

This transcript of the Advisory Board on Radiation and Worker Health, Worker Outreach Work Group, has been reviewed for concerns under the Privacy Act (5 U.S.C. § 552a) and personally identifiable information has been redacted as necessary. The transcript, however, has not been reviewed and certified by the Chair of the Worker Outreach Work Group for accuracy at this time. The reader should be cautioned that this transcript is for information only and is subject to change.

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

+ + + + +

ADVISORY BOARD ON RADIATION AND
WORKER HEALTH

+ + + + +

WORK GROUP ON WORKER OUTREACH

+ + + + +

WEDNESDAY
OCTOBER 20, 2010

+ + + + +

The Work Group convened in the Montreal Room of the Cincinnati Airport Marriott, 2395 Progress Drive, Hebron, Kentucky, at 9:00 a.m., Michael H. Gibson, Chairman, presiding.

PRESENT:

MICHAEL H. GIBSON, Chairman
JOSIE BEACH, Member
WANDA I. MUNN, Member
PHILLIP SCHOFIELD, Member

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ALSO PRESENT:

TED KATZ, Designated Federal Official

TERRIE BARRIE, ANWAG

GRADY CALHOUN, DCAS

BUCK CAMERON, ATL*

MARY ELLIOTT, ATL

JOE FITZGERALD, SC&A

EMILY HOWELL, HHS

J.J. JOHNSON, DCAS

JENNY LIN, HHS*

VERNON MCDUGALL, ATL

ARJUN MAKHIJANI, SC&A

JOHN MAURO, SC&A*

KATHY ROBERTSON-DEMERS, SC&A

*Participating via telephone

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

2 (9:04 a.m.)

3 MR. KATZ: So, good morning,
4 everyone in the room and on the line.

5 This is the Advisory Board on
6 Radiation and Worker Health, the Worker
7 Outreach Work Group, and we are just getting
8 started here.

9 Before we go on the record, we are
10 going to do roll call, as usual, beginning
11 with Board Members in the room, with the
12 Chair.

13 CHAIRMAN GIBSON: Mike Gibson,
14 Board Member, Chair of the Work Group.

15 MEMBER MUNN: Wanda Munn, Board
16 Member, Member of the Work Group.

17 MEMBER BEACH: Josie Beach, Board
18 Member, Member of the Work Group.

19 MR. KATZ: And do we have any
20 Board Members on the line?

21 (No response.)

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1 Okay. NIOSH ORAU team in the
2 room?

3 MR. CALHOUN: Grady Calhoun,
4 NIOSH.

5 MR. JOHNSON: J.J. Johnson, NIOSH.

6 MR. McDOUGALL: Vern McDougall,
7 ATL.

8 MS. ELLIOTT: Mary Elliott, ATL.

9 MR. KATZ: And apologies to ATL
10 again. I slop you in there with the NIOSH
11 ORAU team.

12 And the same, on the line, NIOSH
13 ORAU/ATL?

14 MR. CAMERON: Buck Cameron, ATL.

15 MR. KATZ: Okay, and then SC&A
16 members in the room? Joe Fitzgerald is here,
17 but he is making copies for us.

18 MS. ROBERTSON-DEMERS: Kathy
19 Robertson-Demers, SC&A.

20 DR. MAKHIJANI: Arjun Makhijani,
21 SC&A.

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1 MR. KATZ: And SC&A folks on the
2 line?

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

4 MR. KATZ: Very good. HHS
5 officials or contractors to the feds: HHS or
6 other agencies in the room?

7 MS. HOWELL: Emily Howell, HHS.

8 MR. KATZ: And the same on the
9 line?

10 MS. ADAMS: Nancy Adams, NIOSH
11 contractor.

12 MS. LIN: And Jenny Lin with HHS.

13 MR. KATZ: And finally, there are
14 no members of the public in the room, but do
15 we have any members of the public on the line?

16 MS. BARRIE: This is Terrie Barrie
17 with ANWAG.

18 MR. KATZ: Welcome, Terrie.

19 MS. BARRIE: Good morning.

20 MR. KATZ: Okay. Well, welcome to
21 everybody, and we'll get started.

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1 Mike, it's your agenda.

2 CHAIRMAN GIBSON: Okay. I guess
3 everyone's got a copy of the agenda. We are
4 going to start out with the review of PROC-12,
5 the Issues Matrix. Joe should be back
6 momentarily with copies of that for us.

7 Then, we are going to look at
8 SC&A's review of the Objective 3 of our Plan
9 for Effectiveness.

10 Then, we are going to review the
11 current format of the way we are tracking
12 public comments, just take another look at it.

13 There's really no specific issue, but just
14 thought we would take a look at it while we
15 are here together.

16 And then, we will open the line up
17 after that for some claimant, advocate, worker
18 comments, public comments.

19 Then, we will discuss any issues
20 that may arise from that or that may arise
21 that any members may have that they want to

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1 discuss. Then, we should be ready to close
2 out for the day after that.

3 MR. KATZ: Perfect timing. Joe
4 just walked in the room with the matrices.

5 MR. FITZGERALD: Well, not all the
6 copies, but certainly enough to get started,
7 and we will get some more copies.

8 MR. KATZ: Thank you.

9 CHAIRMAN GIBSON: So, Joe's
10 handing out the matrix of -- SC&A took a
11 review of the OCAS PROC-12 and made a list of
12 some of the issues and items they want to
13 discuss, and they have put it into a matrix.

14 So, we will turn it over to SC&A,
15 and they can go through the matrix. Then, we
16 can just have some discussion of each issue.

17 MR. KATZ: And let me just, I
18 forgot to say, but for folks on the line,
19 except when you are addressing the group,
20 would you please mute your phones? And if you
21 don't have a mute button, *6 will work. And

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1 then you use *6 again to take it off of mute.

2 Thank you.

3 MS. ROBERTSON-DEMERS: Okay. This
4 is Kathy Robertson-Demers.

5 I am just going to go down through
6 the matrix items or the findings and
7 observations that we had in the Procedure
8 Review. I would assume that we are going to
9 explain our finding and then allow NIOSH the
10 opportunity to respond.

11 Okay. The first finding was the
12 procedure does not provide direction for
13 tracking, trending, evaluating or responding
14 to worker input.

15 Our primary concern with this was
16 that the procedure lacks direction for
17 evaluating and responding to worker comments
18 and incorporating substantive comments into
19 the technical work documents. It does not
20 provide clear direction on the disposition of
21 worker input.

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1 There is no explanation provided
2 with regard to extracting substantive comments
3 from worker outreach meeting minutes for
4 consideration in technical work documents.

5 There is no requirement for
6 capturing substantive comments from meetings
7 that are primarily information-giving or
8 information-giving/gathering, such as
9 workshops, townhall meetings, et cetera.

10 The current procedure does not
11 discuss how comments provided by workers are
12 evaluated to determine their potential impact
13 on technical work documents and how these
14 comments are resolved. In fact, post-meeting
15 activities receive only passing mention in
16 PR-12.

17 And unlike the functional
18 interface that existed with Procedure ORAU-97,
19 there is no functional interface between the
20 worker outreach procedure and the implementing
21 documents for preparing Site Profiles and SEC

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1 Evaluation Reports.

2 For example, there was an
3 interface between PROC-97 and PROC-31, which
4 was the Site Profile Development Procedure,
5 and that interface required that, with the
6 Site Profile development, you went back to the
7 worker outreach comments and considered those
8 comments in the development of a Site Profile,
9 and -97 also referenced out to PROC-31. So,
10 that interface is no longer in existence. So,
11 that is kind of where we stood on that finding
12 and an explanation of what that finding is all
13 about.

14 MR. KATZ: Thank you, Kathy.

15 J.J., do you want to comment?

16 MR. JOHNSON: Procedure 12
17 addresses action items, and action items are
18 identified based upon professional judgment of
19 the HP at the respective meetings. At the
20 meetings there are ORAU HPs that, if there are
21 action items, the interface between the two

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1 can come up with an association of updating
2 Technical Basis Documents.

3 Any action item that is identified
4 is put into a tracking system. The tracking
5 system provides an initial date, what the item
6 is, who generated the item, whether it was
7 identified by somebody in the audience or it
8 was an observation for needing some additional
9 information.

10 Through the process of identifying
11 the item, there's coordination between the HP
12 and the individual who is the technical
13 document owner. Through that effort, there is
14 agreement as to when the item is to be
15 addressed, and what timely manner, based upon
16 level of effort, schedule, and the type of
17 item.

18 We can also identify whether you
19 can update the item on a routine basis, and
20 the concurrence of whether the item is to be
21 closed and how it is to be closed is concurred

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1 between the HP and the individual who the
2 action item is assigned to.

3 MEMBER BEACH: Jay, I just have a
4 question. Who takes on that responsibility if
5 an HP isn't at a meeting?

6 MR. JOHNSON: In accordance with
7 Procedure 12, we assign or we have individuals
8 who go out to the meetings and those
9 individuals are part of the DCAS HP group.
10 That individual is responsible for, and with
11 the editor and minutes writer, to come up with
12 action items associated with the meeting. And
13 those action items are then incorporated into
14 the tracking system.

15 MEMBER BEACH: I just always have
16 a problem when I see something, a procedure
17 that says, professional judgment, because each
18 individual has different professional
19 judgments. So, how would you ever have any
20 consistency when it's professional judgment?

21 MR. JOHNSON: Well, I think

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1 professional judgment does have its
2 flexibilities, but that is why an individual
3 who is working on a particular site is
4 assigned, and they have the experience behind
5 them, the knowledge of what they are working
6 on, and therefore, the intuitiveness to
7 understand what the issues are and how to pick
8 those issues up.

9 MEMBER BEACH: Okay. So, now that
10 you brought up a particular site, how will you
11 have consistency amongst other different
12 sites? Because if you use a person at one
13 site because of their experience and knowledge
14 of that site, and then you have another person
15 at a different site, I guess the consistency
16 issue and the professional judgment call in a
17 procedure leads me to believe that, between
18 the sites, even between individuals, it is not
19 going to be consistent. I am wondering if we
20 couldn't spell that out a little more.

21 MR. JOHNSON: Well, in my response

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1 I have provided that.

2 MEMBER BEACH: I saw that, too.

3 MR. CALHOUN: It would be almost
4 impossible not to use professional judgment.
5 Because if you have ever been to one of these
6 meetings, I mean, it ranges from something
7 very specific like the TLDs on this board were
8 never read or they didn't have film, all the
9 way to, my cousin Bob used to come work in
10 here at this place and ate nuts and berries,
11 or even something more nondescript.

12 It would be impossible, in my
13 opinion, to nail that down any further than
14 professional judgment. Unfortunately, we are
15 kind of stuck with professional judgment when
16 it comes to listening to what people have to
17 say about the site, trying to weigh that with
18 what we have heard and what we haven't heard,
19 and see what that impact is going to be on the
20 document.

21 I have been to a lot of these

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1 outreach meetings myself, a lot of them. I
2 don't know how you can spell out, well, we're
3 going to look at this and track this, or we're
4 not going to track this; this doesn't quite
5 meet the threshold of what we're going to
6 track.

7 I'm all open for suggestions. I
8 don't know what the options would be, other
9 than saying, you know, we've got trained,
10 qualified people doing these outreach meetings
11 and you have got to rely on those people for
12 determining what is substantive and what is
13 not.

14 MEMBER MUNN: Well, there is
15 another kind of tangential aspect to that,
16 too. That is the fact that, from the outset,
17 when we tried to establish a QA program for
18 how we were going to address procedures and
19 the activities that were undertaken, we said
20 from the beginning that it was going to be
21 necessary to evaluate each item on the impact

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1 that it had, the severity of the issue that
2 was before us.

3 One has to prioritize in some way
4 the information that pours into us because all
5 information is not equal and all sites are not
6 equal. The situations would vary enormously,
7 depending upon the magnitude of the comment in
8 terms of its impact on the rest of the
9 program, either at that site or complex-wide.

10 It is hard to imagine eliminating
11 judgment in --

12 MEMBER BEACH: And I don't think
13 I'm saying eliminate it. I just want to make
14 sure that it is consistent throughout and
15 things aren't missed based on one person's
16 professional -- I just want it to be
17 consistent, I guess is what I am looking for.

18 I mean I understand professional
19 judgment. It is important. I just wanted to
20 make sure it was consistent.

21 MR. JOHNSON: Well, to attempt

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1 that, I have indicated that I am going to put
2 some additional guidance in the procedure.

3 MEMBER BEACH: I did see that.

4 MR. JOHNSON: That was in green.

5 MEMBER BEACH: Yes.

6 MR. JOHNSON: So we are going to
7 follow through on that.

8 MR. KATZ: I'm sorry. Just for
9 the record, Phil Schofield, Board Member, has
10 joined us.

11 Welcome, Phil.

12 MEMBER SCHOFIELD: Thank you.

13 MR. KATZ: And why don't we, Kathy
14 and Wanda, if you can slide down a little bit,
15 then Phil can come to the table. Otherwise,
16 we are not going to be able to hear him.

17 MEMBER MUNN: Keep him in the
18 corner over there.

19 MEMBER SCHOFIELD: Hey, I spent a
20 lot of time in the corner.

21 MEMBER MUNN: Yes, I know. We all

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1 know about the corners, don't we?

2 MR. KATZ: Sorry. Sorry for
3 interrupting. I just wanted to catch that.
4 Thanks.

5 Sorry, Kathy. Go ahead.

6 MS. ROBERTSON-DEMERS: I have a
7 couple of questions.

8 How do you determine what isn't
9 actionable? What process do you go through?

10 MR. JOHNSON: As I indicated, the
11 action item is determined based upon the
12 professional judgment of the individual in
13 review of the minutes, being there at the
14 meetings, and conferring with the individual
15 that supported writing the minutes, along with
16 the HP associated with the respective site
17 which might be an ORAU HP.

18 MS. ROBERTSON-DEMERS: I am
19 getting a little ahead of myself. I guess one
20 of the concerns I have is, in going through
21 OTS, we have action items numbered up to 11.

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1 There's things out there, and we have 118
2 meetings.

3 MR. JOHNSON: Well, you are
4 looking at a lot of historical stuff that you
5 asked to have put into the open list. We're
6 working on that. And it's impossible to try
7 to take an older system and a newer system and
8 backfit it. We are trying to gather that
9 information. The two systems are not
10 compatible with each other.

11 So, the action items that you are
12 referring to with regards to historical
13 meetings are likely not going to that.

14 MS. ROBERTSON-DEMERS: I think it
15 was a mix of some historical and some more
16 current meetings.

17 MR. JOHNSON: Very few historical
18 or mostly probably historical ones that you
19 have identified, but more recent, newer ones
20 from other meetings.

21 MEMBER MUNN: Is it possible as we

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1 go through these action items that we can zero
2 in on that one that we were discussing at the
3 time and clarify at this meeting what the
4 current outstanding action items are? So
5 that, what is being carried over is not quite
6 as unclear to the rapid reader as the format
7 that we have right now?

8 Perhaps I'm the only one that had
9 some difficulty in trying to identify for
10 myself what is on the table right now as
11 opposed to what was considered an action item
12 and has, even though it says action item
13 closed there, it's not -- I'm not saying this
14 well, but it is not clear to me exactly what
15 the crucial outstanding action items on each
16 of these items is to me right now.

17 I don't know whether it is just
18 format or whether this is an issue that may
19 not be closed in your view, and it is being
20 closed in someone else's view.

21 But if we can, as we address each

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1 of these today, if we can be very specific
2 about what outstanding action items we now
3 have on each of these findings, it would
4 really be helpful.

5 MR. JOHNSON: Perhaps if Kathy can
6 be specific with her questions, then I could
7 be specific with my answer.

8 CHAIRMAN GIBSON: Well, I think
9 part of the issue is that this first finding
10 kind of spills over into other areas. At
11 least I thought Kathy was trying to explain
12 some issues, other issues, and how little
13 effect, you know, what needs to be addressed
14 in this first finding.

15 DR. MAURO: This is John Mauro.

16 I have a question that goes toward
17 this, I think. When you have your minutes of
18 a meeting captured in some level of detail --
19 I have to admit I haven't looked at the OTS
20 and the level of granularity of the minutes,
21 but I presume that embedded in that are a

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1 number of comments, suggestions, questions, et
2 cetera, offered-up information by the people
3 you are speaking to, either individually or in
4 a group.

5 Is there any provision to create a
6 log? That is, what I mean by that is, once
7 you say there's a question, let's say someone
8 raises a question similar to the way questions
9 sometimes are raised at the full Board meeting
10 during the open sessions for the public. And
11 then, effectively, a log is maintained. Ted
12 is maintaining a log of these things, and
13 then, later on, the Board responds back on how
14 they are being dealt with.

15 Is there a provision for that in
16 your procedure to sort of, as you act on any
17 given item that is in your minutes, is there
18 any provision in your procedure for requiring
19 a log be maintained of what the follow-up
20 actions were? Or does it really just stop at
21 that point? That is, you have logged it in,

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1 in the OTS and from there, it is used as
2 people see fit to use, which is a little
3 looser in terms of how to deal with these
4 things.

5 What I am hearing is, if there was
6 some kind of log of what is being done, you
7 know, that goes with each item, to the degree
8 to which you could itemize them sometimes is
9 kind of blurry. But, anyway, that is what I
10 am hearing is, is there any need to have such
11 a log and tracking of followup to the material
12 that is captured in the OTS?

13 MR. JOHNSON: Let me try to refine
14 that. We don't have a log. We have minutes.
15 We attend. We listen. We take notes. And
16 during the session or at the end of the
17 session, if we have any identified salient
18 issues that we need to follow through on, they
19 are placed in the Outreach Tracking System.
20 In that system, there is a time basis by which
21 it is inputted; it's identified when it should

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1 be completed. It is assigned to an
2 individual. It is documented as to what the
3 issue is. And on a periodic basis, the HP
4 will check with the person who the issue is
5 assigned to and see what the progress is.

6 In the results section of the
7 action item, you can either type information
8 in there as to what the status is or you can
9 actually copy and paste emails in there.

10 DR. MAURO: Oh, okay. So, in
11 other words, in practice, you are, in fact,
12 logging in and tracking. Is that written up
13 in the procedure, in PROC-12?

14 MR. JOHNSON: It is in the
15 procedure, yes.

16 DR. MAURO: Oh, okay. All right.
17 Thank you.

18 DR. MAKHIJANI: Could I follow up
19 on what Josie was asking about? I want to
20 focus on the worker, the information-gathering
21 interviews, right, are they always initiated

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1 by somebody that is writing like a TBD or are
2 they initiated from ATL or NIOSH or ORAU?
3 Because information-gathering is initiated
4 generally by somebody that is writing a
5 document, right?

6 MR. McDOUGALL: Yes, basically,
7 today, most of the information-gathering
8 meetings that are taking place today are in
9 support of a petition evaluation, in
10 preparation for a Petition Evaluation Report.

11 So, the HP, the NIOSH HP who is
12 working that particular petition requests us
13 to go out and arrange for the gathering of the
14 information he needs.

15 A good example of that is in the
16 last couple or three months the GE Evendale
17 meetings. They had a specific, the Board had
18 a specific request of NIOSH. NIOSH asked us
19 to go out and facilitate that.

20 DR. MAKHIJANI: So, does the HP
21 who requests that meeting attend the meeting

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1 to make sure --

2 MR. JOHNSON: Yes.

3 DR. MAKHIJANI: It's that specific
4 HP who attends the meeting?

5 MR. JOHNSON: As far back as I can
6 recall, even back when we were doing the Site
7 Profiles, the NIOSH HP who was responsible for
8 that document was, I think in nearly every
9 single instance, at that meeting.

10 DR. MAKHIJANI: And do they make
11 their own notes or do they just rely on your
12 notes? And how do they get back to the HP?

13 MR. JOHNSON: I think they do
14 both. I think they make their own notes. I
15 have been in meetings with Grady, and I know I
16 can recall him taking notes.

17 DR. MAKHIJANI: Right.

18 MR. JOHNSON: But they also have
19 access to our minutes.

20 DR. MAKHIJANI: So, there should
21 be two sets, normally, from each of these

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1 information-gathering meetings, there should
2 be two sets of documents that arise from that,
3 right? A set of notes that was taken by the
4 requesting HP who had a specific set of
5 questions -- I mean we do this all the time,
6 too. We have a specific set of questions, and
7 we want to make sure they are all answered.
8 We try to make sure that we go through them.
9 And if the person is there themselves, then,
10 presumably, if they have made notes, they have
11 made some effort to make sure that all their
12 questions were answered.

13 And is that posted on the SRDB?
14 Or how does that work? How do you reconcile
15 the --

16 MR. JOHNSON: If there are notes
17 taken, then those notes can be easily worked
18 with having looked at the minutes, once they
19 are developed, to see if those components are
20 addressed in the minutes or the notes can be
21 given to the person developing the minutes to

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1 ensure that those issues have been fully
2 addressed.

3 Now, when the minutes are
4 developed, it is pretty much a complete
5 dissertation of the meeting itself.

6 DR. MAKHIJANI: Now that doesn't
7 show up in the procedure anywhere. Does each
8 requesting HP make their own notes --

9 MR. JOHNSON: No. Of course not.

10 DR. MAKHIJANI: -- and then you
11 incorporate that into the minutes?

12 MR. JOHNSON: No, it's not. No.
13 It is just good business practice.

14 DR. MAKHIJANI: I don't understand
15 that.

16 I'm just interested in the
17 functional aspect of this thing. If you have
18 information-gathering meetings, and then the
19 HP has a set of questions, they make notes to
20 make sure that they have the information they
21 need. Then, there are two things that I think

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1 should happen, and maybe I'm wrong, and I
2 should be happy to be corrected.

3 One is, when the HP actually uses
4 that information in the document, there should
5 be some reference to his notes from which he
6 worked, because they are his notes and his
7 understanding of what happened at the meeting.

8 There should be some way of making sure that
9 those notes were reflected appropriately, that
10 they are posted.

11 And then, the second track of that
12 would be getting back to the worker and making
13 sure that the HP is properly using the
14 information, that he understood what went on
15 properly.

16 And there are a lot of different
17 ways to do that. We have our own way of doing
18 that, and you prepare these minutes.

19 But I would think that the notes
20 taken by the originating HP would be the most
21 document in a way operationally for the

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1 preparation of the TBD or Evaluation Report or
2 whatever is happening.

3 Does the procedure specify that
4 the originating HP be present? I mean, if
5 they are always present, that is wonderful. I
6 mean, that is a big concern that is allayed,
7 and maybe it should just be mentioned.

8 But this operational thing is
9 puzzling because I did not know that the HP
10 made their own notes and that you reconciled
11 those notes. Do the workers ever see those
12 notes?

13 MR. JOHNSON: Let me just say that
14 if they have notes -- the procedure doesn't
15 require them to take notes because we have
16 minutes, and then the minutes are reviewed by
17 the HP.

18 So, if he has or she has notes,
19 they can compare those notes to the minutes to
20 verify that the points of interest that we
21 have are addressed in the minutes.

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1 If they have any issues, salient
2 issues, that they want to follow, they address
3 those.

4 DR. MAKHIJANI: Do the action
5 items refer both ways? There's a set of
6 action items for the HP to pay attention to
7 that arose from the meeting and the
8 preparation of the document and a set of
9 action items that gets back to the workers in
10 terms of their questions and informs them as
11 to how the minutes were used in the ER?

12 MR. JOHNSON: There's no
13 distinction between the two.

14 DR. MAKHIJANI: Because I am not
15 aware of action items that refer to an HP, but
16 I'm not comprehensively aware of the action
17 items; Kathy and our team is.

18 MS. ROBERTSON-DEMERS: Perhaps one
19 of the questions is once you kind of institute
20 action items, how do these substantive
21 comments get integrated into the Site Profile

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1 and the SEC process?

2 MR. JOHNSON: Earlier I indicated
3 that the OCAS HP be at the meeting.
4 Associated with the OCAS HP is an individual
5 who is assigned by ORAU to be the technical
6 document owner. Between those two individuals
7 and the assignment of the action item and the
8 closure of the action item, if it requires to
9 be something to update the Technical Basis
10 Document, the closure will identify that,
11 along with the coordination with the Technical
12 Basis Document owner.

13 MS. ROBERTSON-DEMERS: Okay. And
14 how are the Technical Basis Document owners
15 getting access to the historical comments
16 which may be of relevance since the release of
17 the last version of the TBD?

18 MR. JOHNSON: Well, if we are
19 talking three years ago, those items should
20 have gone through the WISPR system. And if
21 there were issues that were identified at that

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1 point in time justifiable to update the
2 Technical Basis Documents, they should be out
3 there, and they should be in the cover letter
4 of the technical document as to where the
5 information came from and when it was updated.

6 MS. ROBERTSON-DEMERS: The front,
7 the summary page of the TBD?

8 MR. JOHNSON: Of the Technical
9 Basis Document, TBD or technical document,
10 right.

11 MR. McDOUGALL: Kathy, just one
12 point. Any minutes, if the minutes or the
13 source documents for any of these concerns,
14 any minutes from any meeting going back to
15 2003, if they are not in the OTS, they are
16 certainly online. They are on the NIOSH
17 website. It is not like they are hard to
18 find. So, if you wanted to see the minutes
19 from a meeting from 2004, 2005, they are right
20 there on the NIOSH website.

21 MS. ROBERTSON-DEMERS: Or on the

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1 SRDB?

2 MR. McDOUGALL: And/or, yes. But,
3 as a default, they are all on the NIOSH
4 website. So, the worst thing, the worst case
5 scenario is you just go to the public website,
6 and there they are. There's 100-and-some-odd
7 sets of minutes out there.

8 MS. ELLIOTT: And as of yesterday,
9 the final minutes for all the historical
10 before June 2007 are in the OTS.

11 MR. KATZ: That's great.

12 MR. JOHNSON: Another issue about
13 the OTS is that anything that goes in as a
14 document automatically goes into the SRDB
15 associated with that particular site.

16 MEMBER MUNN: In my simplistic
17 mind, I am attempting to go through the action
18 items that we have before us. And as I see, I
19 believe, a very simple way to address my first
20 concern, which is how to address what is still
21 an outstanding action item.

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1 If we are going to look at this
2 table at all, I am not sure, am I fouling up
3 the process here by referring to the outreach
4 program?

