're open, keeping in mind that we do have  
20 these 1950 data points.

21                   DR. MAURO: Right.

22                   DR. NETON: Again, I think that is

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1 a refinement issue as opposed to a bounding  
2 issue, but --

3 DR. MAURO: Since SC&A is going to  
4 be looking at these affidavits and their  
5 implications regarding dose reconstruction,  
6 and do a little research -- we finally got the  
7 green light to go ahead on that -- we're going  
8 to look a little closer, I guess, at the SEC  
9 issue, in my mind.

10 In the end, I think Ms.  
11 Bonsignore's main concern is, listen, do you  
12 have the data to say with a level of  
13 confidence that you could place a plausible  
14 upper bound for the entire time period. I  
15 think enough has been discussed on the phone  
16 today that left me a little bit off-balance, I  
17 have to say, and maybe it's simply because I  
18 didn't do enough homework prior to this  
19 meeting.

20 But since we do have this  
21 opportunity to look at the matters and to  
22 discuss them a little further, it sounds like

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1 there's no rush to try to get something  
2 concluded by the February meeting, I would  
3 like to take another look at that with Steve  
4 and the rest, and just convince myself that  
5 there's a way, because I am of the opinion  
6 that, from the data we looked at before, you  
7 can place an upper bound by using your classic  
8 OTIB-70 approach.

9           It is a little disturbing to me  
10 that you are not going to be using that. I  
11 guess, at this point, I don't recall looking  
12 at the data in a way that says walking away  
13 from that approach is okay here because we  
14 have other better ways of doing it.

15           MR. CRAWFORD: John, you're talking  
16 about 1954 on, right?

17           DR. MAURO: Yes.

18           MR. CRAWFORD: Yes.

19           DR. MAURO: See, if you remember --

20           MR. CRAWFORD: Yes, I remember  
21 that. Your question really is, is it  
22 appropriate that perhaps they don't take the

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1 1950 data and apply it to years forward from  
2 1954?

3 DR. MAURO: Yes, if you recall, in  
4 fact, you asked me a question during the  
5 course of the previous Work Group meeting on  
6 this subject.

7 MR. CRAWFORD: I remember.

8 DR. MAURO: And I answered that  
9 question, and you said, "Well, listen, John,  
10 if during renovation, is there somehow that  
11 the dust-loading could go up and up and up, to  
12 a point where it is higher than one might have  
13 experienced during the 1950 time period?"

14 And my answer to you was, no, I  
15 could not conceive of a situation arising like  
16 that. As a result, if push comes to shove,  
17 and you are really saying, listen, the only  
18 way we could place a plausible upper bound is  
19 by taking, let's say, the 5 MAC and holding it  
20 constant for that time period, and that would  
21 capture any kind of renovation work and place  
22 an upper bound, when I answered that question

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1 you asked, I answered it from that  
2 perspective. And I still feel that way now,  
3 and I would answer it that way again. Yes,  
4 that is going to bound your problem, and for a  
5 lot of reasons, many of which were discussed  
6 during this meeting.

7 But then I did hear, also, at the  
8 same time, that that's not the approach that  
9 is being used. There's a different approach  
10 that is being used.

11 Now I guess I don't have a full  
12 appreciation of it, and it may solely be  
13 because I haven't taken a close enough look at  
14 some of the reports that came out. So I will  
15 be the first to admit that, that I may be --  
16 but I do remember the last time we spoke about  
17 it, I had in my head that the starting point  
18 was going to be some of that data that was  
19 collected in 1950 as being your starting  
20 point, out of the gate, so to speak, for 1954.

21 I may have just misunderstood.

22 MR. CRAWFORD: No, I think that was

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1 my impression, and it was going to be  
2 extrapolated down toward the more recent data.

3 DR. MAURO: Yes, and then when I  
4 heard this discussion today, it sounds like my  
5 understanding of that -- you're making me feel  
6 better, Jim, because I thought maybe I just  
7 missed the boat on this one.

8 MR. CRAWFORD: No, no, that was my  
9 understanding. They were going to extrapolate  
10 it down --

11 DR. MAURO: Right.

12 MR. CRAWFORD: -- over time to the  
13 more recent data.

14 DR. MAURO: Right.

15 MR. CRAWFORD: But the issue is not  
16 that you can't put an upper bound limit on it.

17 The issue is, when does that upper bound  
18 limit decrease over time?

19 DR. MAURO: Yes, the slope.

20 MR. CRAWFORD: The slope, that's  
21 right.

22 DR. MAURO: The slope, yes.

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1                   MR. CRAWFORD:    What is the early  
2                   data point for the beginning of the slope?

3                   DR. MAURO:     Right.    Yes, but, you  
4                   know, during the course of the conversation, I  
5                   heard that they are not going to be using,  
6                   NIOSH is not going to using that 1950 data,  
7                   which leaves me sort of like, well, from my  
8                   way of looking at it, the rock I was standing  
9                   on, where I felt the degree of confidence,  
10                  that, no, we got this one, you know, you got a  
11                  handle on this one, it sounds like, well, no,  
12                  no, no, NIOSH is not going to be doing that.  
13                  It is going to be doing something else.   And  
14                  that leaves me a little bit off-balance, not  
15                  that what NIOSH is planning to do there is  
16                  necessarily a problem with it, but it is not  
17                  what I thought they were going to be doing.