5 MS. ROBERTSON-DEMERS: It was more
6 meant as a guidance to do this meeting than
7 anything else.

8 MEMBER MUNN: Well, good. Good.
9 All right. Because that's what I'm trying to
10 do, is get through the meeting.

11 Under NIOSH responses, there are a
12 couple of things that I don't understand in
13 Item F1. One of the things is I do not
14 understand the marking after Action Item
15 Source, and there are two parallel lines about
16 halfway down the page where the first space
17 occurs. Additionally, to aid in identifying
18 the source or initiator for the item, an
19 action item source --

20 MS. ELLIOTT: Those are quotation
21 marks.

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1 MS. ROBERTSON-DEMERS: Yes.

2 MEMBER MUNN: That's a quote?

3 MS. ELLIOTT: And they transferred
4 somehow weird into the --

5 MEMBER MUNN: All right. All
6 right. So that is just a typing thing.

7 On the next page is where I see
8 the first indication of what my reading tells
9 me is an outstanding action item. And it is
10 near the bottom of the page on page, what is
11 numbered 4 here.

12 It says, Action, and then follows
13 some specification as to what actions are
14 going to be taken. And then, on page 5, it
15 again says, Action and again some
16 specifications. Similarly, on page 6.

17 It seems to me if we, at the very
18 least, would bold the word action in each
19 case --

20 MEMBER BEACH: Well, those actions
21 came up through -- J.J., you guys worked on

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1 those, right?

2 MR. JOHNSON: Right. What I did,
3 I did not have this.

4 MEMBER BEACH: Sure. Sure. She
5 just took care of that.

6 MR. JOHNSON: So, what I did is I
7 just took what I had and went through,
8 addressed the respective findings and
9 observations. And then, anything that I was
10 going to do in support of trying to heal or
11 address that finding or observation, I put it
12 in green.

13 MEMBER BEACH: Right.

14 MR. JOHNSON: Green is what I am
15 going to do to update the procedures.

16 MEMBER MUNN: I understand, and I
17 understand that that is a fine method of
18 differentiating, except that, quite often, we
19 don't get the coloring when we are -- it
20 depends on what format we are looking at,
21 whether we have the color or not.

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1 I am suggesting a very simple
2 clerical way to help, I hope, identify what we
3 are doing as opposed to what we have done.
4 And if you used "Action" in bold, regardless
5 of what color we are using it in, then
6 anything that follows tells us what action is
7 going to take place. Then, it is a very
8 simple thing to, at the end, when any one of
9 those action items is taken care of, to also
10 bold Closed at the end of it, so that it will
11 be easy for anyone glancing at it in any
12 format to see that an action item has been
13 addressed and closed.

14 I know I'm just talking clerics
15 here, but is that feasible to ask that we do
16 that in the future?

17 MEMBER BEACH: I think the timing,
18 J.J. sent those out the day before Kathy got
19 them, threw them in a document, so that we
20 would have them for today.

21 But the action items, we haven't

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1 really discussed them as a group. They are
2 great that you guys came up with your own
3 action items, but there might be some
4 additions that we decide, and it may change
5 that form also.

6 MEMBER MUNN: Yes, it may.

7 MEMBER BEACH: Yes.

8 MEMBER MUNN: But, if it's all
9 right with everyone else, then I will be
10 quiet.

11 (Laughter.)

12 If it's patently clear to everyone
13 sitting at this table exactly what everyone is
14 doing, and Wanda is the only one that doesn't
15 understand that, then Wanda will shut her
16 mouth.

17 But I am just trying to identify
18 the easiest, most clear way for anyone who
19 picks this particular document up in the
20 future to understand the format. To me, that
21 is an easy formatting to do. If it's not

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1 sustainable, fine.

2 MS. ROBERTSON-DEMERS: It's
3 doable.

4 MEMBER MUNN: Good.

5 MR. CALHOUN: And I agree with
6 you, Wanda. I think it seems like we should
7 get the action items, respond. If you accept
8 them, you accept them; if you don't, you
9 don't. And we'll decide to agree on that or
10 not. Then, if we have new items, we will do
11 them. That is the only way to get through
12 these meetings, you know.

13 MEMBER MUNN: It seems so to me.

14 MR. CALHOUN: Yes.

15 MS. ROBERTSON-DEMERS: Do we want
16 to go through the list of action items? Do we
17 want to let J.J. do that, his list, and then
18 discuss any additional?

19 MR. JOHNSON: Well, I can go
20 through them.

21 Professional judgment, again,

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1 professional judgment is expected as a method
2 of determining appropriate impact and follow-
3 through resolution of action items. And that
4 was the expectation of the procedure.

5 To enhance that, I have proposed
6 that additional guidance be placed in the
7 procedure for action items, and those items
8 are, the response will address action items'
9 commitment date, based on priority, workload,
10 level of effort, or resolution.

11 The response will be reviewed for
12 technical adequacy. The response will
13 designate whether a technical document
14 requires an update. And the response will be
15 coordinated to effect completion, whether it
16 is an update of a document response to an
17 individual or et cetera.

18 MEMBER MUNN: The response will be
19 coordinated? I guess I understand everything
20 except the response will be coordinated to
21 effect completion. Coordinated with whom?

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1 MR. JOHNSON: Coordinated to
2 either update a technical document, provide a
3 response to an individual. It's a closing-out
4 activity.

5 MEMBER MUNN: Okay. So all of the
6 actions in the response will be coordinated,
7 essentially is what we are saying?

8 MR. JOHNSON: Right.

9 MR. CALHOUN: Between the HP and
10 the document development team, I would say,
11 something like that. Is that --

12 MR. JOHNSON: Yes.

13 MEMBER MUNN: Perhaps I'm just not
14 understanding the language properly.

15 DR. MAKHIJANI: Did you want it up
16 there in the process part?

17 MEMBER MUNN: No. This raises the
18 second issue in terms of handling the matrix,
19 for me in any case. Will we attempt, are we
20 going to attempt at this meeting to resolve
21 these action items or at least to define the

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1 status for them, since the action item status
2 for the entire issue is open?

3 As each of these goes along, is
4 this going to continue to be considered? Is
5 that action item going to continue to be
6 considered a completely open item or are you
7 identifying a separate status for it? Is
8 there going to be a discussion of it here and
9 some response from the SC&A team and from the
10 Members of the Board as to whether this is
11 acceptable to do, and if so, what we are going
12 to call the status of it if it is acceptable,
13 but we have to wait to see the fruition of it?

14 MR. KATZ: Wanda, maybe you want
15 to, because not everyone here is familiar with
16 how Procedures deals with those categories,
17 why don't you sort of lay out the framework
18 that you use in the Procedures Subcommittee
19 for them to consider?

20 MEMBER MUNN: That is essentially
21 what I was referring to. In the Procedures

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1 Review Subcommittee, where we have multiple
2 procedures to deal with all the time with
3 multiple findings, literally hundreds of
4 findings, what we attempt to do -- and I know,
5 I am sorry, this is old stuff for you, Mike --
6 but what we attempt to do is just what I
7 outlined.

8 We start with the finding. We ask
9 for NIOSH to respond to the finding. When
10 NIOSH responds to the finding, then the
11 responses to that single finding are discussed
12 at length in a setting like this one and we
13 come to a conclusion of what the status of
14 that is.

15 In some cases, SC&A accepts that
16 response, that's fine, and that finding is
17 closed. If SC&A does not accept that
18 response --

19 MR. KATZ: Well, just to clarify,
20 the Subcommittee, not just SC&A, has to accept
21 the finding.

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1 MEMBER MUNN: Yes, yes. But it's
2 a rare occasion when NIOSH and SC&A agree on a
3 finding and the Subcommittee does not.

4 But if this body sitting here now
5 accepts the discussion that occurs in this
6 meeting as being acceptable for closure of
7 that particular action item, it is closed. If
8 they do not accept it, then one of the other
9 entities, either NIOSH or SC&A, is charged
10 with an action item where they are to come
11 back to the body with a response to whatever
12 the issue is.

13 In that case, we do not consider
14 that action open. As soon as we have
15 addressed something -- only items that have
16 been unaddressed are considered open. Once we
17 have addressed it, then, if there is something
18 going on with it, we call it in process.

19 If you are going to get back to me
20 with a notation of here's the change that's
21 going to occur in the procedure, then that

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1 item and our record will go into in abeyance,
2 which means we're done with it until we see
3 the response to what has been agreed to.

4 Something that is actively being
5 addressed and there is no response to right
6 now is in progress.

7 And in some cases, we decide that
8 this particular finding should not be
9 discussed in this forum; it should be in the
10 hands of the work group that is assigned to
11 that site or to that activity, and we will
12 transfer to that organization, to that group,
13 until they have completed their review of it,
14 at which time they advise us of how it is
15 being closed. And we then close the item.

16 So there are a half-dozen modes of
17 approaching an action item the way we do it in
18 our complex matrix. What I am suggesting is
19 that not necessarily that specific form of
20 process be addressed here, but that we
21 consider something like it.

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1 So that the next time we have this
2 matrix, I can pick it up and very easily, by
3 looking in a status column by each action item
4 underneath the findings, I can identify in my
5 own mind where we are with that. Then, I can
6 look at it and see who owes what or whether it
7 is, in fact -- I won't even look at anything
8 if it's closed.

9 If it's closed, the history is
10 here, which I think is vital for all of us.
11 It's certainly vital for me. If I can't look
12 back at the history six months from now and
13 see what we did at this meeting, then I am
14 completely at a loss because I have no memory
15 at all of what I have done when I was sitting
16 here or what I said when we were talking about
17 this.

18 But the bottom line is I am
19 suggesting that we adopt some type of
20 differentiation as we go through these things,
21 and that we normally go through them in a

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1 fairly constructive manner, so that we all
2 know what to expect. And when we see this
3 later, we will instantly remember what we have
4 done rather than rehashing it.

5 MR. FITZGERALD: Maybe the
6 importance is the context is the
7 responsiveness as a procedure. I mean some of
8 these new approaches or maybe some
9 modifications we talked about might not be
10 tested until they are actually used.

11 MEMBER MUNN: True.

12 MR. FITZGERALD: I mean I don't
13 think we should conflate whether or not they
14 end up demonstrating effectiveness, but we
15 talked about whether it is responsive as a new
16 procedure or a revised procedure.

17 MEMBER MUNN: We have to keep in
18 mind, at least I have to keep in mind, what
19 our purpose is here, what exactly are we
20 trying to accomplish. And I don't think it's
21 perfection, but in my mind it is some level of

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1 quality assurance with respect to how we
2 approach worker outreach.

3 MEMBER BEACH: I think that is a
4 great idea. Wanda, who takes responsibility
5 for that? Because I know in some groups SC&A
6 updates these, and in some NIOSH may take that
7 role. I guess it is important to establish
8 who is going to do that --

9 MEMBER MUNN: It is.

10 MEMBER BEACH: -- so they can
11 start tracking it while we are going through
12 this.

13 MR. KATZ: I think in most cases
14 SC&A does the matrices. Even with our
15 Procedures database, SC&A has someone who sort
16 of does the paperwork part of it or electronic
17 work of updating that database.

18 MEMBER MUNN: What we have tried
19 to do is establish a point of contact, one in
20 the agency and one in the contractor
21 organization. So that, when anyone else has a

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1 question, they have a go-to person to ask the
2 specific question of.

3 MR. FITZGERALD: But I think it is
4 a secretariat-type function, though.

5 MEMBER MUNN: Yes, it is.

6 MR. FITZGERALD: Because, really,
7 it is for the Committee or for the Work Group.
8 And the Work Group, in the end, has to agree
9 with the nature of this.

10 MEMBER MUNN: True.

11 MR. KATZ: So, in Procedures, we
12 do this in real-time. We have this database
13 that eventually all the Work Groups will be
14 able to use and it gets updated as you go
15 finding by finding. So, this finding now is
16 closed; this finding now is in abeyance; this
17 is in progress. We do it as we go through
18 each one, and then there's no sort of after-
19 action needed. It is all taken care of during
20 the meeting. That is nice.

21 We are not quite ready to, I

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1 think, roll that out to other work groups,
2 but --

3 MEMBER MUNN: It still has a
4 couple of rough edges.

5 MR. KATZ: Yes. So I think it
6 would be great if SC&A would just keep the
7 matrix up on the status of items, Kathy, since
8 you have already gotten the ball rolling with
9 developing a matrix.

10 MEMBER MUNN: If that will work,
11 it seems like a straightforward way to
12 approach it.

13 And my concern, my personal
14 concern, is that the next time I pick this up
15 I won't remember what we did or what we said
16 unless there is a notation of some sort to
17 remind me.

18 MEMBER BEACH: I think it is a
19 great idea. It works very well in 6000, in
20 our Work Group 6000. Otherwise, we would all
21 be in trouble.

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1 MR. FITZGERALD: I think the
2 comment you made earlier about not leaving an
3 action or an issue without at least knowing
4 the disposition of it --

5 MR. KATZ: Yes.

6 MR. FITZGERALD: -- is a good one.
7 Because I think leaving it until the end of
8 the meeting would be really confusing.

9 MEMBER BEACH: Well, that just
10 brings us right back. I was looking at
11 Finding Number 1, and the first finding says,
12 the procedure does not provide direction for
13 tracking, trending, evaluating or responding
14 to worker input.

15 When I look at J.J.'s action
16 items, I see that some of those are addressed
17 and possibly taken care of, but some of them
18 are still not clear in my mind how those three
19 or four items are going to be addressed by
20 those action items.

21 So, I guess I would like to talk

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1 about that, to make sure that those items are
2 covered with those action items or possibly
3 add more to those actions. I think you have a
4 good start here, but I just want to make sure.

5 And I am kind of curious. You
6 say, additional guidance will be placed in the
7 procedure. I'm curious to where in the
8 procedure are we going to see that, if you
9 have gone that far to look at that?

10 To me, just for my mind, it seems
11 like the direction of tracking hasn't been
12 answered. Trending has somewhat been
13 answered. The response to work, I think the
14 last bullet covers that, but it doesn't really
15 give me a lot of information.

16 I am a real procedure person. So
17 I want it spelled out a little bit clearer for
18 me when I read it. But that is just my
19 opinion. I don't know where everybody else
20 sits.

21 MEMBER MUNN: Well, the problem

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1 with that is it may not turn out to be the
2 best place to put it.

3 MEMBER BEACH: I don't even know
4 where it is being put.

5 MEMBER MUNN: Yes. But, in my
6 mind, if I could identify, if this body agrees
7 that these actions are the appropriate actions
8 to address that portion of the finding, then
9 this simply goes into abeyance essentially.

10 MEMBER BEACH: Sure.

11 MEMBER MUNN: And until NIOSH
12 comes back to us with --

13 MEMBER BEACH: I understand.

14 MEMBER MUNN: -- this is what we
15 have done and this is where it is going to
16 go --

17 MEMBER BEACH: Yes.

18 MEMBER MUNN: -- then, it can be
19 taken off the board.

20 MEMBER BEACH: Sure.

21 MEMBER MUNN: But I guess my

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1 feeling is, if in the initial response we
2 attempt to get too definitive, then we
3 postpone the initial response sometimes longer
4 than we need to.

5 But just identifying what is going
6 to happen, not necessarily where and when, but
7 what is going to happen, puts it in a
8 different framework for this group, as I see
9 it.

10 MEMBER BEACH: Okay. Well, for
11 me, direction for tracking the first one, how
12 is it covered by those action items?

13 MR. JOHNSON: For tracking, it is
14 part of the tracking system. So that is the
15 tracking, the tracking system. So that is the
16 tool that we use --

17 MEMBER BEACH: So OTS?

18 MR. JOHNSON: Well, OTS is the
19 overall Outreach Tracking System. There's a
20 lot of components in there, but we have a
21 specific area for tracking issues.

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1 Almost any of the fields, I have
2 been instructed or told that any of the fields
3 in the Outreach Tracking System can be pulled,
4 and you can develop an ad hoc report that will
5 show that.

6 Now the tracking aspect for
7 issues, any of those deals can be identified
8 and tracked.

9 MEMBER BEACH: But can I go to the
10 Procedure 12 and find directions for tracking?
11 Would it give me directions for tracking the
12 comments? I guess I am looking for, what's in
13 the Procedure 12, which is what we are
14 discussing, that answers that specifically?

15 MR. JOHNSON: The procedure
16 addresses tracking. The procedure has an
17 attachment that shows and provides guidance
18 for --

19 MEMBER BEACH: That is Attachment
20 A, correct? Because I have that up, and it
21 was really, I thought it was kind of vague.

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1 It gave you, if that is where you are talking
2 about --

3 MR. JOHNSON: It is. In one of my
4 responses, I indicated that the tracking
5 system was very simplistic, but it could be
6 self-driven with regards to the information
7 that you put into it.

8 Now I can write a detailed
9 procedure to address it to the nth degree, but
10 I don't think it's necessary. I can address
11 more about the tracking system, and we have
12 talked about it. I can put in there, you
13 know, I will be willing to listen to what you
14 would like to see in there with regards to the
15 tracking system more than what I have.

16 MEMBER BEACH: So what we are
17 discussing is worker comments for situations
18 that come up at these meetings. And to me,
19 that is an important part of what we are doing
20 with this procedure, unless I am missing
21 something.

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1 So, to me, it needs to be more
2 clear. And I don't want to tell you how to do
3 it exactly. But when I look at this and there
4 are two places that say anything about
5 tracking and it's vague, it just seems like
6 there needs to be a little more robustness in
7 the procedure.

8 MR. JOHNSON: I think when it
9 comes to each of the respective sections that
10 deal with an HP being at the meeting, there is
11 discussion in that section that talks about
12 identifying action items and putting them into
13 the tracking system. Then, the attachment
14 addresses and just identifies the respective
15 parts of the tracking system itself.

16 I can go and amplify the
17 discussion for the tracking system.

18 MEMBER BEACH: Anybody else?

19 CHAIRMAN GIBSON: The procedure is
20 probably understood by the health physics
21 people. Okay? But if there's a body that is

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1 charged with oversight and advising the
2 program, we need to be able to see it in the
3 procedures, so we understand it, not just --
4 and I appreciate professional judgment and all
5 that, but we are supposed to be in the weeds a
6 little bit and see how things are done. It
7 seems to me there is a lack of clarity there
8 in the procedures.

9 MR. JOHNSON: Well, as I
10 indicated, I can address in a little bit more
11 detail than what I already have the process
12 for the tracking system that I have in here.
13 I mean I will take that action on.

14 MR. CALHOUN: I think, first and
15 foremost, our procedures have to be functional
16 for us. Okay? We want you guys to understand
17 them.

18 This Work Group and this topic is
19 one of the most subjective topics that we will
20 ever cover. It is more subjective than the
21 Procedures Group. It is way more subjective

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1 than any of the actual scientific health
2 physics-type subjects that we cover.

3 Basically, what we are coming down
4 here to is a process and how you would like to
5 see our process run versus how we are running
6 the process. Certainly, we are open to any
7 recommendations, but if we are going to go
8 back and forth and back and forth on how you
9 think it should be done against how we think
10 it should be done, I don't ever see these
11 things being closed out.

12 It has to be loose, this type of
13 procedure. My philosophy is, when I go to
14 these worker outreach meetings, I want to
15 respond to that individual immediately and be
16 done. I don't want to carry notes anywhere
17 because I want that person to be satisfied
18 that they have got an answer from me.

19 So the number of comments that are
20 actually applicable to a TBD that would cause
21 us to change something are very, very few, but

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1 we have to make the procedure such that it is
2 workable for us.

3 Like J.J. is saying, I am sure he
4 is open to trying to clarify that a little
5 bit, but we really need to keep that in mind
6 as we go through this whole process here of,
7 what's our goal? We want a procedure that is
8 workable and that we can incorporate the
9 comments of people and make the TBDs better
10 and make the people feel like we have dealt
11 with their comments and given them appropriate
12 response.

13 DR. MAKHIJANI: Now I'm totally
14 confused by the last part of what you said. I
15 am still focusing on these information-
16 gathering meetings, you know. Like when we
17 prepare our reviews, my point of reference,
18 just to be clear, is when we review a TBD or
19 an Evaluation Report, we do interviews. We
20 have these questions. Then we develop the
21 questions because we think they are going to

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1 affect our review. Then, when we write the
2 review, we publish the summary along with the
3 review, and we indicate the points at which
4 there is a contact between the substance of
5 what was said and our review.

6 So that is my point of reference.

7 Maybe you don't agree that it is the right
8 point of reference. I would be happy to be
9 corrected.

10 But if a health physicist has a
11 question, a set of questions to be answered,
12 and you are initiating a meeting, how can the
13 result, how can the TBD or Evaluation Report
14 not be affected by the outcome of the meeting?

15 Because you started off with health physicist
16 questions that you didn't know the answers to.

17 MR. CALHOUN: I agree with you.
18 That is a very specific type of meeting,
19 though, and this document covers all of them.

20 DR. MAKHIJANI: Yes, that is the
21 meeting I want to understand.

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1 MR. CALHOUN: This document covers
2 all of the meetings.

3 DR. MAKHIJANI: Yes, I know that.

4 MR. CALHOUN: So I agree with you
5 on that one.

6 DR. MAKHIJANI: That's the meeting
7 that a lot of the unhappiness -- so there are
8 two kinds of non-subjective from the -- well,
9 they are subjective, but they are less
10 subjective or there is a kind of a criterion
11 by which you can evaluate whether you were
12 successful or not.

13 So a worker gave you some
14 substantial information. Say incidents are
15 not being recorded or the special hazard
16 incident investigation's index is incomplete.

17 And I can give you three examples, or
18 whatever.

19 It happened at Savannah River
20 Site, and it is an open issue and we are
21 discussing it. It is very complicated.

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1 Workers often have expressed, as
2 quoted in our review, that they did come, they
3 did listen; the meeting was great. And I
4 think your process of your organizing
5 meetings, and so on, is great. I mean it
6 works. People come. People say stuff. They
7 have the room to be able to express
8 themselves, and they have said that. And I
9 think that is wonderful.

10 But, ultimately, a lot of people
11 are unhappy that the technical substance of
12 what they gave isn't reflected in ORAU's or
13 NIOSH's work. And so long as that unhappiness
14 is more than some one odd party who may feel
15 aggrieved or, you know, they got denied or
16 some specific thing that is not really
17 technical, generally speaking, but is about
18 their personal claim, I would say that from a
19 substantive point of view there's some problem
20 in translating in how that judgment is being
21 exercised, either in preparing the minutes,

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1 because they are not reviewed by all the
2 workers who were present and what they said,
3 to see if the things they said were important.

4 I don't know where -- you know, there are a
5 lot of gaps there, I think.

6 So the minutes are not reviewed by
7 all the workers. So they may have said some
8 very important things that they think that are
9 not in your minutes.

10 Because they don't all get -- just
11 the leader of the group gets to see them. You
12 don't have the tapes for reference later on
13 because you destroy the tapes.

14 The minutes are not included in
15 the document being prepared by the person who
16 originated the meeting. So there is no point
17 when that document gets public that the worker
18 who made a comment who feels aggrieved can
19 see: I said X and really X was considered in
20 the preparation of the Evaluation Report. It
21 does acknowledge incidents are not, and here

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1 is how we are going to do the dose
2 reconstruction, even though the incident
3 indexes -- because incidents were very common
4 and we have bioassay data. Some response.

5 So I am kind of thinking that
6 there are gaps both ways. There's technical
7 things that in this particular type of meeting
8 it cannot be that you initiate a meeting
9 having technical questions and have a
10 satisfactory meeting, and the outcome of that
11 meeting is not reflected in the Technical
12 Document. It has to be reflected in the
13 Technical Document because the technical
14 questions started the meeting.

15 MR. CALHOUN: I would agree that,
16 if there is something that comes out of that
17 meeting that needs to go, that would change
18 the TBD, yes. I would think, though, if
19 there's things that don't change the TBD, we
20 should get back with the claimant somehow and
21 let them know that they are not in there.

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1 Because we certainly don't want to clog up the
2 TBD with this is why we didn't include that.

3 DR. MAKHIJANI: No, no, I'm not
4 saying that. My own personal experience from
5 the unhappinesses that are expressed to me
6 about this process, as I have heard, and they
7 have been cited in our review, so it is not
8 just my sort of subjective thing. I mean
9 people have said, we have given you the
10 references and quoted, is, we said technical
11 things that are not reflected in the document.

12 I am not talking about unhappiness
13 about a personal claim, somebody who was
14 denied. And I agree that, if you go to the
15 Advisory Board meeting, then a lot of the
16 comments about a personal claim, they are
17 appropriately referred to NIOSH, and SC&A
18 doesn't even get involved in all of that.
19 Basically, you know, Stu Hinnefeld will be
20 there, and he will take the person aside and
21 refer them to the appropriate person, and

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1 that's done.

2 The big issue is when somebody
3 says something technical, people took off
4 their film badges at work, for example, a big
5 issue that comes up quite often, and then
6 doesn't find it reflected in some way in the
7 tracking system. And back to the HP that
8 originated a question about film badges, if
9 the purpose of the meeting is to inform the HP
10 about question that he didn't have answers to,
11 how can that meeting not be reflected in the
12 TBD or ER when it is done? That is the
13 question I am having.

14 If I don't know the answer to a
15 question and I go to a tank farm worker and
16 say, okay. How do you fix the transfer boxes,
17 then if that question is important to me, and
18 I get an answer to it, then it should be
19 reflected in the document, right? What did --

20 MR. CALHOUN: See, I would say
21 that sometimes -- I am not aware of too many

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1 meetings where the sole purpose is I'm going
2 to go out here and find information that I
3 don't have, other than when we interview folks
4 for, say, ER.

5 Like I am familiar with Brookhaven
6 because we just did that two weeks ago. So,
7 we go through and we look and ask them, hey,
8 what do you think about this, what do you
9 think about that.

10 The majority of the other
11 meetings, at least that I have been associated
12 with, are kind of a free-form meeting that
13 says, you know, it is a presentation of an SEC
14 or it is a presentation of a new TBD, which
15 doesn't happen very much anymore.

16 And if somebody, for example, said
17 to me or in the meeting, hey, you know, we
18 have badges that weren't worn; how do you deal
19 with that. If I give him an answer, and he is
20 satisfied with that answer, it is not going to
21 go anywhere other than that.