18                  MR. CRAWFORD:    No, I understand  
19                  that, but the issue is not that an upper bound  
20                  can't be set.   The issue is, what level should  
21                  it be set at, for what time period?

22                  DR. MAURO:       Then, if everyone

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1 agrees that that is the situation, we are not  
2 dealing with an SEC issue.

3 MR. CRAWFORD: Well, that's what  
4 I'm asking you, because what I am hearing you  
5 say is that we can set an upper bound. It's  
6 just, when is it applicable? Is it applicable  
7 to '54 or is it applicable way after that at a  
8 higher level?

9 DR. MAURO: Well, but I also heard  
10 that NIOSH does not plan to do this. NIOSH  
11 plans to do something different.

12 So what I believe to be a plausible  
13 way of setting an upper bound is not, in fact,  
14 what is going to happen.

15 MR. CRAWFORD: Oh, I see what  
16 you're saying.

17 DR. MAURO: In other words, though  
18 in my mind they have the wherewithal to place  
19 an upper bound, my understanding of all this  
20 data that was collected early on in 1950, but  
21 NIOSH is not going to do that. So, in my  
22 mind, I guess I am a bit off-balance with

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1 that.

2 DR. NETON: I think you are  
3 twisting the logic a little bit, though. I  
4 mean, if an upper bound can be put, then why  
5 is that not a Site Profile issue?

6 DR. MAURO: Well, you know, I  
7 guess, Jim, maybe --

8 DR. NETON: By your definition,  
9 there are no Site Profile issues because we  
10 haven't picked the upper bound --

11 DR. MAURO: Well, no. I mean, I  
12 guess I heard at the last meeting that your  
13 plan was to take advantage of that data and  
14 use that as your starting point, and then,  
15 from there, there's going to be some slope.

16 DR. NETON: Well, I'm pretty clear  
17 that we didn't say that.

18 DR. MAURO: Okay, then I apologize.  
19 I misunderstood. I thought that's what was  
20 being done.

21 DR. NETON: No, we always intended  
22 to use the 1950s data for the renovation

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1 period. I mean that was pretty much -- and  
2 that is reflected in our June 19th White  
3 Paper.

4 DR. MAURO: Okay. But, starting in  
5 1954, which is the time period that is of  
6 interest here --

7 DR. NETON: Right.

8 DR. MAURO: -- right -- what is the  
9 dust-loading and radon levels for airborne  
10 activity and perhaps external activity that is  
11 going to be used? What's the plan?

12 DR. NETON: Well, that's what we  
13 talked about at the very beginning of this  
14 conversation, that we are going to use the  
15 values that were measured in the 1970s or  
16 eighties.

17 DR. MAURO: You see, I'm sorry to  
18 do this to you, but right now I've got to take  
19 a look at that.

20 DR. NETON: I agree. I mean I wish  
21 you would. I mean it seems to me that no one  
22 at SC&A has reviewed this June 18th report,

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1 and I wish you would because, otherwise, we  
2 are just talking in circles here.

3 I mean, honestly, we write the  
4 document, and it seems like there is very  
5 little understanding of what our position was  
6 in the document that we issued six months ago.

7 Sorry.

8 CHAIR ROESSLER: Well, it seems  
9 like we have a chance to get this all  
10 clarified. I think it has gotten more  
11 confusing than less confusing.

12 So it seems to me that, in view of  
13 everything that has come up, John's comments  
14 in particular and Antoinette's comments, that  
15 we do get the chance to come up with a new  
16 document addressing these issues and have SC&A  
17 look at it.

18 Is that the path forward?

19 DR. NETON: Sounds reasonable to  
20 me.

21 CHAIR ROESSLER: Okay. So I think  
22 we have to get to a point where we discuss the

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1 whims of this, so that we can get it completed  
2 by the Buffalo meeting.

3 It is my understanding -- and,  
4 Antoinette, if you are still on --

5 MS. BONSIGNORE: Yes, ma'am.

6 CHAIR ROESSLER: -- I think you do  
7 want us to come to the Board with this at the  
8 Buffalo meeting because you will have  
9 claimants and participation at that meeting?

10 MS. BONSIGNORE: Yes, that's  
11 correct.

12 And I would just like to add just  
13 one other item about the utility tunnels, that  
14 I hope that there will be consideration of the  
15 possible exposures from people who worked in  
16 the utility tunnels in the overall evaluation  
17 of whether a bounding analysis can be done  
18 here.

19 DR. NETON: This is Jim.

20 Absolutely. I mean that would be  
21 part of our evaluation.

22 MS. BONSIGNORE: Okay, because my

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1 concern is that everyone has come to a  
2 conclusion that there are no SEC issues here,  
3 only TBD issues.

4 CHAIR ROESSLER: Oh, I don't think  
5 we've come to that conclusion.

6 MS. BONSIGNORE: Okay.

7 CHAIR ROESSLER: I think we're  
8 talking, we're mixing things, I think.

9 DR. NETON: Yes, I think the  
10 tunnels are a fairly new issue to us. I mean,  
11 you know, we went and looked at that. We  
12 haven't completed our evaluation yet, either.  
13 So I would withhold judgment on that one as  
14 well.