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1 DR. MAKHIJANI: How could you give
2 him an answer to that? If a worker says, we
3 weren't wearing badges, isn't it something for
4 the Evaluation Report person to take --

5 MR. CALHOUN: Well, what I would
6 do is I would talk to that individual, and I
7 will just give you an example, say, okay,
8 well, we didn't wear badges. Or one thing
9 that has come up before is, our supervisors
10 made us take badges off.

11 Well, one of the things that we
12 have done in the past is that we have
13 evaluated that person's dosimetry report. And
14 what we have found, in very few cases, but we
15 have found it, is that, as the end of the year
16 is coming up, all of a sudden, they go from
17 getting 500 millirem a month to none. So that
18 is an indication to us that there is an issue
19 there. So, then, we will make a judgment
20 accordingly.

21 Now I can explain that kind of

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1 approach to somebody. And after that, it may
2 not need to go any further than that. Because
3 that is one of those items that has been
4 brought up time and time and time again at
5 many sites.

6 DR. MAKHIJANI: Actually, this is
7 a huge thing that you have just said. Have
8 you actually found cases -- because we have
9 looked and we haven't found cases like this.
10 Now, if you have actually found cases like
11 this, this is a matter far beyond your getting
12 back to the individual and saying, your dose
13 reconstruction is fixed. This is a matter
14 which is a generic matter and has been raised
15 as a generic matter at a number of sites
16 fairly frequently.

17 Now we have all had a very hard
18 time actually verifying these things as a
19 general matter. If you found specific
20 examples, I would think that this thing needs
21 to be reflected in an Evaluation Report and a

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1 TBD and should become a much bigger deal.

2 MR. CALHOUN: And it may be. I
3 don't know. I don't know what site that was
4 from.

5 DR. MAKHIJANI: But that has to go
6 from the interview process into a document
7 preparation process.

8 MR. CALHOUN: But if it has
9 already been addressed in the TBD and I
10 explain it to that individual, the only thing
11 that I would have to do is either tell him
12 that we have addressed this -- what's the
13 other option, just responding to him after the
14 meeting and saying, this has been addressed
15 and it's in this document?

16 DR. MAKHIJANI: No, no, I'm not
17 faulting your response to the individual and
18 giving them satisfaction or finding some way
19 to look at their claim. I mean that's fine,
20 and I would do the same. I agree with you.

21 What I am saying, as I said, we

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1 are not concerned about the individual claim
2 not being attended to properly. I think that
3 you are doing that. I think NIOSH does that.

4 I think the Advisory Board now has a process
5 for making sure that individuals who feel
6 aggrieved about their personal claims not
7 having been done right, there are appeal
8 procedures. So there are a lot of avenues for
9 that.

10 The thing that I have always been
11 concerned about in my role in this, and I
12 think our review of your procedures, has been
13 when there are generic concerns or something
14 that affects an individual claim that is
15 indicated to be a generic concern, like this
16 particular example we are talking about, which
17 is a generic concern beyond the individual
18 case. How does that materially affect what
19 NIOSH is doing or ORAU is doing?

20 And a lot of workers feel that it
21 should materially affect when they are not

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1 being heard, even though they are saying
2 technically important things.

3 And the second point about what
4 you said that surprised me is we started the
5 discussion with me thinking, obviously
6 wrongly, that HPs have questions that they
7 need answers, and they ask you to organize
8 meetings. Some meetings, not all meetings,
9 some meetings are organized for the purpose of
10 answering HP's questions as they prepare a
11 document.

12 MR. CALHOUN: That's generally in
13 the Evaluation Report process that I have
14 witnessed personally.

15 DR. MAKHIJANI: Okay.

16 MR. CALHOUN: That is when that
17 happens most often.

18 DR. MAKHIJANI: What I am saying
19 is, in that particular specific instance, we
20 have a chance to make sure that we know
21 exactly what was said and have a procedure

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1 that documents that. And then, we have a
2 chance to see whether the person who requested
3 that meeting actually is using that
4 information and it can also be documented and
5 can be very transparent, so the workers who
6 came can see. You know, a worker would not
7 say, well, I said people, supervisors, were
8 making us take off the badges, and how come
9 that question isn't addressed in the
10 Evaluation Report. You know, we spend a lot
11 of time --

12 MR. CALHOUN: Well, generally, in
13 Evaluation Reports they are clean, and it
14 actually goes down, at least the ones that I
15 have been associated with, and it will list
16 the interview and what was said and how it was
17 used in the document.

18 Now what I am wondering is let's
19 just use either that explanation or another
20 one that comes up is missed dose. I always
21 got zeroes, but, you know, what happens? If I

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1 explain to that individual in the meeting how
2 missed dose is taken into account when a dose
3 reconstruction is done, what would you think I
4 need to do in addition to that?

5 MR. KATZ: Can I help here, just
6 ask a question? Because I think I'm
7 understanding what you are saying, but I'm not
8 sure of the difference here.

9 I think what I am hearing Grady
10 say which relates to what J.J. presented is,
11 if in one of these meetings a worker raises an
12 issue that is already dealt with generically
13 in the TBD, like missed dose, then they get an
14 explanation. It doesn't even ever make it
15 into the tracking as an action issue because
16 there is no action to be taken. It is already
17 addressed generically in the TBD. And really,
18 it is only an education function to have the
19 worker understand how that is already handled.

20 But if a worker raises an issue
21 that is not handled in the TBD or the SEC

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1 evaluation, that would go in as an action
2 item. Then, you would see in the tracking
3 system how it gets dealt with. That is where
4 the professional judgment is applied, as to
5 whether that requires a change in the TBD or
6 requires just a response back to, you know,
7 this doesn't affect the TBD because X, Y, Z,
8 or what have you.

9 DR. MAKHIJANI: Sure.

10 MR. KATZ: So it seems like the
11 tracking system will only reflect those issues
12 raised in the meeting that are actionable
13 because they might impinge on an actual change
14 that could be needed for the TBD or the SEC
15 evaluation or whatever.

16 I mean that's what I heard, and
17 correct me if I'm --

18 MR. CALHOUN: Yes. Yes, that is
19 how -- the times I have been involved in
20 these, and like I said, my participation is
21 somewhat limited in ERs because I have only

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1 been involved in one. It has been at
2 Brookhaven. And I point to Joe because Joe
3 has been with me on a couple of them, at least
4 on the phone.

5 Now the other outreach meetings
6 that I have gone to, and I have gone to -- and
7 I call them outreach because anytime we go
8 out and present something, we are reaching out
9 to the public. And I have been involved with
10 the presenting of an SEC, and I have been
11 presenting of new TBD documents, when we used
12 to do that when it was an initial version of
13 the TBD. And in those cases, you had to make
14 the judgment as to whether or not the item was
15 going to be an action item and would cause us
16 to change something in our Technical Basis
17 Document.

18 MR. KATZ: But just to link things
19 together with what is coming later, we are
20 going to be talking about evaluation of
21 Objective 3, which gets into this matter of

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1 how contributions from workers are actually
2 taken into account in DCAS documents.

3 DR. MAKHIJANI: Yes.

4 MR. KATZ: So, I mean, it seems to
5 me, then, when SC&A does its work on
6 evaluation of Objective 3, it is going to be
7 looking at the tracking system and the final
8 documents and the original transcripts or
9 minutes, I should say, of these meetings. And
10 if there's stuff missing, in other words, if
11 there's stuff in the minutes that would
12 suggest to SC&A it should have been an action
13 item and it never made it in the tracking
14 system as an action item, that would be of
15 interest.

16 And then, likewise, if there's an
17 action item that doesn't get reflected in a
18 document the way SC&A views it might have
19 been, that would be another item of interest
20 when SC&A does its evaluation of that.

21 Does that make sense?

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1 DR. MAKHIJANI: Yes, I'm okay with
2 what you say.

3 CHAIRMAN GIBSON: So, if everyone
4 agrees, we will just put Item 1 in progress,
5 and we will wait for the changes that J.J. has
6 indicated here to come back to us, and we will
7 review them. Is that okay with everyone?

8 MS. ROBERTSON-DEMERS: Well,
9 there's a couple of things that aren't
10 addressed in these action items that came up
11 under Finding 1. And that is there is no
12 requirement for capturing substantive comments
13 from meetings that are designated as
14 information-giving or information-
15 giving/gathering, for example, workshops.

16 MR. JOHNSON: There's not a
17 mechanism, and the purpose of Procedure 12
18 doesn't address that. The purpose of the
19 training is to provide information to the
20 personnel in attendance.

21 In the past, people have asked

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1 questions, and the Director has personally
2 provided feedback to the individuals on those
3 questions. And if there are situations where
4 individuals say, well, I know about this or I
5 know about that, they have been asked to
6 provide that information on the website or to
7 NIOSH through what documents they might have.

8 MS. ROBERTSON-DEMERS: Which no
9 longer falls under the jurisdiction of
10 PROC-12.

11 MR. JOHNSON: Well, it's
12 communications at -- what doesn't fall under
13 PROC-12?

14 MS. ROBERTSON-DEMERS: Well, for
15 example, I will give you an example of when I
16 was at the workshop, they were talking about
17 the release of UF6 into the work environment
18 which creates UO2F2, a light gas. And the
19 response by Larry was, yes, this is something
20 which should be considered in the Site
21 Profile. Go on, submit it to the docket.

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1 Okay?

2 Now that comment, as a worker
3 outreach comment, no longer goes into -- it
4 doesn't go into your tracking system, as I
5 understand.

6 MR. JOHNSON: It did not. And it
7 seems to me that, in that light, because there
8 are no minutes of a training session, that in
9 that light, guidance was provided, so the
10 individual could turn around and provide that
11 information to us in support of the Technical
12 Basis Document.

13 MS. ROBERTSON-DEMERS: And what
14 happened to the comment after that? That's
15 what is important. If you have got a NIOSH
16 representative saying that's important to the
17 Site Profile and should be considered, then
18 what happens to that comment if it is not an
19 action item?

20 MR. JOHNSON: I believe at that
21 point in time everything was done that could

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1 possibly be done at that point in time in
2 order to try to support getting additional
3 information that the individual felt was
4 important enough to discuss at that point in
5 time, that they would likely provide that
6 information to NIOSH, based on the avenues of
7 communication discussed with them.

8 MS. ROBERTSON-DEMERS: Last June,
9 I think 2009, you guys provided us with a
10 table of worker outreach meetings, and
11 workshops were on there, listed as worker
12 outreach --

13 MR. JOHNSON: That's exactly
14 right, as a form of our desire to inform
15 people, to help other folks support their
16 issues within the program.

17 MS. ROBERTSON-DEMERS: Well, it
18 seems to me if things are coming up similar to
19 this example, then they need to be reflected
20 as action items or captured in some way. I'm
21 not talking about the entire worker workshop.

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1 I'm talking about key items that are brought
2 up, substantive comments.

3 MR. CALHOUN: So, in that case,
4 you would say that probably the action would
5 be to get back to the individual and tell him
6 what was done. Because the fact of the matter
7 is the only thing that that really does is it
8 may change solubility, and we are going to
9 assign the solubility that provides the
10 greatest dose.

11 So, you know, we address those
12 kinds of issues dosimetrically. I think what
13 you are thinking is the only outlier is that
14 the individual who brought up the concern
15 doesn't know we have addressed it, is that
16 correct?

17 MS. ROBERTSON-DEMERS: Well, he
18 was given a confusing message, you know.

19 MR. CALHOUN: Right.

20 MS. ROBERTSON-DEMERS: Yes, this
21 could --

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1 MR. CALHOUN: I understand that.

2 MS. ROBERTSON-DEMERS: -- affect
3 the Site Profile. So there needs to be a --

4 MR. CALHOUN: Had an HP been there
5 to give that response, it probably would have
6 been different, but that is water under the
7 bridge. So I understand that.

8 MS. ROBERTSON-DEMERS: There needs
9 to be a response. And if it does truly impact
10 the Site Profile, then it needs to be
11 considered.

12 MR. CALHOUN: Now I can say, off
13 the top of my head right now, that one
14 wouldn't have, but I understand where the
15 opening is, that we didn't let that individual
16 know how that is being done.

17 But short of writing down
18 everything that everybody says, you know,
19 there are going to be things that fall through
20 the cracks. We don't want to, and we are not
21 going to, write down everything everybody says

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1 and try to put them in an action thing.

2 It all comes to, again,
3 professional judgment. Maybe that person
4 should have been given a better answer. I
5 don't know what the mechanism is.

6 MS. ROBERTSON-DEMERS: I am not
7 talking about every comment that comes out of
8 everybody's mouth. You know, like, for
9 example, DOL has really screwed up the
10 process, you know, that is a comment that may
11 not impact documents or need a response.

12 But something that specific about
13 release of UF6 on a routine basis to the work
14 environment may require a response. And these
15 may be raised in some of those information-
16 giving, information-giving/gathering meetings.

17 MR. JOHNSON: I guess what you're
18 talking about is you can put anything in a
19 procedure, but how do you raise the level of
20 awareness with folks across all discussions?
21 And then, how do you address those awareness

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1 issues in the process of getting back at the
2 individual or putting it in a TBD or,
3 actually, really understanding whether it is a
4 salient issue or not? Because somebody could
5 say something and it's out of my element
6 because I'm a particular HP for a site, but
7 you are talking about another site. I may not
8 even realize that what they are discussing is
9 a real issue.

10 So, you know, it's an awareness
11 issue, not a procedure or process issue, that
12 I think it is.

13 MS. ROBERTSON-DEMERS: Well, there
14 needs to be something which indicates that
15 these items are captured, and that they are
16 put into the system.

17 MR. JOHNSON: But that particular
18 issue now comes into a particular site. If I
19 put it in, I don't have a real clear way of
20 putting it into the Outreach Tracking System
21 and tracking it because it is associated with

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1 a training session or it might be associated
2 with a particular discussion, but it may not
3 be associated with any of the activities that
4 are addressed in the Outreach Tracking System.

5 Meaning, if I put it under a
6 particular site, now I am addressing it as a
7 meeting because that is how my action items
8 are set up, under respective sites for
9 meetings. I don't have a separate tracking
10 system to address all those issues outside the
11 venues that I have addressed in Procedure 12.

12 MS. ROBERTSON-DEMERS: I guess my
13 question would be, for that particular
14 workshop, why wasn't it added as an action
15 item under that workshop?

16 MR. CALHOUN: I don't know. I
17 don't know the answer to that one. I think
18 that, generally speaking, we have got a big
19 enough umbrella that we catch all these, the
20 vast majority of all the important comments.
21 I don't know how many other examples there are

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1 like that. That is certainly a good example.

2 You know, Larry went on and said,
3 well, that's important, and that's the right
4 thing to say. A better thing would have been
5 to say, here's how we address that, and get it
6 taken care of at that point.

7 So it is all going to come down to
8 subjectivity. It is going to be a matter of,
9 even if you say, write down all the important
10 bullet points, some of them are going to be
11 missed that somebody thinks is important and
12 somebody doesn't. So I think that is always
13 going to be an issue. It is going to be
14 really hard to come together on that, short of
15 trying to be so prescriptive that we end up
16 writing down everything, and I know we are not
17 going to do that.

18 MR. FITZGERALD: Isn't there
19 something -- I mean we are sort of going,
20 retrospectively trying to figure out if
21 there's exceptions, but there's also a

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1 perspective where there's a consciousness now
2 that these issues need to be tracked. So, to
3 some extent, going forward, you are going to
4 say, you know, a discipline for everybody is
5 saying, well, we need to capture that. We now
6 have a system. So make sure that gets into
7 the system. Or, when someone says something,
8 you know, Stu says something and clearly
9 there's a hook on it, I think that
10 consciousness -- you're going to say, well, we
11 need to make sure that gets into the tracking
12 system.

13 So, I think, going forward, these
14 exceptions as they arise, I think people are
15 going to be more conscious of them.

16 MR. CALHOUN: I think they are,
17 too.

18 MR. FITZGERALD: It wasn't going
19 to be perfect in the beginning.

20 MR. CALHOUN: Sure.

21 MR. FITZGERALD: And I think that

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1 is recognized, right?

2 MR. CALHOUN: Right. But, again,
3 I think it is going to depend on the person.
4 Because, I'll tell you, in that specific
5 instance, if that question was asked to me, I
6 would give that individual an answer. If they
7 weren't satisfied with an answer, I would talk
8 to them right after the meeting, and I do that
9 all the time. And if they were satisfied with
10 it then, it is done. It doesn't go anywhere
11 else.

12 MR. FITZGERALD: Except if there
13 was a professional judgment on your part that
14 it had it in quotations --

15 MR. CALHOUN: Exactly. Exactly.

16 MR. FITZGERALD: -- then you would
17 want to --

18 MR. CALHOUN: Exactly.

19 MR. FITZGERALD: -- because you
20 would make a decision to put it in the system.

21 MR. CALHOUN: Exactly.

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1 MR. FITZGERALD: Right.

2 MR. CALHOUN: Exactly.

3 DR. MAURO: This is John.

4 I was trying to listen to the
5 conversation. I hear some folks, I don't hear
6 others. So, if my question or comment is
7 misplaced at this time, please forgive me.

8 But what I'm hearing is that there
9 are two aspects of concern here. One is that,
10 of course, you capture, objectively and
11 faithfully, the information communicated when
12 you fill out your tracking system. And, of
13 course, then there is the appropriate
14 followup, followup being communicating with
15 the person that originally made the comment
16 that that is a part of making sure that the
17 person knows he has been heard.

18 But, also, it is making it into
19 NIOSH's work products. I don't know. When I
20 review Site Profiles, I don't see attachments
21 that summarize or describe the results of the

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1 various information-gathering.

2 In other words, it seems that I
3 know, when we review a Site Profile, we always
4 try to have an attachment that summarizes, in
5 sometimes considerable detail, the information
6 we obtained from the interviews that we hold.

7 And I have seen these outreach meetings, that
8 type of thing. You are gathering information
9 that might be valuable.

10 Is there any thought to one of the
11 things to track is to make sure that the
12 information that is captured does find its way
13 as an attachment or special chapter in a Site
14 Profile or an ER?

15 MR. CALHOUN: No.

16 DR. MAURO: I don't believe I have
17 seen that kind of thing in your work products.

18 MR. CALHOUN: That is not going to
19 happen. It is definitely not going to happen
20 in TBDs, you know. With ERs, you know, we
21 reference individual interviews and things

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1 that we have that affect the Evaluation
2 Report. Interviews that are necessary or
3 contribute to a TBD, we also have referenced
4 in the TBD document.

5 Putting a separate attachment of
6 meetings and what was said and how it was
7 resolved, we will end up with huge, huge
8 documents, and they will buy us very little.

9 The key really is to help the
10 individuals, let them know that their voice is
11 being heard.

12 DR. MAURO: I agree with that. I
13 thought that that was one way that could be
14 accomplished, to actually be on the record,
15 you know, that they see, oh, look, here's some
16 of the issues that I brought up. And they
17 will actually see it in print.

18 But, you're right, it might be
19 burdensome. I know that we are able to do it
20 when we write our Site Profile reviews, and it
21 usually ends up something that reflects what

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1 we heard.

2 But, in your case, the extent, I
3 would imagine the extent to which you do this,
4 the number of meetings, the number of people,
5 the amount of feedback, its complexity, it
6 might be a challenge. But it was a thought.

7 MR. FITZGERALD: Yes, John. This
8 is Joe.

9 I think the other thing, too, is
10 the context of our interview process is
11 different. I mean we are looking at input
12 that would be relevant to our TBD or SEC
13 review. So that is the context of our
14 discussion. And we do get questions and
15 comments that aren't relevant, and they,
16 frankly, would be a question on a PIC or dose
17 reconstruction, which we kind of put aside and
18 tell them to talk to NIOSH or something.

19 But we kind of parse out that
20 which is relevant as we go through. I think
21 we use that as a judgment. We take what we

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1 think is relevant, and that gets recorded.

2 I think what we were talking
3 about, maybe you didn't hear, was that NIOSH
4 exercises that judgment as to what is
5 educational, what they can explain to the
6 individual and show accountability, and also
7 to draw from that which is relevant to be
8 captured by the tracking system that should go
9 into considerations for revising the TBD or
10 issues that may be relevant to an SEC.

11 CHAIRMAN GIBSON: I tell you what.

12 I think it is a good time for us to take a
13 break. So, let's take a short break. Be back
14 at 11 o'clock.

15 MR. KATZ: What time do you have
16 right now, Mike?

17 CHAIRMAN GIBSON: 10:40.

18 MR. KATZ: Okay, 11 o'clock.

19 I am just putting the phone on
20 mute. Thank you. Oh, I just hung up.

21 (Whereupon, the above-entitled

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1 matter went off the record at 10:42 a.m. and
2 resumed at 11:00 a.m.)

3 MR. KATZ: Okay. Welcome back.
4 We are just returning from a short break.

5 This is the Worker Outreach Work
6 Group of the Advisory Board on Radiation and
7 Worker Health.

8 We are still on Finding 1 of the
9 matrix.

10 CHAIRMAN GIBSON: Yes, I think we
11 have had a healthy discussion on Finding 1
12 this morning. DCAS has explained their
13 position and what changes they are willing to
14 make on the procedure for the first finding.

15 So we will mark that in progress,
16 and we will await those changes and look at
17 them when they come back.

18 And we will move on to Issue 2.

19 MR. KATZ: Oh, let me just, as a
20 procedure for all work groups, just remind
21 everyone what we try to do is have both DCAS

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1 and SC&A, following the meeting, send an email
2 to the full Work Group laying out what their
3 action items are for the meeting, all of their
4 action items, just so that everybody is on the
5 same page as to who is doing what. Please be
6 descriptive enough in your action items so
7 that everyone will recognize exactly what it
8 is that is intended. Thanks.

9 CHAIRMAN GIBSON: Finding 2?

10 MS. ROBERTSON-DEMERS: Finding 2
11 is: the procedure does not specify criteria
12 for identifying action items or evaluating the
13 accuracy and timeliness of response for
14 resolution.

15 And this is very similar to what
16 we just discussed, but I will go through it.

17 Action items have basically
18 replaced the tracking and response to
19 substantive worker comments which previously
20 existed in PROC-97.

21 The appropriate determination of

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1 action items becomes, therefore, a critical
2 part of being responsive to the workers and
3 providing appropriate consideration of
4 comments in the DR and SEC process.

5 PR-12 does not provide specific
6 criteria for determining action items from
7 outreach meetings. There is no timeframe
8 specified for addressing and resolving these
9 action items, and there is no mechanism for
10 determining the appropriateness or
11 completeness of the response.

12 And there were some action items
13 addressed under Finding 1 which kind of get to
14 the heart of this issue.

15 Do you want to go ahead?

16 MR. JOHNSON: Well, I think the
17 response to this has already been addressed
18 through the action items that are going to be
19 performed under 1. And additional guidance to
20 be provided in the procedure to address
21 judgment for identifying action items, and

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1 additional guidance will be placed in the
2 procedure to address action items' final
3 disposition, which includes the timeliness
4 which has been based on the priority workload
5 and the level of effort resolution, to include
6 to its closure.

7 CHAIRMAN GIBSON: Any other
8 discussion on Finding 2?

9 (No response.)

10 Do we just want to mark it in
11 progress and see the changes?

12 (No response.)

13 Okay. Hearing no dissent.

14 Finding 3?

15 MS. ROBERTSON-DEMERS: Okay.

16 Finding 3 is, a majority of the expected
17 documentation is not available in the OTS
18 system for meetings conducted within the
19 effective period of PR-12.

20 PR-12, in conjunction with
21 additional material provided by NIOSH in June

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1 of 2009, provides a description of what
2 documentation is expected for which type of
3 meetings. And our concern was that we went
4 through OTS and found that a lot of the
5 documentation required under a particular
6 meeting was absent from OTS.

7 Again, one of our concerns was
8 that there was a limited amount of action
9 items in OTS, which did not represent the
10 depth and breadth of the concerns raised by
11 workers in these meetings.

12 So that is where we kind of stood
13 on that. We have put a table in our review of
14 documents that were expected versus documents
15 that were available.

16 At the time we did the review,
17 there were five meetings which we considered
18 information-gathering which should have had
19 meeting minutes which did not at the time.

20 Now I will let J.J. kind of expand
21 on this further. But, in their response,

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1 NIOSH indicated that some of these gaps have
2 been mitigated since our review.

3 MR. KATZ: So, Kathy, can you just
4 flesh out a bit, for people who may not have
5 read the document, but other than meeting
6 minutes, what other kinds of documents?

7 MS. ROBERTSON-DEMERS: There's
8 sign-in sheets. There's letters that go out
9 inviting individuals to the meetings. There's
10 follow-up documentation, for example, for one
11 of the action items, emails. There's
12 correspondence. Of course, the final meeting
13 minutes. It's that type of documentation that
14 is associated with the organization and
15 follow-through of the meeting.

16 MR. KATZ: Thanks.

17 MR. JOHNSON: Well, since the
18 review, we have put an extreme effort into
19 addressing one of the concerns you brought up
20 about historical data out of WISPR. And
21 because of that, we were, to some degree,

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1 deficient in trying to keep up with the update
2 of newer information into the Outreach
3 Tracking System.

4 This is a resource issue when it
5 comes to a large amount of information going
6 into a data system like this, along with the
7 fact of people have other responsibilities and
8 accountabilities, and it wasn't all in just
9 focusing their complete 100 percent effort
10 into updating the tracking system. They have
11 other responsibilities. Consequently, you try
12 to balance the best you can.

13 So, we tried to put in historical
14 stuff from WISPR and tried to get that up
15 there, but in doing so, we failed in putting a
16 lot of the newer information out there.

17 At this point in time, it is
18 pretty much caught up, but, you know, we are
19 still looking at it.

20 MR. McDOUGALL: I think, Kathy, if
21 you went to look at it today, and I encourage

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1 you to look at it in the next few weeks, I
2 think you will find the database in a lot
3 better shape than it was when you looked at it
4 before.

5 Now, having said that, one of the
6 issues that J.J. addressed in here is that you
7 are looking at minutes. You are looking for
8 minutes, and minutes are probably the most
9 important thing in any one file.

10 Please understand it takes a long
11 time to get minutes developed, and especially
12 through the DOE classification review. So, if
13 you are looking for minutes of a meeting that
14 is only four or five months old, you are
15 probably not going to find them there.
16 Sometimes they are a lot older than that.

17 MS. ROBERTSON-DEMERS:
18 Historically, you guys have allotted, I think,
19 90 days for turnaround of meeting minutes?

20 MR. McDOUGALL: Well, the problem
21 with that is you rarely get the first draft of

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1 the minutes back from DOE in 90 days.

2 CHAIRMAN GIBSON: I thought DOE
3 was turning things around in two weeks most of
4 the time.

5 MR. KATZ: In certain categories.
6 I don't know what the situation is with
7 meeting minutes and interviews.

8 SC&A, what's your experience with
9 getting your interviews cleared?

10 MS. ROBERTSON-DEMERS: Well, that
11 is what I was going to turn around a question
12 on you. What's your process for submitting to
13 DOE from the time you have generated them?

14 MR. McDOUGALL: Well, our process
15 is that Mary develops the minutes and gives
16 the draft to Grady, and Grady sends it to DOE.

17 MR. CALHOUN: Yes, Tim Taulbee
18 does that now. I don't know what the
19 turnaround time is in general, but I would say
20 it is usually, unless they are swamped, it is
21 usually not more than a couple of weeks.

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1 There are some sites that are difficult.

2 Pantex is one.

3 And I'm guessing now because I
4 have been out of it for a few months, but I am
5 guessing it's a couple of weeks. I might even
6 be able to actually pull up a tracking
7 spreadsheet here and find out how long it has
8 been taking.

9 MS. ROBERTSON-DEMERS: Well, is it
10 going to the DOE site or is it going to DOE
11 headquarters?

12 MR. CALHOUN: It depends.

13 MR. McDOUGALL: The Paducah -- the
14 minutes of our December meeting with the
15 Paducah Steelworkers Union aren't back yet
16 from DOE.

17 MR. KATZ: From when? Sorry.

18 MR. McDOUGALL: From December.

19 MR. KATZ: From December?

20 MR. CALHOUN: I don't think they
21 went. I don't know. I will have to check.

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1 That's hard for me to believe, because if they
2 are that long, man, pound on me and I'll get
3 an answer, because that's too long. For
4 meeting minutes, that's way too long.

5 MR. McDOUGALL: And, actually,
6 even the GE Evendale, which shouldn't be
7 terribly challenging, as far as I know are not
8 yet --

9 MR. CALHOUN: Yes, those would
10 certainly go to HQ for GE Evendale.

11 MR. KATZ: And how long ago was
12 that: GE?

13 MR. McDOUGALL: They were
14 submitted to DOE in late August or, actually,
15 one of them in early August.

16 MR. FITZGERALD: I think, in
17 general, we have had some worse experiences at
18 the sites. Some of the sites are a lot slower
19 than that, than headquarters.

20 MR. CALHOUN: Right, I agree with
21 that.

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1 MR. FITZGERALD: With
2 headquarters, we tend to have much more
3 influence.

4 MR. CALHOUN: I agree with you.

5 MS. ROBERTSON-DEMERS: And that's
6 my experience with headquarters; it's a couple
7 of weeks. With the field offices, it could be
8 up to a year or so.

9 MR. FITZGERALD: I think in the
10 field you just get put in a queue with
11 everything else that they are doing, and who
12 knows what else they're doing?

13 MR. KATZ: So, do you have a
14 tracking system for when it is submitted to
15 DOE and when it comes back?

16 MR. McDOUGALL: We do now, yes.

17 MR. KATZ: That sounds like a good
18 idea.

19 MS. ROBERTSON-DEMERS: Okay. As
20 far as the turnaround, well, I will save that
21 for a later time.

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1 MR. KATZ: Just so I'm clear, if
2 you are moving on, what is the disposition of
3 this finding, then? It sounds like they --

4 MS. ROBERTSON-DEMERS: Well, I
5 actually had another question.

6 MR. KATZ: Oh, okay. Sorry.

7 MS. ROBERTSON-DEMERS: Now if I
8 can remember what it was? What are your plans
9 for update of OTS from here on out? Do you
10 have any other plans to do any more updates?

11 MR. JOHNSON: Updates like
12 information updates, data updates? As we go
13 along, there will be --

14 MS. ROBERTSON-DEMERS: Well, I
15 mean for historical. Is that complete? Or
16 did I hear you say up to 2007?

17 MS. ELLIOTT: Yes. June 2007.
18 There is one site where we did not receive
19 anything on the DVD that ORAU provided, and I
20 have got to go searching for that. It is the
21 Kansas City one. But, otherwise, most of the

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1 things that are supposed to be in there for
2 historical meetings are in there now.

3 You know, we didn't have the files
4 for a while. I don't know what happened to
5 them between when I left and when I received
6 that DVD.

7 The other one is, I think, a
8 meeting that happened after the ORAU contract
9 was terminated, and I don't know what became
10 of what they did with that.

11 MS. ROBERTSON-DEMERS: The other
12 question I had was, is it possible to get
13 unredacted meeting minutes up there? Because
14 in some cases we have the redacted meeting
15 minutes.

16 MR. JOHNSON: It depends if we
17 have the unredacted. We may only have the
18 redacted.

19 MS. ROBERTSON-DEMERS: Well, this
20 is on OTS. So it would be --

21 MR. JOHNSON: You mean from the

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1 old system, from WISPR or -- what is the
2 question?

3 MS. ROBERTSON-DEMERS: Well, there
4 are some sites where you just have the
5 redacted meeting minutes without the names.

6 MR. JOHNSON: Right. We have a
7 little bit of a mix in there right now,
8 meaning some with redacted and some with
9 unredacted. And lately, we have just been
10 putting the unredacted out there. So, if we
11 have the unredacted we could put them out
12 there.

13 MS. ROBERTSON-DEMERS: Okay.

14 MEMBER MUNN: Did I miss
15 something? What is the unredacted data? What
16 is the meeting data that you mentioned?

17 MS. ROBERTSON-DEMERS: Well, a lot
18 of times, we will use that to figure out the
19 meeting --

20 MEMBER MUNN: Well, you are
21 looking at it for content, right?

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1 MS. ROBERTSON-DEMERS: Yes, and
2 who said what, and whether we need to go back
3 and interview them.

4 MR. JOHNSON: Sometimes in the
5 minutes, though, because if it is kind of like
6 a townhall meeting, they may not be able to
7 keep up with the names.

8 MS. ROBERTSON-DEMERS: Okay. I
9 understand.

10 MR. JOHNSON: So, therefore, you
11 are not going to have names associated with
12 that, but you will have a sign-in sheet.

13 CHAIRMAN GIBSON: Are you
14 satisfied with that?

15 MS. ROBERTSON-DEMERS: Unless you
16 want us to go back and look at it.

17 MR. KATZ: Can I make a suggestion
18 for that?

19 CHAIRMAN GIBSON: Yes.

20 MR. KATZ: It sounds like this is
21 -- I think Kathy said that they are now

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1 caught up, and that these should be in the
2 system. So, I think maybe just for
3 completion's sake, this would be in abeyance,
4 because abeyance is basically what you say in
5 terms of disposition when conceptually
6 everybody agrees with the solution or that
7 something has been done, but you just want to
8 see the final product.

9 So it makes sense, I think, for
10 SC&A to have a look and see that things are in
11 order. And at that point, then SC&A can come
12 back and say things are in order and we can
13 close the issue.

14 CHAIRMAN GIBSON: Okay. Sounds
15 good.

16 MR. KATZ: Thank you.

17 CHAIRMAN GIBSON: Finding 4?

18 MS. ROBERTSON-DEMERS: Okay.
19 Finding 4 was broken up into subcategories.
20 So I am going to throw three sets of comments
21 at you, and then we will discuss them.

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1 The first comment is that there is
2 no formal process discussed in PR-6 for
3 documenting, tracking, evaluating, and
4 responding to comments provided at workshops,
5 invited forums, Board meetings, or through the
6 website docket, which were defined as elements
7 of the worker outreach program in
8 classification of worker outreach meetings and
9 types of NIOSH meetings which were the graphs
10 and associated handouts that NIOSH provided to
11 the Working Group in June of 2009.

12 The procedures should specify what
13 documents are required in OTS for these
14 meetings, describe how the comments provided
15 by workers are evaluated and describe how the
16 comments provided are made available for
17 consideration and dose reconstruction, Site
18 Profiles, and SEC evaluations.

19 Okay, that was the other venues
20 that were included in those handouts that were
21 provided in 2009.

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1 MR. JOHNSON: Those were stated as
2 -- they were agreed that they were outreach
3 efforts or outreach venues, but they were not
4 part of 12. And they were never -- even
5 before you looked at PROC-97 -- those issues
6 weren't part of that discussion.

7 MS. ROBERTSON-DEMERS: Let me
8 cover the next one, and then we can get back
9 to that.

10 MR. JOHNSON: Okay.

11 MS. ROBERTSON-DEMERS: Because I
12 think that there are some things that are
13 outreach venues that we need to kind of
14 discuss and decide whether they should be
15 there.

16 Okay. There are several
17 additional activities that provide
18 opportunities for workers to provide
19 substantive comments, such as the CATI
20 interviews, the closeout interviews, general
21 information by email or letters, site expert

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1 interviews. There's no procedure-like process
2 by which general site comments or information
3 can be captured for consideration in technical
4 work documents from these sources.

5 And let's stop there before we get
6 to the two-track system.

7 So there are these other venues,
8 and what you are saying is that they are
9 outside the scope --

10 MR. JOHNSON: Yes, they've never
11 been in the scope.

12 MS. ROBERTSON-DEMERS: -- of
13 PR-12, but they are still worker outreach.
14 They are still considered a part of the worker
15 outreach program?

16 MR. JOHNSON: They're aspects on
17 which we get feedback from, sure. And I think
18 that's what the Director agreed to or agreed
19 on, is that we believe that they were outreach
20 because of the information transfer associated
21 with them. But there was never a

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1 consideration of them being part of Procedure
2 12.

3 CHAIRMAN GIBSON: I don't remember
4 the transcripts from that meeting in `09, but
5 it seems to me Larry put those examples up
6 there on the board just for that reason, so we
7 could start putting our program together, this
8 Work Group, on how to track things. And he
9 was giving examples of outreach and what we
10 were going to track.

11 MR. JOHNSON: I believe they were
12 in there that they could be reviewed, but I
13 don't know that there was an agreement that
14 they were going to be looked at for tracking.

15 I mean, we clearly had our two sides,
16 information-giving, information-receiving, and
17 then all others, to include the Board meeting.

18 CHAIRMAN GIBSON: We will have to
19 look at the transcripts.

20 MR. CALHOUN: The COIs and the
21 CATIs are used for individual dose

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1 reconstructions, and we will actually change
2 dose reconstruction or develop it differently
3 based on a CATI, if there is information
4 there, and we will also modify a DR based on a
5 COI, a closeout interview, if there is
6 something there that comes up about the
7 specific case.

8 If the individual has a broader-
9 ranging issue or type of information, you
10 know, if they forward us that information, I
11 will give that to the TBD writing group and
12 they can incorporate that into the next
13 revision of the TBD.

14 But every time an individual makes
15 a comment about an incident or something where
16 he feels he was exposed, we actually will put
17 that in the dose reconstruction report and say
18 why we used it or why we didn't use it.

19 So, COIs and CATIs, in my opinion,
20 are more for individual dose reconstruction.
21 But if there is something global and they

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1 forward it to us, you know, we certainly
2 always have the ability to forward that to our
3 technical basis writing group.

4 MS. ROBERTSON-DEMERS: And I think
5 what we are talking about here with respect to
6 the CATIs and the COIs, and even the letters
7 and submittal to the dockets, are not
8 claimant-specific topics, but generalized
9 topics.

10 For example, if someone says, you
11 know, at LANL we handled einsteinium, then
12 that might be important to the Site Profile,
13 and you need to have that information
14 transferred, too.

15 MR. CALHOUN: What I would see is,
16 I mean maybe it is something as simple as, you
17 know, basically, what we are saying is anytime
18 an HP or an interviewer sees something that
19 may have global impacts on the program or a
20 site, they can forward that information to the
21 site Point of Contact. I mean, I don't know

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1 how much more detail you get than that.

2 MR. KATZ: Where does that
3 procedure go? Does that go in the dose
4 reconstruction?

5 MR. CALHOUN: Well, it would go if
6 it was einsteinium, you know, if that is
7 something that we never heard about before.
8 But, then, there's got to be some reasonable
9 assurance that einsteinium was there. If one
10 person says that there was einsteinium there,
11 I don't know if we stop everything we are
12 doing and go look for einsteinium.

13 MR. KATZ: No, my question was
14 just, where does the procedure go if you want,
15 for example, your dose reconstructors to, when
16 they come across an issue that might have
17 broader significance, provide that to your TBD
18 team? Then, does that instruction - does that
19 become part of the procedures for dose
20 reconstructors in that case?

21 MR. CALHOUN: Is a dose

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1 reconstructor going to find it? It is not
2 likely that the dose reconstructor is going to
3 get that information. It is going to come
4 through the CATI probably or the closeout
5 interview, at least in those two examples,
6 which isn't usually the dose reconstructor.

7 I have gotten information, paper
8 information, from people, and I forward it to
9 the ORAU team, D team now.

10 MR. KATZ: I mean, what I am just
11 saying is that it seems like for each of these
12 categories, if you go through them, whether it
13 is a closeout interview or a dose
14 reconstruction interview, whether it is a
15 docket submission, I think the initial
16 question is, what is the system in place to
17 make sure that, when there is something
18 relevant, it is addressed?

19 So you could start with the
20 closeout interview. Where do those
21 instructions need to be, so that you know that

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1 a person in a responsible position will do
2 that and that it will be captured somewhere?

3 MR. CALHOUN: Right, and in these
4 particular cases, those specific instances,
5 they would be in the CATI procedure or the COI
6 procedure.

7 MR. KATZ: Yes, right. Right.

8 DR. MAKHIJANI: And that is not an
9 ATL thing. It's more an -- DCAS thing, right?

10 MR. KATZ: Right, just like the
11 docket. Again, what is the system in place
12 for docket responses to track? Docket
13 submissions are evaluated and then responded
14 to as necessary or acted on as necessary,
15 right?

16 I mean, that is what we are
17 asking, in a sense. I think what Kathy is
18 asking is, where are the systems if they are
19 not in PROC-12?

20 MS. ROBERTSON-DEMERS: From these
21 substantive comments to integration into the

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1 technical work document, from these sources of
2 outreach information.

3 MR. CALHOUN: From the CATI and
4 the COI specifically?

5 MS. ROBERTSON-DEMERS: Well, I
6 gave quite a --

7 MR. CALHOUN: I think that we are
8 still going to have to rely on the person who
9 hears the information to forward it to
10 somebody, and they are going to have to call
11 it and decide, well, this is reasonable or
12 it's not.

13 So, you know, is adding a sentence
14 that says, forward such information to the
15 right people adequate or do we need more?

16 MEMBER BEACH: And I just found
17 that chart we were talking about earlier that
18 Larry put up, and it does seem like that is
19 originally what some of our plan was, was to
20 look at all those venues. And I think Kathy
21 makes a good point that we should probably

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1 look into that a little bit further.

2 MR. CALHOUN: Well, I mean I guess
3 we can explore how we would do it or if we
4 would change anything, since this is kind of a
5 new thing.

6 I don't know. What do you think
7 there, J.J.? I don't know.

8 MR. JOHNSON: Well, I think, as
9 discussed earlier, we had information-
10 giving/information-receiving and the others
11 were things that the Work Group were going to
12 look at as areas of outreach, and not at that
13 point concurring that we were going to address
14 those in a procedure or a process. Because
15 they are all not necessarily interfaced or
16 interflued with each other, as the CATI
17 versus the web, versus an email, versus a
18 letter, versus a Board meeting.

19 So, you know, it would be pretty
20 difficult, I think, to tie it all together.
21 But having said that, that was an avenue that

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1 the Work Group was going to look at, I
2 thought.

3 MEMBER BEACH: I think it would
4 probably be easier than -- to me, it doesn't
5 seem like it would be so difficult to tie it
6 all together.

7 MR. FITZGERALD: Yes, this is
8 almost -- listening to you talk about it --
9 the Site Research Database, the O: drive has
10 become sort of the docket for pieces of paper,
11 documents that are relevant to different
12 subjects, different activities.

13 This is almost the analogue, the
14 equivalent, you know -- is there something
15 that systemizes what is captured in -- not
16 pieces of paper, but information that is
17 flowing from different sources in the system
18 from workers? I think that is kind of where
19 we are kind of gravitating to. Is there
20 something that you can go to that will
21 represent that capture, information capture in

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1 the larger sense, not just data capture, but
2 information capture of the workers?

3 Right now, it is different
4 sources, different judgments being made in
5 different parts of the system, but how is that
6 all tied together? Does that actually go
7 where it needs to go?

8 MR. JOHNSON: Well, I guess what I
9 was speaking of is, in your example, what
10 would trigger somebody in each one of those
11 different areas to take and look at that
12 information, feel it is relevant, and put it
13 in the SRDB?

14 MR. FITZGERALD: Well, that's what
15 is kind of interesting because SRDB has pieces
16 of paper of varying relevances. I mean some
17 of it -- it may be a 1,000-page document, of
18 which one or two pages is really relevant for
19 an SEC. And I have gone through all of these,
20 and it is amazing, but the data captures
21 basically everything that touches, that has

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1 some relevance, even if it is relatively
2 small, to the issue at hand.

3 I am not saying we duplicate that
4 for information at large. But, certainly, the
5 question is what is the threshold for what
6 goes in and gets captured? It seems like
7 there is a much more rigid, sort of rigorous
8 system for grabbing data and grabbing
9 documentation than there is for grabbing what
10 may be worker input.

11 That's necessarily so because you
12 have to make judgments as you hear this, but I
13 think that is probably what people are
14 grabbling over, what would be something that
15 would capture without setting the threshold so
16 low that you are not going to -- you know,
17 there might be some things that would be
18 relevant, but somebody in the lower parts of
19 the system would say, you know, it's
20 einsteinium; who cares about that?

21 But that might be an issue for

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1 exposure potential that may actually rise to
2 an SEC significance later on. And it would be
3 very helpful to know that somebody felt they
4 were handling einsteinium and were exposed.
5 But that may not get into the information
6 capture -- I'll call it information capture --
7 because somebody made a judgment that
8 somewhere down, and maybe it was the CATI
9 interview, that einsteinium, that's not a
10 primary nuclide; why are we worried about
11 that?

12 And we're getting into this. In
13 all these SECs I have been involved with, the
14 worker input actually is a very important
15 factor and may be one of the few factors that
16 comes to play because there is no
17 documentation on how einsteinium was handled.

18 So I guess I am here to testify
19 that, yes, the worker input may be a deciding
20 factor on an SEC if it comes down to some of
21 these recollections that come up, and

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1 capturing that becomes a very critical part.
2 But how do we do that when, in fact, it may be
3 just a handful of workers that may have worked
4 with it, and maybe only one worker that
5 actually mentions it?

6 You know, we go out and do these
7 interviews, but trying to find these handful
8 of workers that may actually have firsthand
9 experience is almost impossible. But, by
10 virtue of a CATI interview during dose
11 reconstruction somebody actually prints it up,
12 that would be very important.

13 So, how do we do that? How do we
14 make sure that at least the judgments that are
15 made to that level bring this into the system
16 somehow, so that it can be found? Maybe, as
17 Grady was pointing out, somebody knows to send
18 that over to a TBD review team or to even an
19 active SEC. Maybe you are doing a claimant
20 review or interview, and there is an SEC that
21 is going on and somebody connects the dots. I

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1 don't know how that would be done, but that
2 would be --

3 MEMBER BEACH: Or somebody doesn't
4 and it's missed.

5 MR. KATZ: So, I mean, just along
6 these lines, what I was trying to point to
7 earlier to make it concrete, one solution that
8 could be in place -- I think those need to be
9 in PROC-12 -- but for all these other
10 instances, one, you would want to know that
11 the guidance is there to the person doing the
12 interview, that should you come across it,
13 right? If they don't even have that guidance,
14 then you have no reason to believe that it
15 will happen ever.

16 So, one, you would want to make
17 sure that the guidance is there in the
18 procedure that applies to that individual,
19 whether it is the person dealing with the
20 docket or whether it is the person doing
21 closeout interviews, or whoever. So that is

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1 one element of a solution.

2 And the second is the tracking
3 piece. And it seems like, if you have a
4 tracking system already set up for worker
5 outreach, these other items, maybe when they
6 take that action, then, they put a note in the
7 tracking system.

8 Otherwise, I don't see how Stu, or
9 whoever, at the end of the day, when Stu wants
10 to know how are we doing on capturing these,
11 whether it's responding to dockets, or
12 whatever, I don't know how he would go about
13 that if he doesn't have somewhere to look to
14 see what are the items that were put up for
15 action, in a sense, if there is no formal way
16 to capture that?

17 So, if you have a tracking system,
18 that could be something you could do. So that
19 could be -- even though PROC-12 doesn't cover
20 everything, the tracking system might cover
21 all of these things. They might all be put in

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1 the tracking system.

2 I'm just throwing out a solution,
3 a possible solution, and then having
4 accountability and management ability.

5 MS. ROBERTSON-DEMERS: Well,
6 before we get too far, let me go over the
7 third part because it kind of leads into this.

8 MR. FITZGERALD: Sure. Okay. Let
9 me just touch on that. We were talking about
10 this in the hallway, that a procedure does so
11 much. There's a number of facets involved
12 now, the procedure, plus tracking systems,
13 plus management oversight, and maybe the kind
14 of accountability that calls for -- we're
15 going to be getting into this in Chapter 3,
16 which is the occasional sampling to see how
17 things are going. All those are facets of the
18 same thing.

19 The procedure by itself isn't
20 going to solve a lot of these issues. And I
21 think that was your point, and I think that's

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1 a good one.

2 MS. ROBERTSON-DEMERS: Well, there
3 is one other element to this. That is that we
4 feel there is a two-track system for obtaining
5 employee or general worker insight, expert
6 input.

7 One of these involves the worker
8 outreach and is governed by PR-12. The other
9 track is more informal and involves interviews
10 with site experts.

11 Site expert interviews are a
12 significant source of worker input for
13 technical documents, but NIOSH has not
14 established a formal process for selecting
15 site experts, conducting interviews, assuring
16 the accuracy of the interviews' statements, or
17 evaluating information, reviews, and technical
18 work documents.

19 The two-track system tends to give
20 less weight to information provided in worker
21 outreach meeting venues versus site expert

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1 interviews. There is no assurance that the
2 technical personnel responsible for technical
3 document preparation are aware of and consider
4 inputs provided at worker outreach meetings.

5 There is no systematic method
6 described for documenting and resolving
7 differences in important issues that may arise
8 from different settings. In other words, you
9 may interview two different people, and they
10 seemingly say opposite things. Which one is
11 telling you factual information? Both tracks
12 require a process for ensuring completeness
13 and accuracy of the documented information and
14 for ensuring appropriate consideration for
15 inclusion in a technical work document.

16 So, when we talk about a two-track
17 system, we are talking about information
18 gathered during worker outreach versus
19 information gathered in site expert
20 interviews. And site expert interviews are a
21 part of worker outreach and what NIOSH does,

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1 and there is a concern there.

2 MR. JOHNSON: Well, again, I wrote
3 the procedures such that, you know, it was
4 transparent with regards to whether
5 individuals worked in the field or whether
6 individuals were in the office environment or
7 whether they were engineers or whether they
8 were technicians.

9 And in the view that I developed
10 the procedure there was no difference with
11 regards to those individuals. If a person was
12 focusing on looking to retrieve information,
13 you would put your expectations together, all
14 the folks that you possibly can, and address
15 your questions to find out, you know, to
16 support the answers to the questions that you
17 may have.

18 And initially when we looked at
19 your assessment of Procedure 97 the concern
20 that I thought I saw in there was the fact
21 that one was giving credence to one group,

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1 credibility to one group more than another
2 group. And when it comes to this outreach
3 procedure, it gives credibility to all the
4 folks and it reaches out to all the folks.

5 MS. ROBERTSON-DEMERS: And I don't
6 think within the worker outreach procedure
7 that we are saying that you are not reaching
8 out to all types of workers within that
9 procedure. I think the concern is that you
10 have got this system of site expert interviews
11 which are often, not always, HPs, which are
12 done by the document lead, and they are given
13 more credibility than worker outreach-gathered
14 comments.

15 DR. MAKHIJANI: Let me amplify. I
16 think there's a point on which we haven't been
17 clear enough, and Kathy kind of indicated that
18 by hand gestures a little bit.

19 It is not so much the meeting that
20 you conduct and who's present, whether it is a
21 machine operator or an HP. We are not saying

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1 that you would treat their information
2 differently when compiling the minutes or
3 anything like that. I think Kathy says that.
4 We're not saying that.

5 There are two ways in which
6 information is gathered for the purpose of,
7 from the HP's point of view, TBD/ER
8 preparation. A guy is writing up something.
9 He doesn't know whether there was egress
10 monitoring or what the badging procedures were
11 or when an integrated badge was interviewed
12 and he picks up the phone and he calls up Bob.

13 Bob, you were the HP. You were responsible
14 for X. Tell me how the badges or when TLDs
15 were introduced and what problems you had, et
16 cetera, et cetera, et cetera.

17 You document it. It winds up in
18 the Site Research Database, and it is
19 reflected.

20 So there are two ways in which
21 site expert information is being elicited.

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1 Now, again, I am kind of focused only on the
2 gathering of information that affects
3 technical documents, dose reconstructions,
4 TBDs, ERs.

5 In those, in the past at least --
6 I don't know how your new thing is going with
7 respect to doing these interviews for ERs, and
8 then they are being referenced, and so on. I
9 haven't reviewed any of that. Maybe it is
10 fixed.

11 But it certainly was the case that
12 in the past, and we have given examples
13 specifically and in writing where information
14 has been proffered and is now been used,
15 whereas, other information was proffered and
16 not used, or information that was
17 contradictory.

18 One choice is made -- and this is
19 not a problem of your conducting the
20 interviews. It is an issue in the result that
21 is proffered to the public and the workers in

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1 terms of the Evaluation Report, and so on.

2 And I think some of the problem of
3 expressed dissatisfaction, whether appropriate
4 or not, arises from that perception that there
5 is a better credence to the health physics
6 community. Now maybe NIOSH has the opposite
7 impression, but I don't think it is restricted
8 to how you are doing the interviews.

9 It is a two-track procedure for
10 eliciting information. When you are going to
11 do it yourself, and you want something right
12 now and to document something, you make sure
13 it is used because it is something you want
14 right now.