15 MS. BONSIGNORE: Okay, thank you.

16 CHAIR ROESSLER: Okay. Why don't  
17 we, then, go on to No. 5, which is really in  
18 Chris' report something quite separate. But  
19 if we could put that to bed, then we need to  
20 come back to talking about who is going to do  
21 what and when, so we can achieve the goal of  
22 making a presentation at the Buffalo meeting.

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1                   And by the way, Ted, while Chris is  
2                   doing that, I don't have my notes here. When  
3                   is the Buffalo meeting?

4                   MR. KATZ:     I will look it up.  
5                   Carry on. I will look it up while you are --

6                   MS. ADAMS:    This is Nancy.

7                   It is May 19th through the 21st.

8                   CHAIR ROESSLER:   Okay. I'm not at  
9                   my own desk.

10                  Okay, Chris, would you like to  
11                  complete the P-539 and the lead cake  
12                  discussion?

13                  MR. CRAWFORD:   Great, Gen. I'll  
14                  start with that.

15                  Ms. Bonsignore came up with some  
16                  documents that referred to chemicals known as  
17                  P-539 and C-33. I concentrated on the P-539.

18                  I looked at the evidence in the  
19                  documents. First of all, the substance, when  
20                  tested at three different air concentrations,  
21                  was found to be fatal for all the dogs tested  
22                  within 48 hours. This is not a characteristic

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1 of radiological exposures. This seems like it  
2 is probably a chemical toxin, just to start  
3 with. That doesn't mean it might not have a  
4 radionuclide attached to it. We are not sure  
5 about that.

6 The workers, in the Linde Ceramics  
7 Safety Rules and Regulations Handbook, 1940,  
8 there are safety instructions about the  
9 handling of P-539. It is referred to in that  
10 document as a monomer, which is an organic  
11 chemistry term, which is it is a basic subunit  
12 of a polymer. Many monomers hook together to  
13 make a polymer, in other words.

14 Again, this is not a description of  
15 a particular radionuclide. It is a  
16 description of an organic chemical of some  
17 sort.

18 In another document, it is referred  
19 to as a catalyst, which in chemistry is a  
20 substance that does not take part in a  
21 reaction, but causes the reaction to  
22 accelerate.

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1                   At any rate, all of this taken  
2 together doesn't have any particular  
3 suggestion of a new radioactive element being  
4 introduced.

5                   The discussion by John Vance and  
6 others is somewhat hypothetical, but that is  
7 okay. They are trying to figure out what the  
8 P-539 substance might have been.

9                   His guess was uranyl nitrate  
10 hexahydrate. That is a uranium organic  
11 compound with uranium bound to it.

12                  It is not, however, a new  
13 radionuclide. So, no matter if we accept John  
14 Vance's estimation or just assume it's an  
15 organic catalyst of some sort, we feel we know  
16 the source term, that is, the radioactive  
17 elements, the input to the Linde site. We  
18 know what came to the Linde site. We know  
19 what left the Linde site. We don't believe  
20 the P-539 describes a new type of  
21 radionuclide, whether it involves uranium,  
22 which was already there.

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1           By the way, that uranyl nitrate  
2 hexahydrate would not be a catalyst. That is  
3 one of the reactants in the process of  
4 producing uranium oxide.

5           I hate to be so long-winded about  
6 this, but I wanted to look at from every  
7 different direction as much as we could.

8           There was another memorandum, a  
9 curious one, having to do with expenses  
10 connected with the storage of gangue lead  
11 cake. I don't know if I'm even pronouncing  
12 that one correctly.

13           But what that is is residue left  
14 over from uranium refining. What we know  
15 about that is such residues were shipped away  
16 from the Linde site in the mid-1946 time frame  
17 and before the third processing step began in  
18 November of '47.

19           So, even if that substance was on  
20 the site, it was removed from the site and is  
21 not, in bulk at least, any consideration for  
22 the residual period or the late processing and

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1 decontamination periods.

2           There will, of course, be trace  
3 residuals, which, in fact, have been found,  
4 both airborne and in the water, at the Linde  
5 site.

6           Why don't I open it now to any  
7 questions about that?

8           MS. BONSIGNORE:           This is  
9 Antoinette. I have two questions.

10           First, with respect to the P-539,  
11 is there any information that NIOSH can  
12 provide to the Department of Labor to assist  
13 them in any revisions to the SEM with respect  
14 to adjudication of Part E claims at this  
15 point?

16           DR. NETON: This is Jim.

17           I'm not sure what you are asking of  
18 us to do, other than what Chris has just  
19 summarized. We are not engaged in providing  
20 analysis of chemical exposures at the sites  
21 currently.

22           MS. BONSIGNORE: Okay. I guess I

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1 am just trying to determine if there is  
2 anything that can be done with respect to  
3 figuring out what the P-539 was beyond the  
4 guess that John Vance provided, to perhaps  
5 assist claimants filing Part E claims. I  
6 guess that is my general question.

7 CHAIR ROESSLER: I think the  
8 question here for us, I think, is, do we  
9 believe that this has anything to do with  
10 radiation exposure? I think that is what we  
11 have to address.

12 MS. BONSIGNORE: Yes, I understand  
13 that, Gen. I'm just trying to make a general  
14 inquiry as to whether there's any additional  
15 research that could be provided to assist  
16 claimants filing Part E claims, if they were  
17 exposed to something, some chemical compound  
18 that is not radiological in nature, but some  
19 other compounds that have not yet been  
20 identified on the SEM.

21 DR. NETON: Right, and that is  
22 certainly not something we have been engaged

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1 with in the past. I mean I can take that  
2 suggestion up the chain here, but that is not  
3 something that I could commit to at this  
4 meeting.

5 MS. BONSIGNORE: Okay. And the  
6 second question I had with respect to the  
7 March 11th, 1945 memo on the gangue lead  
8 cakes. I was wondering if that March 11th  
9 memo had been reconciled with the other March  
10 11th, 1949 memo that I provided back in March  
11 of 2008 that also talked about the K-65  
12 disposal issues.

13 MR. CRAWFORD: This is Chris.

14 I can't answer that affirmatively  
15 exactly because now I'm not sure what the  
16 other memo related.

17 What we do know is that, to the  
18 extent that we have a K-65-like residue, it  
19 was shipped off the site in '46. After that,  
20 I don't know what to tell you.

21 The memorandum, the current  
22 memorandum, has to do with storage cost. I

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1 don't know if they are referring to Linde  
2 being charged back for the Lake Ontario  
3 Ordnance Works storage. It is just hard to  
4 tell from the document.

5 MS. BONSIGNORE: Right. That is  
6 why I am asking. Because there is another  
7 memo, also dated March 11th, 1949, that I  
8 submitted with the original petition back in  
9 March of 2008 that also speaks to this issue.

10 So I am asking if these two memos,  
11 this current memo that we are discussing here  
12 and the previous March 11th, 1949 memo, have  
13 been evaluated concomitantly.

14 MR. CRAWFORD: All I can tell you  
15 is that the previous memo was evaluated  
16 previously. I didn't relook at that previous  
17 memo.

18 MS. BONSIGNORE: Would it be  
19 possible for you to do that?

20 MR. CRAWFORD: Yes, although it is  
21 hard to see what that would have to do with  
22 the SEC issue, just so you know.

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1                   MS. BONSIGNORE:     Well, you are  
2     claiming that, after 1946, there wouldn't be  
3     any processing material or any K-65 stored at  
4     Linde, at the site.   And I just want to make  
5     sure that that's an accurate statement, in  
6     light of this memo and the other March 11th  
7     memo.

8                   If this is a problem for someone to  
9     review the two memos together, and to make  
10    sure that what you are stating about 1946  
11    being the end-point is accurate --

12                  DR. NETON:     We could certainly do  
13    that, yes.

14                  MS. BONSIGNORE:   Thank you.

15                  CHAIR ROESSLER:   Okay.   Ted, do we  
16    have our tasks forward, then, on all of these  
17    items?

18                  MR. KATZ:     I think it would be  
19    helpful to state these clearly.

20                  You know, I was running through the  
21    transcript while some of this was being  
22    discussed, just trying to figure out what

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1       sounded like some people thought was  
2       miscommunication about SC&A's task with  
3       respect to the documents that Antoinette  
4       submitted. I really, frankly, couldn't find  
5       where people are remembering a discussion  
6       tasking SC&A, and I was looking for emails and  
7       having a hard time finding them. Maybe we can  
8       clear that up.

9                So, in any event, let's just be  
10       really clear about exactly what each party is  
11       tasked to do at this point going forward.

12               CHAIR ROESSLER: And I was thinking  
13       the same thing, Ted. I was going to try to  
14       describe what I thought, but I think perhaps  
15       the best approach would be for OCAS, first of  
16       all, to tell us what the understanding is that  
17       their assignment is, and then SC&A follow with  
18       theirs. Then we see if we agree with that,  
19       and then we pick some dates where things are  
20       going to be done.

21               MR. KATZ: That sounds good.

22               CHAIR ROESSLER: So, either Jim or

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1 Chris needs to do --

2 DR. NETON: Yes, Chris stepped out  
3 of the room just briefly, but I can, I think,  
4 identify the areas I think we talked about.

5 The first thing that comes to mind  
6 is this NIOSH to complete their analysis of  
7 the exposures in the tunnels. We need to  
8 provide a White Paper on that and provide it  
9 to the Working Group and SC&A. That is the  
10 main thing that comes to mind.

11 CHAIR ROESSLER: Well, I think if  
12 we go back a bit, didn't you also agree to  
13 provide a better description of how you're  
14 going to bound the airborne radioactivity  
15 doses? This is going back to the vacuum  
16 cleaning and that discussion.

17 DR. NETON: Well, I thought we did  
18 the vacuum cleaning in the 1960s, was our  
19 bullet 2 or our item 2 in the response that we  
20 put out.

21 CHAIR ROESSLER: It was. But maybe  
22 John has a comment on this. I didn't sense

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1 that you had come to an agreement on that.

2 DR. NETON: Well, I think where  
3 we're at is that SC&A is at odds with our  
4 position, that maybe they didn't clearly  
5 understand it or maybe we failed to  
6 communicate clearly. I don't know.

7 But our current position is  
8 documented in, again, this June 18th White  
9 Paper that we issued that was in direct  
10 response to SC&A's concerns about using this  
11 1980s-type data. So that is where we outlined  
12 the comparison of some of the survey  
13 measurements and such.