15 And that's why my previous set of
16 questions was, are there meetings initiated by
17 the HP and what happens to those specific
18 pieces of information? Are they treated
19 equivalently, and can we track them?

20 I think it is not about how ATL is
21 currently doing interviews, in my opinion.

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1 MR. JOHNSON: Let me just say that
2 that wasn't my understanding of what the two-
3 track system was. My understanding of the
4 two-track system was that we were giving
5 higher preference to professional interviews,
6 to like the HPs versus the outreach efforts,
7 you know, in talking with the folks out there.

8 DR. MAKHIJANI: Do you mean in
9 your procedure or in fact?

10 MR. JOHNSON: No, in fact, because
11 that's what was recently just stated.

12 And what I tried to put into this
13 procedure was the fact that there wasn't a
14 two-track system, and if you so desired to
15 have a focus group of professional people,
16 then you could have that. Or if you had a
17 focus group of a group of people that were
18 from the site, you could have that. And there
19 would be no difference with regards to the
20 aspect of retrieving information.

21 There would be no segmenting of

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1 the -- I mean you could have a professional
2 group. You could have a combination of
3 outreach based upon the people you can
4 retrieve information from.

5 The bottom line right now is that,
6 when it comes to outreach efforts, our
7 outreach efforts are focused on SEC and not
8 highly focused on Technical Basis Document
9 developments.

10 MR. CALHOUN: They were at one
11 time. They were in the development --

12 MR. JOHNSON: They were, and I
13 believe this two-track system that is now
14 being addressed and clarified is something
15 that was part of the history, could still be a
16 part of history today, but is more of looking
17 through the rearview mirror and seeing what
18 was done in the past, and not what is being
19 done today.

20 DR. MAKHIJANI: I don't know,
21 Kathy, maybe this is something we have to look

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1 at how these ER interviews and solicited
2 information is being handled.

3 One suggestion that kind of came
4 up, and this is a different way of saying the
5 same thing, is really information-gathering,
6 at least I think it is important that the
7 people you are soliciting information from
8 sign off on these minutes. Because if that
9 doesn't happen, and not just a representative
10 of them, because if that doesn't happen, they
11 could feel that they said some things -- and
12 I'm not talking about these big meetings, the
13 townhalls. I'm not talking about that. That
14 is clearly infeasible, and most of the
15 information is not for gathering; it is for
16 exchanging something.

17 And the other thing is the minutes
18 are not voluminous. The minutes from these
19 particular meetings can certainly be published
20 with the Evaluation Reports, looking forward.

21 So that, because the tracking

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1 system is never seen by the workers, I mean it
2 is not about us or NIOSH or you. It is about
3 whether the workers who gave the information
4 feel it was fairly represented and eventually
5 used, because that is one of the problems that
6 we are trying to remedy.

7 MEMBER MUNN: Arjun, do you have
8 any suggestion how, short of every individual
9 who provides information being followed up
10 with a NIOSH representative to assure them
11 that they have been heard, and that their
12 information has been incorporated in the
13 considerations and the procedures that are
14 taking part, short of that, do you have any
15 suggestion for how workers who feel they are
16 being ignored can be reassured? Short of
17 individual contact, how do you see that
18 happening?

19 DR. MAKHIJANI: I don't think you
20 can do that for all the workers who are
21 gathered. That is clearly impossible.

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1 I mean that is why I put kind of a
2 caveat that this should be a narrow effort, I
3 think. There are lots of concerns, and I
4 don't think I have the experience to address
5 about these townhall meetings and information-
6 giving and the communications piece of it, and
7 I don't claim to address that. So I am not
8 addressing that. And I don't know how you can
9 resolve the dissatisfactions that may or may
10 not exist about that.

11 I am just focusing on the
12 technical information. When the HP in NIOSH
13 or ORAU is seeking technical information, what
14 do you do in that case? That I don't think
15 normally involves a large number of workers.
16 Sometimes it might. But, normally, at least,
17 and maybe it involves a much larger number of
18 workers than is our experience, and it might
19 be more of a problem.

20 But it is difficult to use in a
21 way what becomes unvalidated information. We

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1 certainly have examples where workers don't
2 get back to us, even though we have a smaller
3 issue. So I just wanted to say that upfront.

4 And what we do in those cases is
5 we tell them, if you don't get back to us, we
6 won't use your information, and it's your
7 problem. If you feel the information wasn't
8 used, that's your problem.

9 And I think that can be certainly
10 part of the procedure. You cannot force
11 somebody to respond and tell you whether your
12 minutes are accurately representing what they
13 said, but you can tell them, if you don't
14 respond, we won't use your information.

15 And I think, then, it is clear
16 whose responsibility it is that the
17 information didn't get in.

18 MEMBER MUNN: But am I reading
19 between the words here? I am hearing you say
20 that what you are suggesting, because I have
21 asked how do you suggest this be done, are you

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1 suggesting, then, that the minutes of these
2 meetings be sent to everyone who is signed in
3 for these meetings with a note that, if they
4 don't respond with respect to the clarity of
5 what's been said, that it won't be used? Is
6 that your --

7 DR. MAKHIJANI: No. I'm not
8 suggesting that this be done for all meetings,
9 for townhalls, for the meetings where there
10 are lots and lots of workers and to the sign-
11 up sheets. And maybe this is impractical.
12 It's just a suggestion that, actually, in a
13 way doesn't affect the core of what we are
14 doing in reviewing NIOSH documents.

15 I am suggesting that in the very
16 restricted case of when HPs are explicitly
17 seeking information that that be documented in
18 this way. Maybe I'm wrong and not under the
19 right impression that this does not involve a
20 very large number of people relative to the
21 townhalls and the other sets of meetings.

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1 Maybe I'm wrong, and maybe the suggestion
2 ought not to be adopted.

3 MEMBER MUNN: No, I think that you
4 are correct that it doesn't affect a large
5 number of people, if this is the kind of
6 restriction you are putting on it.

7 DR. MAKHIJANI: Yes.

8 MEMBER MUNN: But certainly in
9 past terms, that's not the kind of restriction
10 that was being discussed by this body or
11 that's not the concern that was brought to
12 this body.

13 The concern that was brought to
14 this body is that a large number of workers
15 made comments that they do not feel are being
16 addressed. And the whole outreach concept is
17 we go out to the workers, we get information
18 from them. We come back and we do our work.
19 And they don't believe they have been heard
20 because whatever they felt they were telling
21 us is not incorporated in some way in what

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1 they see. Now that was the premise on which,
2 as best I can tell, this Work Group was put
3 together.

4 So, what I am trying to ask from
5 you is, are you suggesting a more narrow focus
6 for this particular aspect of the Work Group
7 or do you have a different process for
8 responding in some way to what we were led to
9 believe is a large number of workers who feel
10 that they are not being heard?

11 DR. MAKHIJANI: I think a large
12 number of people feel they are not being heard
13 for different reasons. Some of them may feel,
14 at least as I have observed people making
15 comments here before you, when you meet as an
16 Advisory Board, most people comment about
17 their claims, about their family situation,
18 and what they went through, and which cancer
19 they had, and so on.

20 And NIOSH actually has done a
21 wonderful thing by appointing an ombudsman,

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1 and the Board has by having a procedure for
2 actually addressing every one of those things.

3 And maybe that ought to be extended to some
4 of these things. From what Grady said, I
5 think it seems to be, in form at least,
6 operational.

7 DR. MAURO: This is John.

8 I have a thought.

9 DR. MAKHIJANI: Just hold on,
10 John.

11 DR. MAURO: Oh, sorry, I thought
12 you were through.

13 DR. MAKHIJANI: I'm not suggesting
14 -- I don't know how wide a thing this would be
15 in ATL's or NIOSH's bailiwick as compared to
16 ours, certainly wider. And I don't know what
17 I am suggesting is practical.

18 What I am suggesting is, in the
19 specific instances where information is being
20 gathered, and that has sort of been my
21 participation in this group, and I don't know

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1 about the others, but my intent always has
2 been to comment on technical information being
3 gathered because that is what I understand and
4 know about and I am experienced in.

5 This way assures not only the
6 worker that they are being heard, but, from my
7 point of view, when I do interviews -- and I
8 do them quite a lot outside of the context of
9 this particular job. You know, I interviewed
10 the Director of Lawrence Livermore Lab once,
11 and I sent him the notes, and I said, do you
12 agree. Please fix it. And he did.

13 So that's the idea. Since I can
14 now use that interview, I know that he saw it
15 and he agrees with the content and fixed
16 whatever he didn't agree with, because I want
17 to use it in my work.

18 And that's the point. If we are
19 going to use something that workers say in
20 their work, you want to make sure that they
21 don't have a different idea of what they said

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1 than you do.

2 And in a way, from a technical
3 point of view, it is not more complicated than
4 that.

5 MEMBER MUNN: So you are
6 suggesting that, since we have two kinds of
7 worker outreach that it is my understanding
8 that we are supposed to address here, one is
9 the type where we go out to try to find
10 information, and the other is where we go out
11 to give the information.

12 You're suggesting that the give-
13 information part, where there is often a great
14 many personal comments made afterwards about
15 individual claims and about specific groups
16 and specific sites, you're not suggesting that
17 all of those comments be tracked? You are
18 suggesting only in the we are going out to get
19 information case, when you have workers giving
20 you information, that following that, you
21 provide them with your concept of what has

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1 been said, and that workers are expected to
2 buy off on it?

3 DR. MAKHIJANI: Yes, I think that
4 is a pretty fair summary of what I am saying.

5 It's, you know, I personally do not have the
6 wisdom or experience in that other arena.
7 Others in our team have commented on this, but
8 I personally don't have any constructive
9 experience to offer as to how you do all those
10 other things. I mean, I think the Board, you
11 all have dealt with it recently, you know, and
12 I have admired what you have done.

13 But the complicating factor, one
14 complicating factor which Kathy has brought up
15 is that, when you have these information-
16 giving meetings, something will come up, and I
17 really don't know how to address that.
18 Somebody will say something that is important
19 that could be used by an HP, and you do have
20 to exercise professional judgment; I will
21 agree with that. I certainly agree with that.

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1 In those kinds of situations, how
2 you manage and track that, I really haven't
3 thought about that. But, for a specific kind
4 of meeting, yes, I think you have accurately
5 captured what I said.

6 MEMBER MUNN: Actually, quite a
7 few somebodies quite frequently have many
8 things --

9 MEMBER BEACH: Well, I have a
10 question. If you have a situation like Arjun
11 just described, where you have a particular
12 individual that has information to give you at
13 a meeting that you aren't particularly -- you
14 are not taking notes; you are not expecting to
15 gather information. Have you ever asked that
16 person or taken them aside and talked to them
17 later, after the meeting? Is that a point
18 where you might take notes about what that
19 person, what kind of information that person
20 is giving you? Or has that never happened?

21 MR. CALHOUN: No, that's happened,

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1 and it has happened that somebody has come to
2 the meeting with documents to give us. You
3 know, it wasn't that kind of meeting. And
4 when that happens, at least when they give us
5 the documents, or if they have documents at
6 home, we can say, try to send these to us. We
7 will forward those to the TBD group and say,
8 please incorporate or evaluate during the next
9 revisions of the document.

10 Now is it tracked? No, it is not
11 tracked. I can't point to one exactly and
12 make you think I'm not lying, but it happens,
13 not often, you know.

14 MEMBER BEACH: So there would be
15 never an instant where you might take notes
16 about what the person said, just for that
17 particular instant because --

18 MR. CALHOUN: If it was something
19 that was like a big incident, I could see that
20 happening or some einsteinium or something
21 like that. I can't recall any that I have

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1 personally done.

2 MEMBER BEACH: Okay. Well, it
3 seems to me, just to throw it out, my opinion
4 is, if the meetings are important enough to
5 take minutes and not the meetings that notes
6 are not taken, the information-giving, then,
7 if you have a handful of individuals that give
8 specific instants of topics that they want to
9 relate to you, information that may be on an
10 SEC or a technical document, would it be that
11 difficult to take those notes and then get
12 back to that person on those few incidents,
13 not the whole group, not everybody who signed
14 in, but on a smaller case, like what Arjun was
15 saying, the handful of individuals?

16 MR. CALHOUN: I don't know. It
17 seems like that's something I would hate to
18 commit to because certainly you are going to
19 find someplace where I'm not doing it.

20 Again, what you are doing is you
21 are saying now we are going back to what we

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1 were kind of not wanting, or you guys weren't
2 kind of wanting, is us assigning, using
3 professional judgment and deciding which
4 should be used and which shouldn't, and
5 tracking those and having people sign them. I
6 don't know if it is necessary to have people
7 sign them.

8 DR. MAURO: I have a suggestion.
9 It sounds like the problem is it is difficult
10 to be prescriptive at this point where we are
11 now regarding how we are going to deal with
12 some upcoming or future outreach program,
13 whether it is information-giving or receiving.

14 The idea -- it seems to me the
15 problem is this: everyone is unique. Each
16 one, you come back with. When you come back
17 and you have your notes, and assuming that
18 they are fairly complete and faithful to what
19 has transpired, you have captured, even if it
20 is giving information, you may come back with
21 notes that say, well, we also obtained some

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1 information. And that is all collected.

2 Now the problem is this: once we
3 have collected all that information and you
4 have it before you, you have loaded it up into
5 the tracking system, the question becomes,
6 what do we do with this information, who do
7 we follow up with , what should we do.

8 And I think that there needs to be
9 some kind of plan. I think it is at that
10 point where you become thoughtful about, okay,
11 this is what we have in front of us. What is
12 the sensible thing to do regarding followup?
13 It may mean that, depending on the nature of
14 the interaction, interfacing with some union
15 representatives that organized the meeting or
16 maybe particular individuals.

17 But I suspect that in each case
18 how you follow up and the degree to which you
19 follow is going to have to be tailored to that
20 particular occasion. And maybe that is all
21 that could be committed to, that there would

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1 be some, I guess it would be a follow-up plan
2 that would be generated as a product, and it
3 would be recorded. This is what we believe to
4 be, based on what we brought home, a sensible
5 follow-up plan of what we should do now.

6 Then you are held accountable to
7 that. You have a plan, things you are going
8 to do that are going to be different each
9 time. So you can't be prescriptive now, but
10 at least after you do it, you could sort of
11 lay out what you plan to do, and then hold
12 yourself accountable to doing that and
13 recording what you have done.

14 So this sort of, like, leaves you
15 still with the professional judgment on what
16 you think you need to do. And I agree there
17 is a lot of professional judgment, but it
18 could be made in a collective sense. That is,
19 it is not one person making it; it is the team
20 that has brought back the basket of
21 information, and they together decide what is

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1 the sensible thing to do, and you move forward
2 in a way.

3 That way, you would not only have
4 followup that is accountable and recorded, but
5 it is also consistent. That is, the judgments
6 are being by the team, and you could view to
7 make sure that you are approaching each
8 followup with a philosophy that is consistent
9 with the followups that have been made in
10 other venues.

11 I mean, that is how I would deal
12 with this dilemma.

13 MR. CALHOUN: The issue is how to
14 put that into a document, since this is the
15 document-review of this process.

16 DR. MAURO: But couldn't that be
17 something in your procedure?

18 MR. CALHOUN: That's what I mean.
19 How do you put that into the document?

20 DR. MAURO: Just what I said.

21 MR. CALHOUN: Do your best to get

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1 back to people if you think something is
2 important. I mean, I don't mean to be flip,
3 but that's what we're saying.

4 DR. MAURO: All you are going to
5 do is commit to prepare a plan.

6 MR. CALHOUN: We are committing to
7 thinking about doing something because we are
8 not going to create a plan necessarily if
9 there is nothing to get back to.

10 DR. MAURO: And you'll say that.

11 MR. CALHOUN: So we've got to
12 write something saying we're not going to do
13 something, John?

14 DR. MAURO: In other words, you
15 you'll be held accountable --

16 MR. CALHOUN: Come on.

17 DR. MAURO: Well, in other words,
18 you're making a commitment that says, when you
19 bring this back, there will be a record
20 created that you folks will prepare that will
21 be part of your tracking system that would

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1 outline what your follow-up activity is going
2 to be or what your planned activity is going
3 to be. And it is a way to sort of hold
4 yourself accountable to following up in a
5 systematic way and recording what that
6 followup is.

7 I guess I see that as a minimal
8 approach to dealing with this situation.

9 MR. CALHOUN: It is a minimal
10 approach as long as we refine it or keep it to
11 only those meetings that are meant entirely
12 for fact-gathering and not training meetings
13 or information meetings, and things like that.
14 Then, it's a little bit more manageable.

15 DR. MAURO: Well, I mean, I would
16 leave it to your judgment, but when you come
17 back from whatever your trip is -- and it
18 doesn't really matter, in my mind, what the
19 objective is -- but you bring back a piece of
20 information that is valuable that needs to be
21 followed up on in some capacity. I think that

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1 needs to be recorded and tracked, if you feel
2 that way, whether that piece of information
3 emerged from a giving or receiving.

4 It's a judgment call, of course,
5 but it's okay that it's a judgment call. But
6 there's a way to track it and hold yourself
7 accountable to achieving closure on things
8 that you think are important.

9 MR. CALHOUN: So, basically, we
10 put into the procedure, if after any of these
11 meetings the HP DCAS, or whoever, decides that
12 there's information that needs to be followed
13 up on, it will be.

14 DR. MAURO: No. The procedure
15 would be NIOSH would make, would review --

16 MR. CALHOUN: Well, DCAS, yes.

17 DR. MAURO: -- review the notes
18 that were collected.

19 MR. CALHOUN: Yes.

20 DR. MAURO: It's not the
21 individual that does this. Like I said, you

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1 are bringing back, after the meeting you're
2 bringing back your notes, which could be
3 copious --

4 MR. CALHOUN: Yes.

5 DR. MAURO: -- all of which is
6 going to be captured in your tracking system.

7 Then, there is a procedure by which that
8 material is reviewed, and it's not one person.

9 It's a process, just like all of your other
10 processes, a process that you go through that
11 makes judgments on what the follow-up
12 activities would be. And this is a commitment
13 that is made.

14 Then, that may simply be a
15 notation in the record that NIOSH has reviewed
16 all of the material that was brought back and
17 logged into the OTS and has determined that
18 there is no follow-up action necessary. Or
19 you may determine these are the follow-up
20 actions that we feel are important, and it
21 becomes part of the record. And tracking

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1 closure of those action items is on the
2 record.

3 But, you know, as long as it can
4 be shown that there is accountability, that
5 you looked at the material, and listen, if you
6 make a judgment that you don't need to follow
7 up on anything, well, that should be
8 transparent.

9 Now there may be people who don't
10 agree with that, but at least you are laying
11 it all out for everyone to see.

12 MR. CALHOUN: But you understand
13 that during any one of these meetings there
14 may be things that we don't even take notes
15 on, that we make the determination to not take
16 notes on because we don't believe that they're
17 going to have an impact. And then to bring
18 home everything --

19 DR. MAURO: Yes.

20 MR. CALHOUN: -- and then make a
21 determination that we don't need to follow up

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1 on them, that could pose really a monster.

2 DR. MAURO: Well, no, I mean we're
3 in the same position. That is, when we are
4 out there talking to people, as Joe described
5 earlier, and Arjun, yes, of course, we are
6 going to make judgments, you have to, as a
7 team, on what material, what information that
8 you have heard that you think is important.
9 No one could expect more than that. And you
10 bring back what you think is important.

11 And it's true, you might have
12 missed something important or you might have
13 captured something that is unimportant, but
14 all you can do is the best you can. But the
15 idea being to collect it and then think, be
16 thoughtful about it afterward.

17 If you miss something important, I
18 mean no one could hold you accountable that
19 someone may have made a judgment not to copy
20 something down that turned out to be important
21 later. I mean, I don't think anyone is going

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1 to fault you for that.

2 MR. CALHOUN: Well, it sounds to
3 me that the changes that would be considered
4 for the procedure would still be very generic.

5 DR. MAURO: Yes. All I was trying
6 to do was not be prescriptive because it
7 sounds like it is really inappropriate, given
8 the complexity and the nuance that there is
9 and all the facets of what you are dealing
10 with. To be prescriptive may be burdensome
11 and inappropriate and you are going to be held
12 accountable to something that you really can't
13 be held accountable to.

14 So I try to step it back and make
15 it a little more general. It sounds like it
16 is general, but at the same time you will be
17 creating an accountability to yourself that
18 you are going to do the best you can to track
19 all this material. What that tracking will be
20 is to be judged, determined on a case-by-case
21 basis, but it would be in the record and

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1 transparent and available for everyone to see.

2 MR. KATZ: So, John, if I
3 understand, I mean, it sounds pretty simple.
4 It sounds like you're just saying, after you
5 come back with your minutes, and so on, you
6 have an action plan --

7 DR. MAURO: Yes, but it's --

8 MR. KATZ: -- you know, a note in
9 the record, whatever you want to call it, an
10 action plan which the team considers and lays
11 out which ones are going to be actionable.
12 Then, the actionable items, of course, end up
13 in your tracking system.

14 DR. MAURO: Yes, I guess it's as
15 simple as that.

16 MR. KATZ: And if there is
17 nothing, then there is just a memo that says,
18 you know, there was nothing that required
19 actions, whatever, but it just sort of closes
20 the loop on --

21 DR. MAURO: I guess that's all I'm

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1 saying. It's pretty simple. It doesn't seem
2 to me very burdensome, but, at the same time,
3 it does create a record and accountability
4 that these judgments are made because the
5 basket of information will be there in the
6 OTS.

7 Now whether or not you want to
8 make the tracking system information
9 available, that's a different question. I
10 guess I am more concerned that, once you do
11 have the information, that it becomes
12 transparent of the follow-up actions that are
13 being taken regarding all these different
14 matters and you have a record of what has been
15 done.

16 I don't know. Maybe you are doing
17 it already.

18 It seems to me it is in accord
19 with what Arjun was talking about, but Arjun
20 wasn't sure of how specific it could be and
21 how prescriptive it needs to be. So, I just

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1 stepped it back to say, well, don't make it
2 prescriptive. Just make it a system that at
3 least holds the organization accountable to
4 follow up.

5 MR. CALHOUN: Well, I think that
6 certainly, if we come back from a meeting with
7 something that we believe needs to be added to
8 the tracking system, we would add it. Now, if
9 somebody says that, we didn't wear TLDs or
10 TLDs were zero or a missed dose, they were
11 always zero, and how could I possibly get
12 zero, I don't think I need to write something
13 that says that I'm not going to address that.

14 DR. MAKHIJANI: I agree with that.

15 MR. CALHOUN: So, I would just as
16 soon deal with the positives and make the
17 professional judgment, if there's something
18 that comes up that we believe is important, we
19 add that into the tracking system and we track
20 it to completion.

21 DR. MAURO: Okay.

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1 MR. KATZ: So the only thing that
2 is being said here is, after the meeting when
3 you collect your thoughts, you write a little
4 action memo that says, here are the items that
5 are actionable --

6 MR. CALHOUN: They're actionable
7 items.

8 MR. KATZ: -- if they are. Or
9 there were no items that were. And then it's
10 transparent.

11 MR. CALHOUN: But we don't do that
12 right now.

13 MR. KATZ: You don't do that?

14 MR. CALHOUN: We don't say that
15 there's no action items.

16 MR. KATZ: Oh, I know, but there's
17 a suggestion on the table that that might be a
18 good thing to do because it just gives
19 accountability and closes the --

20 MR. CALHOUN: Suggestion noted.

21 MR. KATZ: Right. Okay.

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1 (Laughter.)

2 That's progress.

3 CHAIRMAN GIBSON: So that's 4 or
4 what do we call it?

5 MS. ROBERTSON-DEMERS: Well, we've
6 got some action items.

7 CHAIRMAN GIBSON: Do we call it a
8 standoff or what?

9 (Laughter.)

10 MR. CALHOUN: No. I have to
11 address it at the next meeting, obviously.

12 CHAIRMAN GIBSON: In progress.

13 MR. CALHOUN: And I don't know
14 about this two-track system. I'm not sure
15 what that means, and I don't know. That
16 almost seems like that is beyond the scope of
17 this document because that's like, how do you
18 proceduralize that? Do you say, make sure to
19 weight comments from workers as much as
20 professionals. I don't know how to address
21 that in a procedure.

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1 MS. ROBERTSON-DEMERS: You had an
2 idea.

3 MEMBER SCHOFIELD: I think that's
4 one terminology that you have got to be really
5 careful when you say, well, we have comments
6 from workers and we have comments from
7 professionals. You're telling those workers
8 they're not professionals. They are
9 professionals.

10 MR. CALHOUN: No, we're not.
11 We're just talking here in a group.

12 MEMBER MUNN: Plus, you tell the
13 professionals they're not workers.

14 MEMBER SCHOFIELD: Yes, yes. So,
15 you've got to be careful exactly how you word
16 it. Otherwise, one group or the other is
17 going to be --

18 MR. KATZ: The finding was not
19 that, about the sort of judgment that goes in
20 terms of weighting. The finding was about
21 treating them equivalently in terms of

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1 documentation, and so on, for these other
2 venues.

3 So, I had suggested for all of the
4 other venues that fall outside of PROC-12,
5 like we talked about, like the docket, like
6 closeout interviews, and so on, one way to
7 treat those equivalently in terms of handling
8 of the information would be to track also the
9 action items that come out of those other
10 venues in your OTS system, just as you do the
11 ones that come under PROC-12.

12 And that would be responsive to
13 the comment that is here from SC&A, which is
14 treat them equally: the information. In other
15 words, manage that information with equal sort
16 of prudence or whatever you want to call that
17 tracking system.

18 MR. CALHOUN: Well, there's some
19 mechanics that I don't know if we can do that
20 with, with the OTS, and I'm not familiar with
21 OTS all that much.

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1 MR. KATZ: So, is that practical,
2 to add those other items to OTS, the action
3 items?

4 MR. JOHNSON: It would have to be
5 a separate system.

6 MR. KATZ: Because?

7 MR. JOHNSON: Because the Outreach
8 Tracking System, the focus is structured on
9 meetings, meetings for a particular site, not
10 the website, not the emails, not other
11 perceived venues of outreach. And if I start
12 doing this, it is just going to be a
13 haberdashery of different things in the
14 tracking system that will be trackable, but it
15 is not going to have the same meaning
16 associated with what the overall Outreach
17 Tracking System was meant to do.