14 To my knowledge, we have never  
15 received written comments on that approach.

16 CHAIR ROESSLER: So it is up to  
17 SC&A at this point, then, to go back and  
18 relook at that?

19 DR. NETON: I'm not trying to  
20 direct the Working Group, but I think that's  
21 where it makes sense to me.

22 MEMBER BEACH: Gen, this is Josie.

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1 I wrote that down as an action item  
2 for SC&A because I thought after that  
3 discussion that is what John was going to do.

4 DR. MAURO: Yes, I certainly want  
5 to do that.

6 Steve, let me ask you, did we  
7 submit a written response to the June 18th  
8 White Paper?

9 DR. NETON: Are you asking me,  
10 John?

11 DR. MAURO: No, I'm asking Steve  
12 Ostrow.

13 DR. OSTROW: All right. Here's why  
14 I was trying to break in.

15 Okay. At the last meeting, the  
16 December 14th meeting we had of the Work Group  
17 in Cincinnati, we had on the agenda the note  
18 that the June 18th report by NIOSH that we're  
19 referring to was submitted by email on  
20 December 8th, and we got it just before the  
21 Cincinnati Work Group meeting.

22 We discussed it during the meeting

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1 extensively, the report, and we went through  
2 it carefully. But we didn't provide a written  
3 response to it afterwards. We provided a  
4 verbal response during the meeting, and you  
5 can find that in the transcript.

6 DR. NETON: Right. I understand  
7 that, Steve, but my concern was that at least  
8 John didn't seem to -- somehow we failed to  
9 communicate that that's what we were doing  
10 because both Dr. Lockey and John misunderstood  
11 what our approach was.

12 DR. MAURO: Jim, I'm not going to  
13 disagree with that. I mean I'll take that.

14 MR. KATZ: I think the transcript  
15 maybe needs to be revisited. Because if it  
16 was thoroughly discussed and John's not  
17 remembering it, but there was that discussion  
18 and there was agreement, having SC&A go back  
19 and redo it again in writing seems kind of  
20 silly.

21 DR. NETON: Yes. But to be honest,  
22 I don't know that we actually did agree on

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1 this point. I mean I think that this  
2 disagreement is legitimate or real.

3 MR. KATZ: Right. No, all I was  
4 suggesting is I think we should look and see  
5 exactly what SC&A said on the record in the  
6 transcript as a starting point. If somehow  
7 that issue was dropped without it being  
8 resolved, it makes sense that SC&A go back and  
9 finish it up. But if there was actually a  
10 clear resolution in the discussion, you may  
11 not be charging SC&A to redo what it just did.

12 DR. NETON: Yes.

13 MR. CRAWFORD: What was the date of  
14 the transcript?

15 DR. OSTROW: The teleconference or  
16 the in-face meeting was actually December  
17 14th, the transcript from December 14th.

18 MR. KATZ: Right, and the  
19 transcript is on the website.

20 MR. CRAWFORD: Okay. I thought you  
21 said June. I was wondering. Okay.

22 MR. KATZ: No, June 18th was when

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1 OCAS issued the White Paper.

2 MR. CRAWFORD: Right. Okay.

3 MR. KATZ: But the discussion of  
4 it, apparently, didn't happen because maybe  
5 there wasn't even a -- I can't recall -- a  
6 Linde meeting.

7 DR. NETON: I have to make a  
8 correction here. I'm in error. The report  
9 was not issued, the White Paper was not issued  
10 June 18th. That was the date of the  
11 Evaluation Report. I'm reading the --

12 MR. KATZ: Oh, oh, oh.

13 DR. NETON: I'm misreading the  
14 title.

15 Steve is correct that this document  
16 was issued, well, it is listed revised  
17 December 3rd, 2009. So I can't guarantee the  
18 date that it went out. But Steve is  
19 absolutely correct, it went out sometime in  
20 December.

21 MR. KATZ: Right. Well, that makes  
22 much more --

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1 DR. NETON: Yes, I'm sorry.

2 DR. MAURO: I feel a little  
3 vindicated, a little bit.

4 DR. NETON: Yes, I'm sorry. I was  
5 reading the title of the report, and it struck  
6 me as odd, but, anyway, I apologize for that  
7 error.

8 MR. KATZ: No, it is helpful to  
9 have this clarified.

10 DR. MAURO: No problem. Good. So  
11 it sounds to me that, in my mind, SC&A has got  
12 to take another look at the transcript  
13 because, obviously, we had a lot of discussion  
14 on December 14th regarding your December 3rd  
15 White Paper. I know I will have to refresh my  
16 memory on exactly what we discussed and where  
17 we stand, especially with respect to this  
18 misunderstanding perhaps that I have on how  
19 you were going to use the 1950 data.

20 DR. NETON: Right.

21 MR. KATZ: Right. Gen, if that  
22 makes sense to you, then SC&A can start with

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1 the transcript, look at the transcript, see  
2 what the discussion was, and then if there are  
3 ellipses, in other words, if it wasn't  
4 resolved, then SC&A sort of can carry forth  
5 from there with additional evaluation that  
6 they can report on in a small memo or paper,  
7 or whatever it might be.

8 CHAIR ROESSLER: That sounds like  
9 the approach.

10 MR. KATZ: Thank you.

11 CHAIR ROESSLER: Okay.

12 DR. NETON: Okay. Then, following  
13 up with NIOSH's action items, I think that the  
14 other one was that Chris Crawford will  
15 evaluate the two memos on the K-65 issue that  
16 were issued fairly close in time, to look at  
17 the consistency among them.