18 MR. KATZ: So someone has already
19 done some software development to produce your
20 OTS, right? But you're saying that you can't
21 like add another column that is for these

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1 other venues that would -- I mean, basically,
2 that's all you're talking about.

3 Beyond the venue, I mean, it is
4 the same issue. You have an action item and
5 you want to make sure that there's followup,
6 what the followup was on that.

7 MR. JOHNSON: I am not a
8 programmer, so I don't know how the
9 intricacies go in the back of this whole thing
10 and how it is written and stuff like that.
11 And it is easy to say, yes, you can add
12 another column on there and just say other,
13 and the other could be all the other
14 associated items.

15 I would have to go back and talk
16 with these folks and see what their resource
17 loading is in order to develop or backfit this
18 thing to do something like that, and I would
19 have to also go back and talk with Stu to make
20 sure that he's in conjunction, you know, on
21 the same page.

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1 MR. KATZ: Right. No, there's no
2 question, obviously, this is a management
3 decision on the part of DCAS, and it would
4 probably take programming.

5 I mean, in the Procedures
6 Subcommittee we have been doing a lot of this
7 database development work, and it does take
8 resources and all that. So that's clear.

9 I mean, my point earlier was that,
10 if management at DCAS thinks it's important to
11 manage these other sources of information
12 where they impact, then if don't you have a
13 system, a management system, you know it is
14 not going to happen. I mean, if there's no
15 tracking, you know you have no way of having
16 accountability internally.

17 MR. CALHOUN: How about saying we
18 will look at the feasibility?

19 MR. KATZ: Yes, I think that would
20 be good.

21 MEMBER BEACH: That would be

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1 great.

2 MEMBER SCHOFIELD: How cold it is
3 in this room.

4 MR. KATZ: I spoke to them, and it
5 seems to fluctuate. Every time I get ready to
6 get up and go speak to them again, it goes on.

7 So it seems like they have poor control over
8 this room. It's not in the room. But if
9 everybody is constantly cold, I will go speak
10 to them again.

11 We will probably break for lunch
12 pretty soon, and we can stand out in the sun
13 like lizards.

14 MEMBER SCHOFIELD: Just give
15 everybody some habaneros for lunch.

16 MEMBER MUNN: We're consistently
17 cold.

18 MR. KATZ: I'll speak to them and
19 ask them to raise it another couple of degrees
20 when we break for lunch.

21 MEMBER MUNN: Yes, that would be

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1 good.

2 MEMBER BEACH: So four is in
3 progress, not abeyance?

4 MR. KATZ: So that sounds like an
5 in progress.

6 MEMBER BEACH: In progress.

7 MR. KATZ: And DCAS is going to
8 look into the feasibility --

9 MEMBER BEACH: Of adding another
10 column or --

11 MR. JOHNSON: The feasibility
12 of --

13 MR. CALHOUN: The feasibility of
14 including other venues.

15 MEMBER BEACH: Okay.

16 MR. KATZ: In the tracking system.

17 MR. JOHNSON: Tracking other --

18 MR. KATZ: Other sources.

19 MEMBER BEACH: That might take
20 care of some of Finding 1 also.

21 CHAIRMAN GIBSON: Okay. It's

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1 12:20.

2 MS. ROBERTSON-DEMERS: We think we
3 can get through 5.

4 CHAIRMAN GIBSON: Oh, good.

5 MS. ROBERTSON-DEMERS: Finding 5
6 is, the procedure does not prescribe a process
7 for ensuring that worker feedback is
8 accurately and completely documented.

9 Basically, the procedure contains
10 no requirements for providing meeting minutes
11 to participants for review or for the
12 subsequent integration of those comments
13 received by workers.

14 And then, the other part of this
15 was a concern over the fact that there was no
16 requirement to archive the worker outreach
17 meeting recordings or to inform participants
18 upfront that the recordings would not be made
19 accessible to them.

20 MR. JOHNSON: Well, let's go
21 backwards and then forward.

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1 The expectation is not to keep the
2 recording. And also, at the beginning, it is
3 discussed that the recording is being taken as
4 a tool in order to support the development of
5 the minutes, and that the recording will not
6 be kept. So, at that point in time, it is
7 clear that they are not going to look at the
8 recording and it is not going to be available.

9 MS. ROBERTSON-DEMERS: I guess
10 there's some verbiage, you know, in small
11 writing, and I don't know if this is stated in
12 the meeting, that it states that the recording
13 is not available through the Freedom of
14 Information Act to workers?

15 MR. JOHNSON: I don't know if it
16 goes that far.

17 MS. ROBERTSON-DEMERS: Well, it's
18 in the small print in the procedures.

19 MR. JOHNSON: I don't think so.

20 MS. ROBERTSON-DEMERS: And one
21 resolution of that process is to make that

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1 statement upfront.

2 MR. JOHNSON: It says, this
3 meeting is being recorded. The purpose of the
4 recording is to help prepare the accurate
5 meeting minutes. Thus, the recording is a
6 tool and will be destroyed once the minutes of
7 this meeting have been finalized. That's what
8 it says.

9 MS. ROBERTSON-DEMERS: Okay.
10 Below that, I think it says something about --

11 MR. JOHNSON: It asks if anyone
12 objects to this recording.

13 MS. ROBERTSON-DEMERS: I think
14 it's on the next page.

15 MEMBER BEACH: J.J., what page are
16 you on?

17 MR. JOHNSON: Fifteen.

18 MEMBER BEACH: Thank you.

19 MS. ROBERTSON-DEMERS: It says
20 something to the effect of that these
21 recordings are not available under the Freedom

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1 of Information Act?

2 MR. CALHOUN: Yes.

3 MS. ROBERTSON-DEMERS: And I guess
4 part of the reason --

5 MR. CALHOUN: If someone requests
6 a copy of the recording, the OST Team
7 Facilitator and OST staff representative will
8 explain that copies are not available for
9 public distribution.

10 MS. ROBERTSON-DEMERS: Okay. And
11 I guess part of this is, if that statement
12 were made upfront and in the meeting --

13 MR. CALHOUN: Oh, during the part
14 that says that it is going to be destroyed,
15 right after that?

16 MS. ROBERTSON-DEMERS: Yes.

17 MR. CALHOUN: That doesn't seem
18 like a big deal, yes.

19 MS. ROBERTSON-DEMERS: So, that is
20 part of informing them upfront that, hey, this
21 isn't accessible to you.

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1 MR. JOHNSON: Okay. What were the
2 other issues?

3 MS. ROBERTSON-DEMERS: Well, you
4 talked about your position on archiving the
5 recordings. And the other one was that PR-12
6 doesn't contain a requirement for providing
7 meeting minutes to the participants for review
8 or for subsequent integration of comments
9 received.

10 MR. JOHNSON: We have just been
11 hashing that around right now, previous to
12 this. It does not.

13 In a townhall meeting, that is
14 pretty difficult.

15 MR. CALHOUN: Aren't they posted
16 on the web after six months?

17 MR. JOHNSON: Yes, they're posted
18 on the web.

19 MS. ROBERTSON-DEMERS: Can I give
20 you kind of an example, a real quick example?
21 We sat in on a meeting for Simonds Saw with

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1 NIOSH.

2 MR. JOHNSON: Okay. Was that just
3 recently?

4 (Telephonic interference.)

5 MR. KATZ: Wait one second.

6 Excuse me. It's not such a
7 problem for us in the room, but for other
8 people on the line, someone on the line does
9 not have their phone muted, and other folks
10 are having to listen to their conversation.

11 So, could you please mute your
12 phone, *6, if you don't have a mute button?
13 Press *6, and that will mute your phone.
14 Thank you.

15 (Telephonic interference.)

16 Hello. Excuse me. Whoever is
17 speaking right now on this telephone line, you
18 shouldn't be speaking. Would you please mute
19 your phone? Use *6, if you don't have a mute
20 button.

21 Thank you.

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1 Sorry, Kathy. Go on.

2 MS. ROBERTSON-DEMERS: Okay. So,
3 the NIOSH team sat in on this meeting, and I
4 don't know if it was -- it was to gather
5 information for the preparation of the Simonds
6 Saw Evaluation Report, and we also sat in on
7 that meeting. We prepared our own meeting
8 minutes.

9 Now our process was to send those
10 meeting minutes out to everyone at the meeting
11 who we had recorded had made a comment for
12 their reading, and we did so. And we received
13 comments back and integrated that information
14 into those notes that we had taken.

15 What I am talking about here is
16 the process for doing that and how that is not
17 really defined in the procedure.

18 MEMBER BEACH: Well, it was part
19 of the 97 procedure.

20 MS. ROBERTSON-DEMERS: It was part
21 of the 97.

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1 MEMBER BEACH: Was there a
2 rationale for dropping that out of 12?

3 MR. McDOUGALL: I don't recall it
4 being -- to send the minutes out to everybody
5 in the meeting?

6 MEMBER BEACH: No, not to
7 everybody. It was to the host.

8 MR. McDOUGALL: Right. That's
9 what we do now.

10 MEMBER BEACH: Oh, you still do
11 that, then?

12 MR. McDOUGALL: Yes.

13 MEMBER BEACH: Okay.

14 MS. ROBERTSON-DEMERS: Well, it
15 may be you do it, but it is not in the
16 procedure.

17 MEMBER BEACH: I guess that is
18 what my question is; why was it dropped from
19 the procedure, if that is something that you
20 do?

21 MS. ELLIOTT: We certainly have

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1 done it.

2 MR. JOHNSON: We do that.

3 DR. MAKHIJANI: Maybe it was an
4 oversight and you could just fix it. You're
5 doing it anyway.

6 MR. CALHOUN: Yes, we're doing it.
7 Just add it in there, but --

8 MS. ROBERTSON-DEMERS: We probably
9 wouldn't know that you do that by reading the
10 procedure, and how those comments are
11 resolved.

12 MR. JOHNSON: Well, the comments
13 would be resolved based just by the fact that
14 they do a chop on the minutes, and then we
15 accept them. And typically, we will send them
16 out, and they will say, "We don't have any
17 comments" or the time period has expired for
18 their comment, and we move forward with them.

19 DR. MAKHIJANI: That's the point
20 at which I have trouble, is the time period
21 has expired, plus the destruction of the

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1 tapes.

2 In my book, just from the point of
3 view of somebody who uses information given by
4 interviews, the combination of that is
5 unhappy, just from an accuracy verification
6 point of view. So, if I had interviewed
7 somebody and taped it, thinking I'm going to
8 make an interview record summary of what was
9 said, and not send the interview back to the
10 person, because I had a tape, and if that
11 person had any question as to whether I made
12 an accurate interpretation, I can always say,
13 okay, here's the tape. Here's what you said.

14 And it happens all the time, you
15 know. We see questions about this kind of
16 thing in the public arena a lot. What was
17 said? Do you have a tape? Give them the
18 tape. You're accurate. You're right. You're
19 wrong, or sometimes the tape is not clear.
20 Okay.

21 But, if you send the minutes, you

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1 don't hear, a time period elapses, you don't
2 know whether the person agrees. The people
3 who have made comments that you have actually
4 summarized -- and we all kind of -- you know,
5 it is very rare to send an interview back that
6 has any complexity where you get it back
7 saying, you did a perfect job. I have no
8 changes. At least, I haven't been that
9 perfect.

10 And generally, you get back
11 substantive changes that are more than typos
12 and spelling mistakes, and so on; at least I
13 do. That has been our experience with our
14 interviews also. Also, people don't always
15 think of everything they want to say. They
16 don't say it in the way they would have said
17 it, if they had some time to think about it.

18 But when you couple, your time's
19 up with the destruction of the tapes, quite
20 apart from whatever your other rationale might
21 be, from the point of view of the accuracy of

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1 verifying of whether you got it right or not,
2 I think it is a problem. You can't have both.

3 MR. McDOUGALL: Well, Arjun, first
4 of all, we have, I think, pretty good
5 transparency because everybody out there,
6 everybody who was in the meeting, everybody
7 who is interested in the meeting can go on and
8 read the minutes. And that's kind of a
9 backup.

10 And I don't recall, with the
11 possible exception of one time where somebody
12 said something before we started the meeting,
13 I don't recall that anybody has ever
14 questioned the accuracy of the minutes.

15 Now the other side of that is
16 that, unlike your experience, I think our
17 experience is that, if we waited for
18 affirmative feedback, even to say, I have no
19 comments, from everybody in the meeting, we
20 would never have any minutes posted.

21 MEMBER BEACH: But you weren't

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1 saying everybody in the meeting? You're only
2 sending them to the host. So maybe one
3 particular person?

4 MR. McDOUGALL: If we insisted on
5 getting affirmative feedback from the host, we
6 would have a lot less meetings, a lot less
7 minutes posted.

8 Generally, if people don't
9 disagree with you, I think if people don't
10 disagree with you very strongly, they don't
11 tell you, I don't disagree with you.

12 So, we give people the opportunity
13 to say, hey, you got it wrong. Okay?
14 Actually, we give them the opportunity just to
15 say, hey, you got it wrong at least twice:
16 once when we formally send the minutes to
17 them, and then, forever after, when it is
18 posted online. And we actually go out and we
19 teach stakeholders to use the NIOSH website to
20 look at what's posted for their own site.

21 And through this all, nobody ever

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1 comes -- I don't recall one person one time,
2 in something that happened before a meeting
3 started, other than that, I don't recall
4 anybody who has ever questioned the accuracy
5 of the minutes.

6 MEMBER BEACH: Yes, sounds good.

7 DR. MAKHIJANI: The last actually
8 alleviates the concern a great deal. I have
9 integrated that piece of it in my thinking, I
10 have to say, because you have to post the
11 minutes and everybody can go and see that was
12 there at the meeting. And then, you are
13 telling them they are going to be posted. So,
14 actually, that alleviates a great deal of my
15 concern.

16 MS. ELLIOTT: In all the record
17 files for over 100 meetings, there was one
18 document, and it's posted on the OTS -- I
19 can't recall right now for what site -- but
20 there is one document that is a response from
21 a union official that they had a difference

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1 with the minutes one time. We made it public,
2 not public, but we put it into the OTS to make
3 sure that that part was transparent, that they
4 did have an objection. That was before my
5 time, but I made sure that document was
6 included.

7 DR. MAKHIJANI: As I said, I have
8 not -- in a way, I kind of spoke without
9 putting all the pieces together in my head.
10 The fact that you actually -- like I don't
11 normally pull from my interviews. I just use
12 them and refer to them or I will attach them
13 to whatever I'm publishing.

14 Because you post everything, yes,
15 then the destruction of the tapes is a lesser
16 issue.

17 MS. ELLIOTT: There are times when
18 discussions are summarized and not
19 transcribed because of discretionary issues,
20 but, still, we try to accurately portray the
21 content of the discussion.

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1 MR. CALHOUN: One reason we don't
2 tape things is because all kinds of personal
3 things get said and then you don't know what
4 to do with that, and you can't actually
5 circulate that in public. So we try to make a
6 different kind of record that is as close to a
7 transcript as possible without getting it all.

8 MEMBER BEACH: Correct. So, it
9 sounds like just noting what you are doing in
10 the procedure might solve that.

11 DR. MAKHIJANI: Yes, at least my
12 concern, I have to say is much alleviated,
13 yes, absolutely.

14 MS. ROBERTSON-DEMERS: There's
15 really no process for discussing the --

16 MR. CALHOUN: I mean, if we do it,
17 is it a big deal to put it in there, J.J.?

18 MR. JOHNSON: No.

19 MR. CALHOUN: Yes, if we do it, we
20 might as well take credit for it.

21 (Laughter.)

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1 DR. MAKHIJANI: Thank you.

2 MR. KATZ: Is there more to that
3 finding? Are we done?

4 MS. ROBERTSON-DEMERS: Yes.

5 MR. KATZ: So, is that one that
6 the Work Group wants to close? Or do you want
7 to wait and see that they have put the
8 sentence in their procedure?

9 MEMBER MUNN: In abeyance.

10 MR. KATZ: In abeyance, I mean.
11 Right.

12 MEMBER BEACH: In abeyance.

13 MR. KATZ: Okay, five is in
14 abeyance.

15 CHAIRMAN GIBSON: With that, are
16 we ready to break for lunch?

17 MR. KATZ: Sounds good.

18 MEMBER MUNN: Yes.

19 MR. KATZ: What time should we be
20 back? An hour?

21 CHAIRMAN GIBSON: Yes.

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1 MR. KATZ: Okay, it's 12:35 by my
2 watch, If that's what other people have, then
3 1:35.

4 Thank you, everyone on the line,
5 for hanging in, and we'll be back at 1:30,
6 1:35.

7 (Whereupon, the above entitled
8 matter went off the record at 12:36 p.m. and
9 resumed at 1:40 p.m.)

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1 that time.

2 And then, if we have any time
3 after that, we will go back to the agenda and
4 plan on trying to wrap up about 3:30.

5 So, get back to the observations,
6 SC&A?

7 MS. ROBERTSON-DEMERS: Okay. I
8 wanted to kind of go over both Observation 1
9 and Observation 2 at the same time because
10 they are very closely linked.

11 Observation 1 is, the procedure
12 does not address the possibility that
13 sensitive or classified information could be
14 shared at a worker outreach meeting.

15 And Observation 2 is, the
16 procedure does not provide an opportunity for
17 workers to discuss potentially classified
18 information. Particularly at NNSA sites,
19 workers may be restricted from openly
20 discussing site-specific information due to
21 security concerns.

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1 For Observation 1, at a minimum,
2 we felt that the procedure should alert worker
3 outreach staff to submit recordings, minutes
4 and meeting notes for classification review if
5 they have any doubt about classification
6 status of information shared at an outreach
7 meeting. I think, from earlier discussion,
8 that may be happening, but there's no
9 requirement to do so in the procedure.

10 For the second observation, we had
11 two concerns. Worker outreach meetings at
12 NNSA sites can solicit classified information,
13 even if you don't want it to. A cautionary
14 statement should be made upfront that reminds
15 individuals to be cautious about the
16 information they are sharing. In other words,
17 notification that it's an unclassified meeting
18 and they should not be sharing classified
19 information in that meeting.

20 And for those who wish to share
21 classified information, there wasn't a process

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1 described for them to do so in the procedure.

2 A lot of times, they have critical
3 information that can influence technical work
4 documents. So, there should be an opportunity
5 provided to them or a statement on how you are
6 going to provide that opportunity to them, so
7 that they can, if they feel that there's
8 classified information they need to share, so
9 that they can go ahead and share that in some
10 capacity through the process.

11 MR. JOHNSON: Well, my response is
12 that I have got an action here that says,
13 provide additional guidance in the procedures
14 to address discussion of sensitive or
15 classified information prior to the beginning
16 of the meeting.

17 Additionally, we have procedures
18 that deal with the interface of personnel that
19 may give sensitive or classified information,
20 and that's under OCAS-PR-10, Data Access and
21 Interview Process -- or Procedures. That will

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1 be used as a reference in here.

2 MS. ROBERTSON-DEMERS: Okay. So,
3 you're saying that PR-10 is the mechanism by
4 which you are going to offer that opportunity
5 for people to share classified information,
6 should they need to?

7 MR. JOHNSON: It is the tool, yes.

8 MR. CALHOUN: It might not be a
9 bad idea to mention it in this document, but
10 that is really more how we deal with it once
11 we've got it. But as far as I know, what you
12 are getting at, actually offering it to them,
13 we generally shy away a little bit from
14 saying, hey, if you want to have a classified
15 interview, let's do it, because a lot of
16 people will just start doing it.

17 I think that it should be in
18 there, but we need to be careful about that.
19 We do the same thing with CATIs, you know. I
20 think that saying, hey, please don't give out
21 any classified information because it's an

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1 unclassified interview. If you feel you have
2 information that is classified that you need
3 to talk to us about, we can arrange that, or
4 something like that.

5 MEMBER SCHOFIELD: Yes, that's a
6 definite necessity.

7 MS. ROBERTSON-DEMERS: Okay. One
8 site where this is of particular concern would
9 be, say, Pantex. You can get yourself into a
10 lot of trouble real quickly at that site.

11 MR. CALHOUN: Yes.

12 MS. ROBERTSON-DEMERS: From our
13 site expert interviews, there's a lot of
14 valuable information that comes out of those
15 classified interviews.

16 Now I thought I heard Vern say
17 earlier that the worker outreach meeting, it
18 is submitted to DOE for classification review.

19 MR. McDOUGALL: They all do, yes.

20 MS. ROBERTSON-DEMERS: So, in
21 referencing PR-10 and PR-11, in essence, you

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1 are dealing with that in the procedure itself.

2 MR. CALHOUN: Yes, and then,
3 obviously, if we had the interview, if it was
4 a planned interview that we had done, and
5 knowing that we would get or perceiving that
6 we get classified information, that would get
7 done before we even left the site. You know
8 how that is done.

9 So, yes, we couldn't leave with
10 that. You know what? They wouldn't let us
11 record it anyway.

12 MR. JOHNSON: Yes, and PR-11 was
13 approved 4/22/2009, and our procedure was
14 approved a little bit later, so about
15 parallel. So both of those will be referenced
16 in there.

17 MS. ROBERTSON-DEMERS: Okay.

18 MEMBER BEACH: In abeyance?

19 CHAIRMAN GIBSON: In abeyance.

20 MS. ROBERTSON-DEMERS: Okay.

21 Observation 3 is, there are no provisions for

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1 soliciting comments from workers who are
2 unable to physically attend worker outreach
3 meetings.

4 And a method for individuals who
5 cannot attend worker outreach meetings is not
6 provided or discussed in the procedure. But
7 the individuals can provide comments in
8 writing via a letter or via the website or the
9 docket. However, in our early discussion,
10 these venues are not given the same
11 consideration as far as development of action
12 items and follow-through as worker outreach
13 comments. There is no formal evaluation
14 tracking or resolution procedures for comments
15 provided in this way.

16 So, you've got somebody who can't
17 come to a meeting. They have these other
18 options, but there's no evaluation of those
19 comments in the same manner as the worker
20 outreach meeting minutes.

21 MR. CALHOUN: You know, that may

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1 not be procedure-wise, but I think we get that
2 done. I don't know. J.J. may know more about
3 it than I do, but I don't know if I'll say
4 often, but it happens when we get input for
5 questions electronically, and Chris Ellison
6 ends up dealing with it. She will send them
7 to one of us, so that she can respond to the
8 person who sent the question.

9 Maybe we are doing that and it is
10 just not specified in here. But I don't know
11 if all of them go through that way. I know
12 docket things will go through that.

13 MR. JOHNSON: The docket things go
14 that way, but that's one of those other
15 outreach venues.

16 MEMBER MUNN: I would imagine most
17 of those actually get a one-on-one response.

18 MR. CALHOUN: I think they do.

19 MEMBER MUNN: At least an
20 acknowledgment of receipt, if not a --

21 MR. CALHOUN: But I just don't

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1 want to say for sure because I'm not positive,
2 but I think they do.

3 MEMBER MUNN: I can't imagine they
4 are not being responded to.

5 MR. CALHOUN: But we will check
6 that.

7 MS. ROBERTSON-DEMERS: Well, one
8 of the suggestions we had was to have a call-
9 in number.

10 MR. JOHNSON: Have a what?

11 MS. ROBERTSON-DEMERS: Have a
12 call-in number where people could call in.

13 MR. McDOUGALL: What kind of
14 meetings are you trying to --

15 MS. ROBERTSON-DEMERS: These would
16 be more --

17 MR. JOHNSON: We've got a call-in
18 number, don't we?

19 MR. CALHOUN: I don't know. On
20 some of them we do. I don't know if we do on
21 that one.

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1 MS. ROBERTSON-DEMERS: This
2 wouldn't be you're invited to meetings, you
3 know, when you're inviting someone. This will
4 be more open worker outreach information-
5 gathering meetings.

6 MS. ELLIOTT: We have attempted
7 that.

8 MR. McDOUGALL: For example,
9 information-gathering meetings are usually
10 relatively small meetings, almost always under
11 20 people, frequently under 10 or 12. And it
12 is kind of an opportunistic kind of thing. If
13 there are 10 people in Cincinnati who can give
14 us information on GE Evendale, for example --
15 and I think this actually happened -- and one
16 or two were in Florida, well, you kind of make
17 a judgment call that what the one or two are
18 going to add isn't going to be so critical.
19 Unless you have some knowledge that they have
20 something special, they are pretty much like
21 the other folks.

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1 You kind of make a judgment call
2 that you are not going to go to extraordinary
3 measures to get the input from other people,
4 if you can get comparable quality of input
5 more conveniently.

6 Now, having said that, in order to
7 make it convenient, we make it as convenient
8 as we can. We try to hold meetings in one-
9 story buildings and in locations that are
10 convenient that people know about, to try to
11 facilitate -- to try to remove as many
12 barriers as possible. But, again, if you have
13 got 10 in Ohio and one in Florida, you don't
14 really need the one in Florida, unless they
15 know something special.

16 MS. ROBERTSON-DEMERS: What do you
17 do in the case where they do know critical
18 information?

19 MR. McDOUGALL: Well, actually, I
20 imagine DCAS would conduct an one-on-one
21 interview the way they frequently do, I guess

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1 with --

2 MR. JOHNSON: Like we recently did
3 with Simonds Saw. The folks that were in the
4 area that came to the meeting, their comments
5 and discussions were noted. And those
6 individuals that were in the system, in NOCTS,
7 they were contacted by ORAU and personally
8 interviewed with the questions that were
9 provided to the people that went to the
10 initial meeting.

11 MS. ROBERTSON-DEMERS: And this is
12 some of our concern about these -- this two-
13 track system we use. One set of comments is
14 being tracked in OTS because it is designated
15 as a worker outreach, but in these individual
16 interviews with these couple of people, they
17 are not being tracked. The comments for those
18 are not being tracked.

19 MR. JOHNSON: They may not be
20 tracked in OTS, but they are tracked in the
21 SRDB through the information that is provided

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1 for those respective sites.

2 MS. ROBERTSON-DEMERS: What
3 happens is you get a documented communication.
4 In that documented communication, there's
5 really no procedure for how to disposition
6 those comments provided in that documented
7 communication.

8 MR. JOHNSON: Well, in this case,
9 all the comments went to the OCAS HP for
10 review. And in the interview, he would take
11 all those comments into consideration. So,
12 the ones that were at the meeting, he was at
13 the meeting, along with the ones that were
14 provided through phone conversations. So,
15 they didn't go on their two separate ways.
16 They were reviewed and consolidated, reviewed
17 by the OCAS HP.

18 MS. ROBERTSON-DEMERS: And for
19 those documented communications, the items
20 that were in the SRBD, were action items
21 tracked on that?

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1 MR. JOHNSON: I have no idea
2 because they were part of an SEC.

3 MS. ROBERTSON-DEMERS: Well, how
4 hard would it be to provide a call-in number
5 for these people?

6 MR. JOHNSON: How hard would it be
7 to what?

8 MS. ROBERTSON-DEMERS: To provide
9 a call-in number for people who can't get
10 there?

11 MR. JOHNSON: I don't know. I
12 would have to check into that.

13 MS. ELLIOTT: A lot of it depends
14 upon the facility, whether it's available. We
15 have gone to certain places and asked if that
16 was possible, and until you get the facility
17 to see what they have, there really isn't a
18 way to tell. And even if they say, yes, we
19 have a speaker phone system, you know, it may
20 not be adequate to be heard in a large room.
21 It probably won't be a Polycom.

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1 MR. JOHNSON: Oh, you mean a call
2 to the meeting itself?

3 MS. ROBERTSON-DEMERS: Yes.

4 MR. JOHNSON: I think we tried
5 that at Simonds Saw and the service wasn't
6 available or something.

7 MS. ELLIOTT: We have asked in
8 several different venues, and it either is not
9 available or what they do have is not
10 adequate. As in the case for Blockson,
11 somebody wanted to have a call-in for the
12 Blockson meetings. It was in their city hall
13 in a big, public, courtroom-type situation,
14 and there was just no way. It would not have
15 been even -- whoever was on the phone could
16 not have heard most of what went on.

17 But we have made attempts for
18 things like this, and you can only do what's
19 available.

20 MR. McDOUGALL: But, again, if you
21 are gathering information, it isn't really

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1 that important to go to extraordinary measures
2 to add one more person. If you can get the
3 information you need from a representative
4 group of people, if one or two are absent,
5 they're absent.

6 MS. ROBERTSON-DEMERS: Well, I
7 guess the main concern here is that you do
8 have other avenues, but the comments provided
9 to those other avenues are not being tracked
10 in the same manner as the worker outreach
11 meeting is -- the actions.

12 MS. ELLIOTT: I believe in one
13 situation where we were -- this is not quite
14 the same as what you're talking about -- but
15 there was an individual who couldn't come to a
16 meeting where we had a group of retirees and
17 former workers that came together. The
18 minutes were sent, actually, along to
19 everybody else, to him as well, so he could
20 comment. He was too ill to actually leave his
21 home, but he had the opportunity to see what

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1 was going on at the meeting, so he could add
2 anything -- something else, if he had
3 something pertinent to add. And we do try to
4 take measures to do that.

5 MS. ROBERTSON-DEMERS: And as long
6 as the comments that are being provided in
7 that way are being treated in the same manner
8 as those being captured in the meeting
9 minutes, then there is a mechanism for them to
10 provide comments if they can't be there. But
11 I don't see the process by which these other
12 venues, the websites, the docket, providing
13 letters -- I don't see the mechanism for
14 tracking those comments and developing action
15 items will ultimately lead to --

16 MS. ELLIOTT: I can cite a
17 specific instance where that is in OTS and you
18 can take a look at it and see that we have
19 made attempts to do that, as well. There was
20 a Pinellas meeting in November of 2005, and we
21 had several people who could not come to the

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1 meeting that heard about it and provided
2 letters through the docket and also through
3 mail, also, some emails through the Docket
4 Office, and they were forwarded on to Bill
5 Murray, who at the time was in charge of the
6 worker outreach. And Bill and the HP both
7 looked at that, and they are in the OTS. I
8 made sure to add those.

9 MEMBER MUNN: So that's the
10 missing link, apparently, is there doesn't
11 seem to be any word anywhere that says,
12 comments received by mail, email, or other --

13 MS. ELLIOTT: I think I identified
14 it in that manner when I put it in the OTS.

15 MEMBER MUNN: -- will be attached
16 to the minutes or will be a portion of the
17 minutes and will receive the same
18 consideration. It sounds like a one-sentence
19 fix, if we agree on where the one-sentence fix
20 is going to be.

21 MR. KATZ: We discussed this

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1 before lunch. I mean, under Finding 4, J.J.
2 said that they would look into the feasibility
3 of adding to the tracking system for these
4 other venues by which you receive information.

5 So, that issue is in progress, and they will
6 look into that.

7 MS. ELLIOTT: If they are provided
8 to the team as part of the process of the
9 meeting, I do make sure they go in there.

10 MR. KATZ: No, that's great. So
11 you are already doing it, in part. So you are
12 already somehow putting that in.

13 And I think the reason you can do
14 it in that instance is because it is
15 associated with a meeting. So that is already
16 set up.

17 MS. ELLIOTT: Correct.

18 MR. KATZ: Whereas, these other
19 venues, if they send in to the docket, for
20 example, and it is somehow not connected with
21 your meeting, it is not associated with your

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1 meeting, then it doesn't end up there. But
2 that makes sense.

3 MS. ROBERTSON-DEMERS: And I may
4 be putting words into your mouth by saying
5 that those are venues that a person who can't
6 physically get to a meeting can use to provide
7 comments.

8 MR. JOHNSON: There are options
9 that can be provided, and have been provided,
10 to claimants to support their feedback.

11 MS. ELLIOTT: Even within the
12 meeting, there is always something -- if
13 there's a presentation, there is almost always
14 a slide in that presentation that discusses,
15 that notes that comments could be sent to the
16 NIOSH Docket Office, and it gives the email
17 address for that.

18 So, if there were to be something
19 to the meeting, you know, we can't make them
20 send an email, but at least they know that the
21 option is there.

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1 CHAIRMAN GIBSON: So we can look
2 into putting a sentence somewhere just while
3 you are doing this other stuff?

4 Perhaps we can mark 3 in progress?

5 MR. KATZ: Or actually, I mean I
6 think that one is in abeyance then, because
7 for that one it is not even a feasibility --
8 it is associated with a meeting we are talking
9 about. As long as there is some instruction
10 somewhere to do that, to put it in the
11 tracking, it is already happening, is what
12 Mary is telling us.

13 MS. ELLIOTT: I try to be pretty
14 fastidious about that, if it's available.

15 MR. KATZ: Yes.

16 MS. ELLIOTT: It just took a while
17 to --

18 MR. KATZ: So it's just addressed
19 in --

20 MR. JOHNSON: Put a sentence in
21 there.

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1 MR. KATZ: Yes. So it seems like
2 that is in abeyance.

3 CHAIRMAN GIBSON: Okay.
4 Observation 4?

5 MS. ROBERTSON-DEMERS: Okay.
6 Observation 4 is pretty simple. There is no
7 requirement for disclosure of conflict of
8 interest during the worker outreach meetings.

9 So, in other words, particularly the person
10 responsible for writing the document who
11 happens to be at the meeting does not have to
12 disclose conflict of interest.

13 So, for example, if you have
14 someone who is holding an SEC focus group
15 meeting, who is responsible for writing the
16 Evaluation Report, they don't have to disclose
17 conflicts of interest.

18 MR. JOHNSON: My understanding is
19 that -- I don't know that we have people in
20 these meetings that have a conflict. Am I
21 wrong, Grady?

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1 MR. CALHOUN: I don't know if
2 you're wrong or not, but, typically, what I
3 have seen when we go through some of the other
4 meetings, they just go around the room and
5 just say it, you know.

6 As a matter of fact, I'm surprised
7 we didn't say it today because usually it
8 seems like we start out our Work Group
9 meetings --

10 MR. KATZ: No, it's not site-
11 specific.

12 MR. CALHOUN: Oh, it's not. There
13 you go, yes.

14 And say, I have no conflict at
15 this site.

16 So I don't see any harm with that.
17 It seems easy enough to do, yes.

18 MR. JOHNSON: Okay. I will add a
19 sentence.

20 CHAIRMAN GIBSON: Observation 5?

21 MR. KATZ: That, then, is in

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1 abeyance.

2 CHAIRMAN GIBSON: Yes.

3 MS. ROBERTSON-DEMERS: Okay. The
4 Site Profile and Technical Basis Document
5 development procedure are ORAUT-PROC-31,
6 references ORAUT-PROC-97, which is the old
7 worker outreach procedure. That procedure has
8 been replaced by PR-12.

9 It is a little bit more
10 complicated than just going in and doing a
11 search and replace. What PROC-31 does is it
12 used to interface and reference back to the
13 old worker outreach procedure, PROC-97, and
14 PROC-97 needs to reference the Site Profile
15 development procedure. There was an
16 interaction there between those two procedures
17 that allowed for -- it provided direction for
18 looking at the worker outreach comments and
19 evaluating them and integrating those of
20 substantial nature into the Site Profile.

21 So, partly the content would have

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1 to be updated, and partly you are still
2 referencing the procedure that is no longer in
3 existence in another procedure.

4 MR. JOHNSON: Well, that is why we
5 have the Outreach Tracking System with
6 tracking of issues set up the way it is. So
7 that, when you have the OCAS HP interfacing
8 with the Technical Basis Document owner at the
9 meeting, they concur on what the action items,
10 tracking items are. And that individual,
11 then, on the OCAS ORAU side makes whatever
12 changes they have to make based on their
13 agreement. And then, when it is closed out,
14 it goes through and indicates that either the
15 Technical Basis Document was updated, no
16 action was taken, or individuals were provided
17 feedback.

18 So, the connection here between 97
19 and 31 doesn't make a difference anymore.

20 MR. CALHOUN: It should be changed
21 in the ORAU document ultimately, though, to

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1 make sure that we are not referencing a
2 document that doesn't exist during the next
3 time that they revise that.

4 MS. ROBERTSON-DEMERS: Okay.

5 MR. CALHOUN: And then we will
6 have to make the appropriate fixes, too, you
7 know. I don't know it off the top of my head.

8 So, like I said, if it is not a simple just
9 changing a reference, obviously, they will
10 need to change that when they get around to
11 revising that again. I don't know what the
12 schedule is on that.

13 MEMBER MUNN: In abeyance.

14 CHAIRMAN GIBSON: Yes.

15 MS. ROBERTSON-DEMERS: Okay. It
16 is my understanding -- and Wanda can help me
17 here --

18 MEMBER MUNN: I'm not sure.

19 MS. ROBERTSON-DEMERS: -- yes, if
20 this not the case, but it is my understanding
21 from other members of SC&A that the findings

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1 from our review of ORAUT-PROC-97 were
2 transferred from the Procedures Subcommittee
3 Group over to the Worker Outreach Group.

4 MEMBER MUNN: Yes, that was done.

5 Maybe you have received, actually, an email
6 from me. I don't think you have it.

7 MS. ROBERTSON-DEMERS: So there
8 were a total of nine findings under that
9 procedure, many of which were repeated in the
10 OCAS-PR-0012 review. And I believe eight of
11 those findings that were transferred are still
12 open, and we kind of need to have some
13 discussion on what you want to do with those
14 findings, whether you want to close them out
15 simultaneously with resolving the findings for
16 OCAS-PR-0012 or whether you want to close the
17 findings out for 97 and defer it to PR-12.

18 CHAIRMAN GIBSON: I think what --
19 and Wanda can help me here, too -- the
20 Procedures Subcommittee had in mind was, when
21 they see findings that are more relevant to a

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1 specific group rather than the Procedures
2 Subcommittee as a whole, they send just that
3 finding to the group, and that's our
4 objective, just to see that finding through to
5 closure and then send a letter back to the
6 Procedures Subcommittee telling them it's
7 done.

8 MS. ROBERTSON-DEMERS: Yes, and
9 part of the issue was, like I said, we tried
10 to integrate some of the findings from 97 into
11 PR-12. So there is a lot of redundancy.

12 MR. JOHNSON: Well, that is what
13 made this review very difficult because they
14 were integrated. If you just had gone and
15 looked at PR-12 without 97, started with a
16 clean slate, it would have been a lot cleaner.

17 MS. ROBERTSON-DEMERS: Some of the
18 issues were relevant -- well, the ones that we
19 integrated into PR-12 were relevant, still
20 relevant, to the review of PR-12.

21 MR. JOHNSON: No, I am not saying

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1 that they weren't. I am just saying that, if
2 you had just forgotten about Procedure 97 and
3 just looked at PR-12 for its merits compared
4 to what you saw in the rearview mirror on
5 PR-97, and moved forward on that, it would
6 have been a cleaner slate.

7 MS. ROBERTSON-DEMERS: Well, don't
8 misunderstand me, but there were a lot of good
9 things about 97 that we were trying to bring
10 out in our review that went away with PR-12.

11 MR. JOHNSON: Well, that could
12 have been. You also have to look at change of
13 command, that it is a situation where outreach
14 didn't exist for six months, and OD decided to
15 take action and move in a forward direction to
16 start outreach again.

17 And so, from what WISPR was and
18 what we have with something that we thought
19 was reasonable, capable within the resources
20 that we had, so that's why we have the product
21 we have.

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1 MS. ROBERTSON-DEMERS: Well, what
2 is your preference? Do you want to go through
3 these findings one at a time?

4 CHAIRMAN GIBSON: Just however it
5 is going to be easiest to explain and respond
6 to.

7 MS. ROBERTSON-DEMERS: Do you want
8 to put a new status report based upon what we
9 discussed with the other findings? I'm asking
10 for guidance.

11 MEMBER MUNN: Currently, on the
12 Procedures Subcommittee's tracking list, ORAU
13 PROC-0097-1 and 0097-2 show that we are
14 changing the status to reflect that the
15 finding is addressed in PR-12, Observations 1
16 and 2.

17 MS. ROBERTSON-DEMERS: Right.

18 MEMBER MUNN: So, since that is
19 the case, then if you are going to address
20 these issues, then from the Subcommittee's
21 point of view, they need to be addressed in

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1 PR-12, since I'm not sure how we want to make
2 the two equitable, and perhaps we can't
3 resolve it here. Perhaps some of us need to
4 sit and identify the mechanics of precisely
5 how we want to proceed with that.

6 But PR-12 is currently in a state
7 of flux with respect to the Subcommittee's
8 findings. So how we proceed is not going to,
9 I think, affect much that is going on here,
10 other than for us to come to the conclusion
11 how you are going to deal with each of the two
12 and who's got the action. I think that is
13 really and truly what it boils down to.

14 I don't know what to tell you
15 other than I will be glad to sit down offline
16 with those of you who are intimately involved
17 with this and talk about what we can do with
18 PR-12.

19 CHAIRMAN GIBSON: Yes, why don't
20 we do that? Let's put these on hold until we
21 can decide how to do it.

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1 MEMBER MUNN: Yes.

2 CHAIRMAN GIBSON: And just move on
3 on the agenda to the next item there.

4 MEMBER MUNN: I think that would
5 be the wisest thing to do right now because,
6 otherwise, we are going to get caught up in
7 who's on first with these.

8 MEMBER BEACH: Mike, before we
9 move on to the next topic, can we try to see
10 if we are working to the same version?

11 CHAIRMAN GIBSON: Yes.

12 MEMBER BEACH: The latest one I
13 could find was 12/3/09, but I am sure there
14 was one after that, but I don't seem to be
15 able to find it. So, maybe what I see, I've
16 got some markups. So, if anybody can look and
17 see what their latest copy of --

18 CHAIRMAN GIBSON: About which doc,
19 though?

20 MEMBER BEACH: It's the Outreach
21 Draft Implementation Plan, and we are looking

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1 at --

2 MR. KATZ: No, that would be the
3 latest, I think.

4 MEMBER BEACH: Yes, I just wanted
5 to make sure.

6 MR. KATZ: I didn't bring it with
7 me this time: my version of it.

8 CHAIRMAN GIBSON: The one I am
9 looking at is SC&A looked at -- Objective 3
10 was sent by Joe on May 18th, 2010.

11 MEMBER BEACH: Okay. So that is a
12 separate one then. I have that.

13 MR. KATZ: So I think what Mike is
14 referring to is actually an Implementation
15 Plan for Objective 3, right? Is that what you
16 were referring to from May?

17 CHAIRMAN GIBSON: The Review Plan.

18 MR. KATZ: The Review Plan, but it
19 is the implementing -- yes. And what Josie is
20 talking about, I think, is the whole
21 framework, right, Josie?

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1 MEMBER BEACH: Yes.

2 MR. KATZ: Yes. So that makes
3 sense. So, Josie, I think your framework is
4 the correct framework still.

5 MEMBER BEACH: Okay, but we are
6 looking at the thing Joe sent?

7 MR. JOHNSON: But Joe transmitted
8 something in May, right, that was a proposal
9 for a path forward for reviewing Objective 3?

10 MEMBER BEACH: Okay.

11 CHAIRMAN GIBSON: Do you have that
12 document, Josie?

13 MEMBER BEACH: I do. I just have
14 to find it again.

15 CHAIRMAN GIBSON: I'll give that
16 to you, Wanda.

17 MEMBER MUNN: Thank you. It was
18 May you're looking for?

19 MR. KATZ: Yes, that sounds right.

20 CHAIRMAN GIBSON: It is dated May
21 18th.

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1 MEMBER BEACH: Is it Review --

2 okay, I've got it, yes. Thank you.

3 CHAIRMAN GIBSON: Shall I send it
4 to you, Wanda?

5 MEMBER MUNN: I think I'll find
6 it.

7 MR. KATZ: Kathy, do you have any
8 printed copies of that?

9 MS. ROBERTSON-DEMERS: Just this
10 one.

11 MR. KATZ: Okay.

12 MS. ROBERTSON-DEMERS: Do we need
13 to make copies?

14 MR. KATZ: Well, that's what I was
15 going to ask. If any people want me to make
16 copies, I can run down there.

17 MEMBER MUNN: I think we are okay.

18 CHAIRMAN GIBSON: Yes.

19 MEMBER MUNN: Yes, I think so.

20 That's where we are, right?

21 CHAIRMAN GIBSON: Yes.

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1 MEMBER MUNN: That's what our
2 discussion is about, right?

3 CHAIRMAN GIBSON: Yes.

4 So Joe has already left us.
5 Kathy, Arjun, do you want to pick up the
6 pieces here?

7 MR. KATZ: So, Arjun, we are
8 talking about Objective 3, the Review Plan for
9 Objective 3.

10 DR. MAKHIJANI: Oh, yes. Sorry.

11 Yes, I think earlier Kathy and I
12 were kind of discussing that we might select a
13 few of the recent examples. I mean Grady was
14 talking about the changes that have occurred
15 in these Evaluation Reports, worker gathering-
16 information meetings where you gather the
17 information, and then it is referred to in the
18 Evaluation Report, and there are SRD numbers.

19 So, a lot of the discussion at
20 least that I have contributed would be useful
21 for us to review are those minutes and to see

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1 how they were incorporated, and you know,
2 maybe to talk to one or two of the
3 interviewees and the document preparer who
4 requested the meeting. Something like that I
5 think might constitute an example of an
6 evaluation.

7 I don't know. What do you think,
8 Ted?

9 MS. ROBERTSON-DEMERS: Do you want
10 me to read through the bullets that we have in
11 here?

12 MR. KATZ: Yes, please do. Please
13 do, Kathy.

14 MS. ROBERTSON-DEMERS: We have
15 proposed to do the following. Does everybody
16 remember what the Objective 3 was or do I need
17 to --

18 MR. KATZ: Go ahead and restate it
19 to get everybody on track.

20 MS. ROBERTSON-DEMERS: Determine
21 whether OCAS is giving thorough consideration

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1 to information received by workers through the
2 worker outreach efforts, incorporating
3 considerations of that material into its work
4 products as appropriate and adequately
5 communicating the impact of substantive
6 comments to the workers.

7 Okay, that was the objective. And
8 what we had proposed was to identify technical
9 worker documents issued without the benefit of
10 worker outreach meetings or any other form of
11 having worker input.

12 Okay, that was one. So, what
13 technical work documents were issued without a
14 worker outreach meeting?

15 Identify technical worker
16 documents issued within 90 days of the
17 relevant worker outreach meeting for which no
18 subsequent revisions of technical work
19 documents, such as Site Profiles, were issued
20 within two years of receiving any substantive
21 input from the outreach meeting. This would

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1 require that SC&A evaluate whether substantive
2 comments were provided that deserve
3 consideration.

4 So we have to get into review of
5 the meeting minutes and comments provided at
6 the worker outreach meetings.

7 Okay. Identify recurrent
8 substantive worker comments related to
9 specific sites from the inception of the
10 worker outreach program. Evaluate how this
11 information was incorporated into technical
12 work documents and whether and how responses
13 were handled with the commenters.

14 Next, identify worker input
15 provided through other worker outreach venues,
16 including the website docket, invited forums,
17 dose reconstruction workshops, and formal
18 letters submitted to NIOSH by workers,
19 petitioners, and other interested parties.
20 Evaluate how this data was incorporated into
21 technical worker documents and whether and how

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1 responses were provided to the commenters.

2 And finally, identify substantive
3 site expert input collected as a part of Site
4 Profile and/or SEC evaluations. Evaluate how
5 this information was documented and
6 incorporated into technical work documents.

7 So, basically, taking the
8 different venues of worker outreach,
9 considering say, a sampling of the comments
10 provided, and following it through on how it
11 was incorporated into technical work documents
12 and, also, how responses were being provided
13 to the commenter that provided those
14 substantive comments.

15 MEMBER MUNN: I now recall when I
16 first read this communication that my single
17 immediate reaction was this document is
18 proposing a level of effort which is mind-
19 boggling to consider. There are certainly
20 benefits to be considered in those five
21 bullets, but if this body determines to do

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1 this, it seems imperative that we place
2 limitations on the scope of this work at the
3 outset. This could really take years to
4 complete if it were done in an extensive
5 manner.

6 It might behoove us to consider
7 the possibility of evaluating these points
8 individually and do a cost-benefit analysis in
9 terms of what we achieve if we complete some
10 or all of these.

11 These are certainly wonderful
12 goals. I am not at all sure whether the
13 program in its broadest sense would receive an
14 adequate benefit for the expenditure of
15 effort. And I am not at all sure whether that
16 has even been considered or whether this was
17 just these are things we could do or whether
18 the magnitude of effort has even been thrown
19 into the mix yet.

20 As best I can tell when I read
21 this, it was my thought that these are

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1 excellent goals, but I don't know what the
2 reaction of others was.

3 DR. MAURO: Wanda, would you mind?

4 I would like to take a shot at that because I
5 am tracking our budget and report it every
6 month.

7 And you are correct, if we were to
8 take on a program like this, it would
9 definitely stress my ability to contain our
10 budget within the limits we have for
11 ourselves.

12 One suggestion might be, if it is
13 desired by the Work Group to do something like
14 this, it might be like the dose
15 reconstructions. You know, the Board picks 30
16 each year for us to look at, based on whatever
17 criteria that they have developed, which keeps
18 the cost contained and still accomplishes
19 quite a bit, because we get a nice cross-
20 section of different cases and we report back.

21 It accomplishes its intent.

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1 Perhaps one or two, one Site
2 Profile could be selected, perhaps a recent
3 one, that might have been done at a time that
4 was at the same time that PROC-12 has been in
5 place, and just look at one.

6 Or, alternatively, this is
7 something that NIOSH could do and report back
8 to the Board. Then, of course, the Board,
9 with our help, as you see fit, could review
10 NIOSH's report on that matter.

11 I mean, so there are ways. I
12 certainly would agree 100 percent that, to try
13 to do this on many Site Profiles or ERs, the
14 cost would be burdensome. But I don't think
15 it is necessary that a lot of them be looked
16 at this way.

17 It is sort of like the Site
18 Profiles, I'm sorry, the dose reconstructions.

19 A reasonable sample would give insight.
20 Especially if it is picked randomly or picked
21 under certain criteria, it might accomplish

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1 what you are trying to accomplish.

2 MS. ROBERTSON-DEMERS: I think it
3 was always our intent to do a sample. A
4 sampling, because of the different venues, may
5 be easier if we pick a site or a couple of
6 sites.

7 MEMBER BEACH: I think I agree
8 with what Wanda said completely. I think
9 maybe a site, to see what the product is going
10 to look like, what the value is. I hate to go
11 in and spend money to decide how much money we
12 are going to spend. Maybe just pick a site,
13 one that we agree that's --

14 MS. ROBERTSON-DEMERS: Well, keep
15 in mind, the first bullet on there, it is
16 really not relevant to just one site. It has
17 to do with identifying sites where there was
18 no worker outreach meeting, but there is a
19 Site Profile.

20 MEMBER BEACH: True.

21 MS. ROBERTSON-DEMERS: So some of

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1 these are broader. There's not a lot of time
2 commitment to it.

3 MEMBER BEACH: Yes, that one, it
4 seems like we could do that fairly quickly,
5 bullet No. 1. It's the Identify technical
6 worker document. Yes, that would be
7 interesting.

8 CHAIRMAN GIBSON: Well, I think
9 that sounds good. I think bullet No. 1 is
10 doable. I think it would give us an overall
11 picture, a good picture. But, then, we would
12 come up with each site that meets all the
13 criteria of the bullets that would be a good
14 candidate to look into.

15 MEMBER BEACH: I guess, from that
16 very first bullet, what if you did that first
17 bullet, identified the sites where there was
18 worker input and where there wasn't, and then
19 maybe pick a site to do that had worker input
20 and one that didn't have worker input? I
21 mean, is that of value?

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1 MS. ROBERTSON-DEMERS: I don't
2 know how we would gauge the effectiveness of
3 something that didn't have worker input.

4 MEMBER BEACH: Well, I guess we
5 wouldn't be able to. I was thinking of the
6 other side of it.

7 MR. CALHOUN: Is there any way to
8 keep -- it seems like this is going to be a
9 never-ending task. Is there any way to
10 subtract that from this Work Group meeting,
11 you know, the ongoing review, so that you can
12 close out the issues in this Work Group
13 meeting?

14 I mean we have got, with the dose
15 reconstruction evaluation, that goes on and on
16 and on. It will never stop. It seems like it
17 might be smart to divorce the on-and-on review
18 of worker input and taking some, like John
19 suggested, if that is the way you decide to
20 go, divorce that from this Work Group meeting.
21 We would start a different task or something,

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1 so that this Work Group meeting can actually
2 end at some point.

3 MR. KATZ: Well, I mean I think it
4 makes sense, at this point at least, to pilot
5 it here because I don't know really what other
6 work group would take on sort of oversight of
7 this.