18 CHAIR ROESSLER: Okay.

19 DR. NETON: That's the issue that  
20 Ms. Bonsignore brought up just fairly recently  
21 here.

22 MS. BONSIGNORE: I'm sorry to

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1 interrupt, but if I could respond, but if I  
2 could respectfully request that SC&A also take  
3 a look at those two memos?

4 CHAIR ROESSLER: I think that is  
5 the plan, is for NIOSH first to come through  
6 with what they have agreed to do. Then we  
7 will pass it by SC&A.

8 MS. BONSIGNORE: Okay. I just want  
9 to make sure that the issue about those two  
10 memos is not lost in the translation here.

11 DR. NETON: I think, as far as I  
12 know, that's the two issues that we agreed to  
13 evaluate.

14 DR. MAURO: Now SC&A had one  
15 related to Ms. Bonsignore's affidavits and  
16 reports, whereby I know that we collected  
17 them. I know Steve summarized them. I  
18 reviewed that. But it sounds like that  
19 there's more analysis that has to be done on  
20 what the implications of that might be with  
21 regard to your approach to doing dose  
22 reconstruction.

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1           Is that a correct characterization  
2           of that material that was provided by Ms.  
3           Bonsignore and what role we have, what role we  
4           should be playing?

5           CHAIR ROESSLER:   Okay, I think that  
6           was part of it.   So it seems like SC&A has two  
7           assignments that they are going to begin now.

8           NIOSH has the two things that they  
9           are going to be doing, and then SC&A is  
10          finally going to look at everything.

11          MR. KATZ:   SC&A is going to look at  
12          the documents that Antoinette submitted and  
13          address their implications for either the  
14          petition or, I would just say, also dose  
15          reconstruction, whatever.

16          CHAIR ROESSLER:   And they're also  
17          going to look at the transcript --

18          MR. KATZ:   Yes.

19          CHAIR ROESSLER:   -- to see if  
20          there's some misunderstandings.   I think that  
21          has to be done fairly soon to keep all of this  
22          online.

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1 MR. CRAWFORD: Yes.

2 MR. KATZ: The transcript review is  
3 just the starting point for evaluating the  
4 OCAS approach to reconstruction for that  
5 period.

6 CHAIR ROESSLER: Right, right.

7 DR. MAURO: What might be helpful  
8 -- this is John -- is that Steve and I will  
9 both review the transcript. We will collect  
10 our thoughts regarding this and maybe we will  
11 report back in a memo to the Work Group, sort  
12 of like everybody get on the same page. Okay,  
13 here's where -- our understanding is this is  
14 what came out of that meeting, the previous  
15 meeting that we had on the 14th. And it may  
16 turn out that we're all on the same page or it  
17 may turn out that we're not.

18 If we're not, you know, I could  
19 take the next steps -- hold on a second.

20 Hold on one second, please. I'm  
21 going to put the phone down for one second.  
22 Please hold on.

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1 (Pause.)

2 I'm sorry, I just had a little  
3 minor emergency to take care of. Everything  
4 is fine.

5 It sounds like, once, Steve, you  
6 and I go over that material, maybe we could  
7 just get back to the Work Group and NIOSH and  
8 sort of re-baseline ourselves about where we  
9 are and maybe what the next steps should be,  
10 because maybe it will turn out there is very  
11 little more to do, or maybe there is some  
12 initial analysis we need to do related to  
13 where we stand after we review the transcript.

14 MR. KATZ: I think that is a great  
15 plan, John.

16 DR. MAURO: Okay.

17 MR. KATZ: I think that's a great  
18 plan. Then you can lay out what your path  
19 forward is --

20 DR. MAURO: Yes.

21 MR. KATZ: -- if you have more to  
22 do.

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1                   MEMBER GIBSON: Gen, this is Mike.  
2                   I just want to make sure I'm clear.  
3           SC&A was to look at the information that  
4           Antoinette provided on the 14th, and it is not  
5           just against the available data, but see if  
6           there's possibly any other data out there. Is  
7           that correct?

8                   DR. MAURO:                   That's my  
9           understanding, is to look at Ms. Bonsignore's  
10          material. This is in addition to the  
11          transcript.

12                   In other words, we have a couple of  
13          action items, as I understand it. There's a  
14          transcript which sort of like baselines  
15          ourselves. Let's just get back, make sure we  
16          are all on the same page, understanding what  
17          is in this transcript, and what possible  
18          follow-up actions SC&A may need to take. We  
19          will certainly discuss that with you.

20                   But the second thing has to do with  
21          doing a thorough review of Ms. Bonsignore's  
22          materials with respect to how it might have

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1       implications regarding both the SEC and Dose  
2       Reconstruction/Site Profile-type issues.

3                 Quite frankly, we would probably do  
4       that in parallel, and when we get back to the  
5       Work Group on both matters, you know, what  
6       follow-up actions SC&A plans to take --  
7       because it may turn out that, based on Ms.  
8       Bonsignore's materials, we may want to talk to  
9       a few people and try to run down some  
10      information that might have some relevance  
11      that is revealed to us when we start to do  
12      some analysis of Ms. Bonsignore's material.

13                But I don't think we should move  
14      forward without sort of re-baselining,  
15      regrouping, and then getting back. This  
16      shouldn't take long. I mean I am going to  
17      guess, I am saying within a couple of weeks we  
18      should be able to, maybe sooner, get ourselves  
19      a little better oriented on what the next  
20      steps should be.

21                   MR. CRAWFORD: Mike? Mike?

22                   MEMBER GIBSON: Yes?

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1                   MR. CRAWFORD: I'm not sure, did  
2                   that answer your question? I sort of feel it  
3                   didn't maybe answer your question because I  
4                   thought you were asking, will SC&A search out  
5                   additional information?

6                   MEMBER GIBSON: Yes, that's what I  
7                   was asking.

8                   MR. CRAWFORD: What I'm asking is,  
9                   did you get an answer?

10                  MEMBER GIBSON: Well, I think John  
11                  was saying it is going to be like an interim  
12                  step before they may go further, if I  
13                  understood him right.

14                  DR. MAURO: We will search out  
15                  additional information as it becomes apparent,  
16                  as necessary to do so. In other words, I  
17                  don't think we are going to initiate a data  
18                  capture effort. You know, we've been down  
19                  that road.

20                  But it may turn out that the  
21                  material that we review from Ms. Bonsignore  
22                  may reveal that, no, maybe there is a need for

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1 additional followup, inquiries. We will let  
2 the material lead us to where our next steps  
3 should be.

4 And we will inform everyone of  
5 that. I mean, after we do our homework, and  
6 we go through, do the two things, namely, Ms.  
7 Bonsignore's material and the transcript, and  
8 your December report, NIOSH, and then I think  
9 we regroup and inform the full Work Group,  
10 maybe in a technical conference call, if that  
11 is appropriate. Say, "Listen, here's where we  
12 are and here's what we think." You know, we  
13 may actually have some position or we may say,  
14 no, there's a little bit more homework we have  
15 to do, maybe even a couple of interviews.

16 CHAIR ROESSLER: So are you  
17 suggesting that perhaps within two or three  
18 weeks we have another conference call before  
19 we take the next step?

20 DR. MAURO: Well, I don't know.  
21 Steve, I think that by you and I working  
22 together for a couple of weeks, we should be

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1 able to bring this to ground and then provide  
2 our response.

3 I don't think it is a big effort.  
4 It is reading the transcript, reading Ms.  
5 Bonsignore's, you and I working through the  
6 problems and deciding where we are and where  
7 we think we should go.

8 CHAIR ROESSLER: Would it work for  
9 you to do that, for NIOSH to work through  
10 their assignments, and then we have a  
11 conference call and deal with everything? Or  
12 is that too fast?

13 MR. KATZ: Yes, I don't think OCAS  
14 can project exactly when it is going to be  
15 finished with its work.

16 This interim step that John is  
17 talking about, he can send us an email with a  
18 memo, you know, covering where they are with  
19 this. But it seems like we need to have that  
20 before we have a decent idea to schedule a  
21 conference call.

22 CHAIR ROESSLER: Yes, okay.

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1 MEMBER GIBSON: And this is Mike.

2 I guess I would just reserve the  
3 right for my question until we see this  
4 interim information.

5 MS. BONSIGNORE: I just had a  
6 question for John.

7 Are you foreclosing any further  
8 data capture efforts at this time?

9 DR. MAURO: No. No. I would  
10 rather say that, after we re-baseline, take a  
11 look at the report again, take a look at the  
12 transcript, take a look at your material, at  
13 that point, we will, SC&A will prepare an  
14 email to the Work Group, including NIOSH, that  
15 would say, listen, this is where we are, and  
16 this is what we recommend the next steps for  
17 SC&A to take, if any.

18 Some of those next steps may very  
19 well be additional data capture, interviews,  
20 that sort of thing, or maybe not.

21 At that point, I guess, based on  
22 what we would recommend to the Work Group, the

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1 Work Group would then -- perhaps there would  
2 be a need at that point for another call to  
3 inform you of where we are, because I don't  
4 think you would automatically see our email.  
5 I mean our email that we transmit to the Work  
6 Group is internal.

7 But, depending on the outcome of  
8 that exchange within the Work Group, it sounds  
9 to me it would be reasonable to keep you  
10 apprised of the developments.

11 MS. BONSIGNORE: I'm sorry, I'm not  
12 going to be permitted to see your email? Why  
13 is that?

14 DR. MAURO: Well, I mean we work  
15 for the Board. We will write our email. It  
16 will go to Ted Katz, NIOSH, and the Work  
17 Group, and it is certainly within the hands  
18 and the decision of our Project Officer as to  
19 what to do in terms of communicating this  
20 material.

21 Because, remember, all our work is  
22 material that is done under the Privacy Act.

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1 It is done within, under our contract, on  
2 behalf of our Project Officer, Ted. So, I  
3 mean, it's really we report to Ted.

4 MR. KATZ: Antoinette, don't worry.

5 This memo is not going to have Privacy Act  
6 information, and it shouldn't take any  
7 significant amount of time to share the  
8 information with you.

9 MS. BONSIGNORE: Okay. I just want  
10 to be certain that there's not going to be any  
11 issues about, you know, this whole thing about  
12 pre-decisional working documents that I don't  
13 have access to under -- you know, I just don't  
14 want to go down that road again.

15 MR. KATZ: This is not going to be  
16 a problem, Antoinette.

17 MS. BONSIGNORE: Okay. Thank you.

18 CHAIR ROESSLER: Ted, this is Gen.

19 I'm at a Health Physics meeting. I  
20 have an appointment coming up. I can delay it  
21 a little bit, but I am wondering if you have a  
22 suggestion as to how we can pull this to

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1 closure, so everybody knows what we are going  
2 to do and when.

3 MR. KATZ: I think we have just run  
4 down the list. OCAS has its marching orders;  
5 SC&A has its marching orders. The next thing  
6 we will expect, then, is a notice from SC&A, a  
7 memo from SC&A. At about that time, it would  
8 be good if OCAS has an idea of just its  
9 timeframe for working on the tunnel question,  
10 for example, and whatever else it has to do to  
11 wrap things up.

12 And at that point, we will schedule  
13 a Work Group meeting that makes sense, given  
14 where things stand.

15 CHAIR ROESSLER: That sounds good.  
16 Okay.

17 MEMBER LOCKEY: Ted, Jim Lockey.

18 MR. KATZ: Yes.

19 MEMBER LOCKEY: Would it be  
20 worthwhile for you just to send out a short  
21 email outlining the tasks for people?

22 MR. KATZ: It would be worthwhile

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1 to send out that. I would appreciate -- some  
2 things are going on -- I would appreciate it  
3 if SC&A and OCAS would just send me their  
4 bullets. I will put it out to the whole group  
5 to summarize what these marching orders are.

6 CHAIR ROESSLER: That sounds good.

7 MR. KATZ: That would be great.  
8 Thank you.

9 DR. MAURO: Yes, Jim, normally,  
10 what we do is, after we have these kinds of  
11 conversations, I will usually put together  
12 SC&A's understanding of what it is has to do  
13 and what direction is received, what it has  
14 been tasked to do. I send that to Ted. Then,  
15 of course, it is distributed.

16 MR. KATZ: Rather than even putting  
17 me in the middle, OCAS and SC&A, if you will  
18 just send the memo to the Work Group saying,  
19 "These are the things we're doing."?

20 MR. CRAWFORD: Very good.

21 MR. KATZ: That would be great.

22 MR. CRAWFORD: You've got it.

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1 CHAIR ROESSLER: Okay. I am going  
2 to have to sign off, but I don't want to do  
3 that until we ask Mike and Josie if they have  
4 further questions.

5 MEMBER GIBSON: Gen, this is Mike.  
6 No, I will just wait until these  
7 bullets come out, just to make sure that I  
8 feel the things were covered that were raised.

9 CHAIR ROESSLER: Okay, and, Josie,  
10 are you still on?

11 (No response.)

12 She might not be.

13 MEMBER BEACH: Gen, I'm sorry, can  
14 you hear me now?

15 CHAIR ROESSLER: Yes, you were on  
16 mute.

17 MEMBER BEACH: I thought I was off  
18 mute.

19 I am in the same position. I would  
20 like to wait and see what SC&A comes up with  
21 and go from there.

22 CHAIR ROESSLER: Okay. Is there

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1 anything else that we need to do at this  
2 point?

3 MR. KATZ: I just want to thank  
4 Antoinette for her participation, too, and all  
5 of you for your hard work today.

6 CHAIR ROESSLER: Okay. So I think  
7 we wait for SC&A and OCAS to send the bullets.  
8 Then we will schedule another Work Group  
9 meeting, once we find out what the time frame  
10 is.

11 MR. KATZ: That sounds good. Just  
12 everybody, in preparing, in thinking about  
13 your work tasks ahead, keep in mind the May  
14 date that we are working towards.

15 MS. BONSIGNORE: And, Ted, am I  
16 right with that May 19th to the 21st?

17 MR. KATZ: That sounds right to me.  
18 Nancy Adams --

19 MEMBER BEACH: That is correct.

20 MS. BONSIGNORE: And, Nancy, has  
21 there been a site selected yet for the meeting  
22 in Buffalo?

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1 MR. KATZ: Yes.

2 MS. ADAMS: The Crowne Plaza in  
3 Buffalo.

4 MS. BONSIGNORE: I'm sorry? Which  
5 plaza?

6 MS. ADAMS: The Crowne Plaza Hotel  
7 in Buffalo.

8 MS. BONSIGNORE: Okay. Thank you.  
9 I know it. Thank you.

10 CHAIR ROESSLER: And we do have the  
11 opportunity, we will all be at the February  
12 meeting. So there may be a possibility that  
13 we could explore whatever needs to be looked  
14 at at that meeting. I don't know. Maybe that  
15 isn't the appropriate way to do it.

16 MS. BONSIGNORE: I would prefer  
17 that that not happen, since I cannot be at the  
18 February meeting.

19 CHAIR ROESSLER: Yes, I thought of  
20 that after I started saying it.

21 MR. KATZ: It's all right.

22 CHAIR ROESSLER: Okay.

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1                   MR. KATZ: It is not on the agenda,  
2           Antoinette.

3                   MS. BONSIGNORE: Okay. Thank you.

4                   MR. KATZ:            So, thank you,  
5           everybody.

6                   (Whereupon, the above-entitled  
7           matter went off the record at 4:01 p.m.)

8

9

10

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