8 MR. CALHOUN: Well, we first
9 sample, but John suggested an ongoing --

10 MR. KATZ: But let's just see what
11 comes one step at a time, is what I would
12 suggest.

13 CHAIRMAN GIBSON: And that is also
14 going to be a decision that the Board makes,
15 if they want to separate this out.

16 MEMBER BEACH: Well, and this is
17 part of our mission. This is what we created
18 for this work group.

19 CHAIRMAN GIBSON: Right.

20 MR. KATZ: This certainly does fit
21 under this work group's authority.

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1 CHAIRMAN GIBSON: The issues and
2 things like this on this matrix, you know, we
3 can have another meeting to get these closed
4 out. But there's going to be ongoing things
5 to do with worker outlook for the foreseeable
6 future, I think.

7 DR. MAURO: I had another idea
8 that goes along with this. It just dawned on
9 me.

10 For example, let's say right now
11 there are a couple of sites that are really
12 undergoing very, very detailed investigation
13 or have undergone very detailed investigation.

14 Certainly, Savannah River is undergoing a lot
15 of investigation, Mound, and others like
16 Nevada Test Site, this has been done.

17 What I'm getting at is there are
18 certain Site Profiles and Evaluation Reports
19 where SC&A is intimately familiar with them.
20 Unfortunately, many of them are pretty old.
21 But if there is one or two that we have

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1 basically reviewed or are close to completing
2 our review, then it just simply becomes a
3 matter of let's go into the tracking system,
4 and my guess is at a relatively quick
5 turnaround, we could say the degree to which
6 the collection of information that is in the
7 tracking system for that particular facility,
8 as long as the timing is right, that is, that
9 the information came in and then the Site
10 Profile, or whatever, came out, you know, it
11 was some time period after.

12 We could probably, my guess is --
13 I mean this sounds a little optimistic, but
14 the people who are doing the work on the
15 different sections could quickly read the
16 tracking system data, and right off the bat
17 say the degree to which any particular issue
18 raised or question or piece of information has
19 been reflected in that Site Profile.

20 So, my first reaction was this is
21 an enormous task, but, then, a light just went

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1 on. For ones we already did, it is not. For
2 ones we need to do in the future, yes, it
3 effectively would require us to review the
4 Site Profile the way we would normally review
5 any Site Profile, which is quite an
6 undertaking, and include as part of that the
7 degree to which the comments were, in fact,
8 captured in the product.

9 So, anyway, that was just another
10 thought. If we pick judiciously, it is not
11 going to be burdensome.

12 DR. MAKHIJANI: John, I hate to
13 disagree with you on the record here.

14 DR. MAURO: Okay.

15 MR. KATZ: That's fine.

16 DR. MAKHIJANI: In the spirit of
17 just thinking out loud, you know, the tracking
18 system is just a piece of this. The essence
19 of this objective, as I see it, is to kind of
20 see what happened substantively to the product
21 that NIOSH produced.

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1 I think you don't want to be
2 unfair. You don't want to shortcircuit that.

3 If we do one, we should do it properly, and
4 you don't want to be unfair to the authors,
5 and you do want to give credit where they
6 actually went out, took information, and it is
7 reflected. If something really important
8 slipped through the cracks and some worker is
9 sad, you want to be able to reflect that, so
10 that you have a document.

11 And I agree with Mike and what Ted
12 said. At this stage, I think you may need to
13 do one.

14 But for Grady's concern, I think
15 you can close out the procedure review,
16 because I think how you are going to fix the
17 procedure, and then this can be an ongoing or
18 not ongoing exercise, depending on what the
19 Board and NIOSH decide. It can be separated
20 from the procedure review.

21 But I think this one will take

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1 some work. I think we should do it very
2 carefully and deliberately and be fair and
3 talk to the people who have done the
4 interviews and talk to the people who prepared
5 the documents, and not kind of jump to a
6 conclusion about what's there and what's not
7 there. At least that is my opinion.

8 DR. MAURO: Arjun, I completely
9 respect your opinion, and no need to
10 apologize. This is what a work group is for.
11 Thank you.

12 DR. MAKHIJANI: Thank you, John.

13 MEMBER BEACH: I would remind you,
14 the procedure is just a small part of what
15 this work group is, was formed for.

16 MEMBER MUNN: With one
17 prerequisite in discussing this first bullet,
18 for the slow member of the Work Group, we need
19 to be very clear in specifying -- I would like
20 to see an exhaustive list of what constitutes
21 your concept of a technical worker document.

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1 What are we talking about? We
2 have all kinds of documents that we use that
3 are technical documents that are worker
4 documents. If we are going to set forth as a
5 goal to examine a technical worker document,
6 let us first make a list, so that we know what
7 we are talking about.

8 Are we talking about Site
9 Profiles? Are we talking about Technical
10 Basis Documents? What are we talking about?

11 MS. ROBERTSON-DEMERS: Site
12 Profiles --

13 MEMBER MUNN: What's on the list?

14 MS. ROBERTSON-DEMERS: Evaluation
15 Reports.

16 MEMBER MUNN: Okay, you're going
17 to list them now, so that we will have it on
18 the record.

19 MS. ROBERTSON-DEMERS: Site
20 Profiles, SEC Evaluation Reports. The reason
21 we generalize it is because it could be a TIB.

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1 It could be a generic procedure. I mean
2 that's the three that I know of.

3 MEMBER MUNN: So we have three.
4 Anybody going for four?

5 MR. KATZ: Well, I'm trying to
6 understand. I mean I understand what we were
7 talking about just a moment ago on this
8 Objective 3, I mean this Bullet 1. I don't
9 have it in front of me, but I'm trying to
10 understand.

11 Are you trying to do a survey to
12 see how many technical documents that are
13 site-specific don't have, didn't involve any
14 component of worker outreach? Is that the
15 question you are trying to answer?

16 MEMBER MUNN: It says, identify
17 technical worker documents issued without the
18 benefit of a worker outreach meeting or any
19 other form of evident worker input.

20 MR. KATZ: So, I mean that
21 includes interviews of workers and all the

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1 other different venues. Is that what you
2 mean?

3 MS. ROBERTSON-DEMERS: Okay. I'm
4 going to throw out an example.

5 MR. KATZ: Yes, please do.

6 MS. ROBERTSON-DEMERS: Take Sandia
7 National Lab, okay, first on my list. There
8 was no worker outreach meeting. All I want to
9 do is identify that.

10 MR. KATZ: I'm just trying to
11 understand. So, I mean, a worker outreach
12 meeting is just one approach to getting worker
13 input, right?

14 MS. ROBERTSON-DEMERS: Right. And
15 then, we might go and see if there is any
16 documented communications associated with
17 that.

18 MR. KATZ: So, my question is, are
19 you trying to do some sort of comprehensive
20 survey, just to identify which documents might
21 have no worker input whatsoever? Is that the

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1 goal of this part of the evaluation?

2 MS. ROBERTSON-DEMERS: I think
3 that mainly the goal of this particular item
4 was to look at whether there was a worker
5 outreach meeting, an opportunity for people to
6 provide input, or site expert interviews
7 associated.

8 DR. MAKHIJANI: Are we talking
9 about different bullets? I think you're
10 talking about the first bullet, and I was
11 talking about the last bullet.

12 MR. KATZ: Yes. No, exactly,
13 that's what I'm trying to distinguish. We are
14 talking about different bullets.

15 MEMBER MUNN: Yes, we are.

16 MR. KATZ: And so, I think it
17 sounds like we have talked a bit about
18 choosing one site for what you were talking
19 about, Arjun.

20 DR. MAKHIJANI: Yes, right.

21 MR. KATZ: And what John was

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1 talking about. This is an entirely separately
2 thing.

3 My only concern is that, I mean,
4 you could sort of randomly pick something that
5 you might know about and explore them, but if
6 you are going to look at every, if you are
7 going to do a comprehensive survey to see how
8 many documents there are that had no worker
9 outreach, and then, if you are going to have
10 to dig into expert interviews and other venues
11 by which they get input from workers, I mean
12 that is a horribly big job, it seems like.

13 And then, it is also highly
14 retrospective since so many of the TBDs were
15 done quite a long time ago and don't have a
16 lot of value for looking forward.

17 MR. CALHOUN: And what do you do
18 with them after you identify them?

19 MS. ROBERTSON-DEMERS: What you do
20 with them is you decide whether that's okay
21 that they didn't have any worker outreach.

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1 MS. ELLIOTT: Well, the website
2 would be a perfect way to check all that out
3 very quickly.

4 MS. ROBERTSON-DEMERS: Yes.

5 MS. ELLIOTT: Because you have the
6 website that has the list of worksites. Each
7 worksite, you can click on the worker outreach
8 link.

9 MS. ROBERTSON-DEMERS: Right.

10 MS. ELLIOTT: You can click on the
11 TBD links.

12 MS. ROBERTSON-DEMERS: Right.

13 MS. ELLIOTT: And the TBD front
14 pages have whether or not there were worker
15 comments from worker outreach that affected
16 the TBD.

17 MR. KATZ: Yes, but that won't
18 tell you whether there was worker outreach.
19 That will only tell you whether there was
20 anything that was actually cited in the TBD.

21 MS. ELLIOTT: If you go to the

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1 worksite and click on worker outreach, you
2 will see whether or not there was worker
3 outreach.

4 MR. KATZ: Well, worker outreach
5 meeting.

6 MS. ELLIOTT: Correct.

7 MR. KATZ: Yes, which is one venue
8 for getting worker input.

9 MS. ELLIOTT: Okay, but you're
10 talking about whatever might be in that
11 review.

12 MR. KATZ: But, I mean, they may
13 have interviewed people individually as
14 opposed to doing worker outreach, and so on.
15 You wouldn't capture that there. So you are
16 not answering the whole question by looking at
17 that.

18 MS. ELLIOTT: Right, but likely
19 that would be in the SRDB.

20 MR. KATZ: Yes, that is another
21 source.

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1 MEMBER MUNN: Which is one
2 technical document. That is why I was saying
3 from the outlet, I would like to see an
4 exhaustive list of what we are --

5 MS. ROBERTSON-DEMERS: Well, I
6 think you go through the Technical Basis
7 Documents.

8 MEMBER BEACH: So, but to what
9 end? Okay, say we do all that work and we
10 figure it out. What are we going to do with
11 it? At this point, why do we need it?

12 MS. ROBERTSON-DEMERS: Let me give
13 you an example, okay? Sandia National Lab,
14 Livermore, had no worker outreach. Why did
15 you need a worker outreach? Well, I cannot
16 tell you how much --

17 MEMBER BEACH: Okay, now let's not
18 confuse it because I know why we needed a
19 worker outreach, but what will we do with the
20 information? How will it help Sandia if we
21 determine that they had no worker outreach?

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1 MS. ROBERTSON-DEMERS: First we
2 need to identify where there was no worker
3 outreach. Then, we need to determine whether
4 we needed it and whether they need to go back
5 and do it.

6 MR. CALHOUN: You know, that's
7 tough.

8 MEMBER BEACH: Yes.

9 MR. CALHOUN: That last sentence
10 is tough.

11 DR. MAKHIJANI: Yes.

12 MR. CALHOUN: You determine
13 whether you need to go back and do it. Okay,
14 Kathy?

15 MS. ROBERTSON-DEMERS: Or somebody
16 needs to determine whether it needs to be
17 done. And in the case of Sandia, we gained a
18 tremendous amount of knowledge just from our
19 site expert interviews that indicated to me,
20 if NIOSH had gone out and done a worker
21 outreach meeting, the Site Profile wouldn't

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1 have been deficient in the area of offsite
2 exposures because these workers were telling
3 us, every one of them --

4 DR. MAKHIJANI: Kathy, I guess it
5 is my day to disagree with my colleagues. You
6 know, we're reviewing, we've reviewed all the
7 Site Profiles or we are in the process of
8 reviewing all the Site Profiles. And it is
9 part of our procedure, when we review the Site
10 Profiles, to do worker interviews. That is
11 how you know what you know about Sandia,
12 right? We did interviews.

13 Then we have a matrix and a
14 comment resolution procedure for the Site
15 Profiles. So, what we do in practice, where
16 retrospectively there were no worker
17 interviews, something slipped through the
18 cracks, or there wasn't an outreach meeting,
19 it is part of our job in terms of our Site
20 Profile review and Evaluation Report review to
21 say that's just one of the things that happens

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1 from our procedures, you know, you interview
2 the petitioners, and so on.

3 We say, well, these three things
4 that the petitioners brought aren't reflected
5 in your Evaluation Report, or whatever, and
6 then it becomes part of our comment resolution
7 process, wherever that leads.

8 So, I actually don't -- it just
9 muddies the waters to make a list and say
10 these were the Site Profiles -- it muddies the
11 water even substantively -- these were the
12 Site Profiles.

13 Sandia was a Site Profile where
14 you didn't have worker outreach. And then,
15 you don't have anywhere there to say, well, as
16 part of the process, we actually did those
17 worker interviews, SC&A, and now NIOSH has to
18 take them into account if we learned something
19 new.

20 So, if the object is to improve
21 the technical document, which is really the

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1 ultimate objective, and to get worker input,
2 and to ensure we have a retrospective way of
3 doing that that's already there -- and you are
4 in the center of our team for that.

5 So I actually am not seeing how we
6 are going to benefit by identifying, unless
7 the Site Profile hasn't been finished yet, and
8 we haven't reviewed it, in which case we would
9 catch it in the future.

10 DR. MAURO: Arjun, this is John.

11 In effect, you're saying, if you
12 think about the Board's activities and the
13 role of SC&A as part of the process of
14 producing quality -- in a way, the way you
15 have described it is SC&A is inside part of
16 the NIOSH process, and it could be looked at
17 that way. And therefore, any value we add in
18 terms of our own work that contributes, as you
19 just described, in effect, is a step toward
20 outreach.

21 I don't think that is the mission

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1 of this -- I'll say it this way; I think this
2 work group is really on the outside of the
3 process saying, listen, is there anything
4 about the process that's right now been
5 implemented that could be improved.

6 So, even though what you said is
7 exactly correct, that is, we do
8 retrospectively capture this, and eventually,
9 through this process, if there were already
10 deficiencies, they are identified and they are
11 fixed.

12 But I don't think that is what we
13 are trying to do here. We are trying to say,
14 is there anything that could be done by way of
15 NIOSH's protocols that could help to improve
16 the product with regard to outreach?

17 So, I mean, I see what you're
18 saying, and it's interesting. I think that I,
19 for one, feel that this should be a
20 constructive process. That is, anything that
21 we are asked to do by the work group,

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1 whichever one of these items that we have been
2 covering, needs to be done in a way that is
3 not accusatory; it is not judgmental. There
4 has got to be a way to do this that says,
5 listen, there is added value.

6 I am struggling. I'm putting
7 myself in NIOSH's position right now and
8 saying, listen, how do we go through a
9 valuable process that this work group is
10 contributing, but it not be a destructive one,
11 where there is, you know, you should have done
12 this; you should have done that. It has got
13 to be a positive process.

14 And the feedback we give should be
15 things that could be added to what already is
16 being done or the documentation. It sounds
17 like an awful lot is being done by way of
18 outreach. And the only question really that I
19 heard today was, you know, you are capturing
20 all this information in your outreach program.
21 It is going into the tracking system. What

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1 is not there is a log or a record of the
2 follow-up activities and tracking that to
3 completion.

4 I think, so in a funny sort of
5 way, the criticism that we are offering up is
6 not so much with the program, but the
7 documentation of the program. And that's why
8 we were making these suggestions that maybe
9 you want to add this into your procedure,
10 these kinds of things, because when you add it
11 into the procedure, then you are sort of held
12 accountable to it. Right now, it sounds like
13 it's being done, but it is being done, you
14 know, on an ad hoc basis.

15 So, if we were to do one of these
16 things that we are talking about, it would be
17 just to shed light on the degree to which the
18 information that was valuable was, in fact,
19 captured and incorporated into the product. I
20 mean --

21 MR. KATZ: Right, John.

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1 DR. MAURO: Yes, I had to react to
2 your comment.

3 MR. KATZ: No, John, so I think we
4 are all on the same page about that. I think
5 we all agree that, take a TBD, or what have
6 you, SEC evaluation, what have you, and let's
7 thoroughly look at what input was received and
8 how it was used or not used, and so on. I
9 think we are all in agreement about that.

10 This bullet 1 that Kathy is
11 talking about, here's my concern about it,
12 which is really doing some sort of survey to
13 see, on a very narrow question -- I mean the
14 question is only, was there any worker input
15 at all?

16 It seems to me it is a very
17 broadly applied question that is extremely
18 narrow and has very little utility. And that
19 is my concern with it.

20 I mean, I understand Kathy is
21 saying Sandia, she has concerns about what

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1 happened at Sandia. And that's one case that
2 you might be concerned and want to look at
3 further.

4 But, as far as doing a survey,
5 that seems to me to have very little value
6 other than answering this simple, dichotomous
7 question, yes or no. In everything I have
8 heard, it seems like, generally, the system is
9 to try to get worker input in all sorts of
10 ways. So you are not going to find many
11 cases, I imagine, where simply nobody got any
12 worker input in any way.

13 It seems much more valuable to me
14 to dig into a couple of cases and see, what
15 information did they get and how did they use
16 it? All those rich questions that will affect
17 practice going forward and how well they make
18 use of worker input versus what seems to me
19 just a very narrow question very broadly
20 applied, and by being broadly applied, it is
21 going to take real resources to answer the

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1 question.

2 Whereas, at the end of the day, so
3 what? So you find out, okay, there were three
4 TBDs, or whatever, and one SEC -- well, there
5 will never be an SEC because you always have
6 petitioner input. But, anyway, my point is --

7 MEMBER MUNN: By definition.

8 MR. KATZ: -- it doesn't seem like
9 it has a chance of bringing a lot of
10 productive information into the fold after you
11 have done all the work, and yet it is a lot of
12 trouble.

13 So, in my view, I just don't see a
14 lot of value there for the buck, period, in
15 going down that road. If the Work Group has a
16 concern about Sandia specifically, that they
17 understand that there wasn't worker input in
18 Sandia in any form, or whatever, and wants to
19 explore that, I mean that's one thing. But I
20 don't see a survey of a narrow, narrow
21 question like that as being very valuable and

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1 a good use of SC&A resources or the work
2 group's resources. But that's just my
3 perspective.

4 MS. ROBERTSON-DEMERS: What I
5 would suggest is you guys pick a site and we
6 go through the bullets and figure out which
7 ones we are going to look at for that
8 particular site.

9 MEMBER BEACH: How about Savannah
10 River? Anybody have any other thoughts?

11 MEMBER MUNN: That's a biggie.

12 DR. MAKHIJANI: Do you want to
13 pick a site where the process is closed or
14 where the process is open? I think that is a
15 decision Mike and Josie and Wanda ought to
16 make.

17 Because Savannah River is open.
18 It is a complex beast.

19 MEMBER MUNN: Yes.

20 DR. MAKHIJANI: I mean I have no
21 objection to it. I am just pointing it out,

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1 that it is a complex beast, and it is very
2 open. There are lots and lots of issues. I
3 was just writing the status report for the
4 work group to be presented at the Board
5 meeting. It's big.

6 MEMBER MUNN: I personally would
7 not choose it, for the reasons that you have
8 just stated. It's not that it's open, but
9 because it is extremely complex. It is
10 probably one of the most complex sites in the
11 complex.

12 DR. MAKHIJANI: Hanford and
13 Savannah River are about the most complicated
14 there are, I think.

15 MEMBER MUNN: And we know, without
16 even looking, that these documents were not
17 put together in the absence of worker input in
18 those two cases that you have just mentioned.

19 DR. MAKHIJANI: Yes. Now Kathy
20 has done, in fairness, Kathy has done a lot of
21 interviews, together with NIOSH. We have had

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1 a lot of joint work. I don't know how you
2 feel about that.

3 I'm not for it or against it. I
4 am just pointing out that it is a complex
5 site. There may be value to doing it that
6 way, to picking a complex site, so you can get
7 a more rich insight, or there may be value to
8 starting with a simpler process.

9 MS. ROBERTSON-DEMERS: Well, the
10 only advantage to picking a site like that is
11 that you will have comments from other venues,
12 the docket, the website, et cetera.

13 DR. MAURO: But isn't it expected
14 that the Site Profile would reflect those?
15 You see, one of our dilemmas is, let's say
16 there's been a large data interview process
17 that has taken place at some site.

18 Let's say, for example, right now,
19 let me ask a question of NIOSH like, what site
20 right now has a nice, rich record of
21 interviews and you have populated the tracking

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1 system with a rich amount of information that
2 might be valuable to the process? Is there
3 one that comes to mind immediately?

4 MEMBER MUNN: Well, that is just
5 the reverse of what we are looking for.

6 DR. MAURO: No, no, I understand,
7 but I guess what I am getting at is, it may
8 turn out that the only ones that have rich
9 information don't have Site Profiles that are
10 up-to-date right now and are yet to be
11 revised.

12 And then, what we find is that any
13 Site Profile we look at is going to look very
14 poor in terms of reflecting this interview
15 process that has been going on.

16 See, I don't know if it is
17 possible to -- we had this problem originally.

18 We said, well, when we did our review of
19 PROC-12, we said, well, what are we going to
20 look at. And the problem was this whole
21 program with tracking is relatively new. And

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1 so, one would have a bit of a problem finding
2 sites that have accommodated and have brought
3 to fruition all this information.

4 I guess, if we could find one or
5 two off the Board, the work group, that would
6 be great. I just don't know whether or not it
7 could be done.

8 MEMBER MUNN: Let me ask a couple
9 of things. First of all, in our discussion
10 here, we seem to have narrowed our focus down
11 to Site Profiles. Is that what we are talking
12 about now? We are talking about Site
13 Profiles?

14 MS. ROBERTSON-DEMERS: No, no.

15 MEMBER MUNN: No?

16 CHAIRMAN GIBSON: We are talking
17 about the site.

18 MEMBER MUNN: All right.

19 DR. MAURO: Let me argue the
20 answer is yes. Because all ERs depend on --
21 in the end, the main concern we have is to

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1 make sure that the information base regarding
2 a given site, and what the issues are that
3 need to be closed, that need to be dealt with,
4 and how to deal with them, is the Site
5 Profile.

6 The ER, when you read an ER, it is
7 very rare that the ER stands on its own. It
8 almost always goes to the Site Profile as the
9 protocol and approach that is going to be used
10 to deal with all technical matters.

11 Even though NIOSH would be the
12 first to say that, well, all of our Site
13 Profiles are living documents. So we have got
14 a bit of a dilemma here. To me, the Site
15 Profile is the single most important document
16 that needs to reflect feedback from workers.
17 So, I would argue, no, it is the Site Profile.

18 Now I am probably getting more
19 aggressive than I should. But what else would
20 you look at?

21 MEMBER MUNN: I'm happy with Site

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1 Profiles myself.

2 MEMBER BEACH: I like the
3 Evaluation Report also.

4 DR. MAURO: And when you do the
5 Evaluation Report, remember, they always
6 reference the Site Profile. So the source
7 document, the rock that the ER stands on
8 almost always is the Site Profile.

9 CHAIRMAN GIBSON: Well, let's put
10 our thoughts on pause for a few minutes. It
11 is getting to be about three o'clock. So
12 let's open the phone lines up to any claimants
13 or workers' advocates who are on the line who
14 might want to say something. Just identify
15 yourself and make your comments.

16 MS. BARRIE: Hi, Mike. This is
17 Terrie Barrie with ANWAG.

18 CHAIRMAN GIBSON: Hi, Terrie.

19 MS. BARRIE: How are you? And
20 thank you again for allowing public comments
21 here.

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1 I do have a few thoughts I would
2 like to share with you.

3 The most recent discussion about
4 worker outreach and the Site Profiles, and
5 Kathy had mentioned that there was no worker
6 outreach at Sandia, that also happened with
7 Rocky Flats. So you folks might want to
8 consider taking a look at the Rocky Flats Site
9 Profile.

10 The Site Profile was released
11 April 2004, and the worker outreach meetings
12 were in June of 2004, after the Site Profile
13 was developed.

14 And getting back to this morning's
15 discussions, I agree with Josie when she had a
16 concern about the definition of professional
17 judgment. And I realize that everyone needs
18 to make a call here and there.

19 But when I was at the ATL meeting
20 in Cincinnati last April, I saw or I actually
21 heard two different health physicists say

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1 completely opposite things. So I would think
2 that the team would be best when deciding
3 which comments that they receive from the
4 townhall meetings is worth pursuing as opposed
5 to just one person making that decision,
6 because, you know, there's the opportunity to
7 have input from other people. I think that is
8 well worth pursuing.

9 The other idea or thought I had
10 was there was a discussion about, should every
11 comment be tracked, and I believe it should
12 be. Not every worker is aware of a worker
13 outreach meeting or they couldn't attend that
14 one, but they could attend a townhall meeting.

15 So that is about the only opportunity they
16 would have for submitting or writing the
17 letters. And I think that all of them should
18 be tracked and followed up.

19 And that is about all I have for
20 today. Thank you.

21 MR. KATZ: Thank you, Terrie.

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1 Anyone else from the public who
2 would like to comment at this point?

3 (No response.)

4 CHAIRMAN GIBSON: Last call for
5 any other workers or advocates on the phone
6 who would like to make comments.

7 (No response.)

8 Okay. Then we will get back to
9 our discussions on the Objective 3.

10 MR. KATZ: Yes. Can I just add
11 one thought to John's thought about TBDs being
12 the rock?

13 But if you are exploring how
14 worker input is made use of or not made use
15 of, whichever, I mean, I think there are
16 probably some cases with SEC evaluations, too,
17 that might be interesting and illustrative,
18 too. Some of these SEC evaluations have gone
19 on for a long time in the Board's hands with a
20 lot of petitioner input and interested worker
21 input. So, I mean, some of those may be rich

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1 examples, even though they are SEC evaluations
2 and not TBDs.

3 DR. MAURO: To respond, I agree.
4 I think if you pick an ER, all I am really
5 saying is, when you are going through that
6 process, you have all defined that you are
7 going to, in addition to all of the issues
8 that surround the ER and the petition, you are
9 going to find yourself quickly going to the
10 Site Profile --

11 MR. KATZ: Right.

12 DR. MAURO: -- as part of your
13 overall investigation.

14 MR. KATZ: Right. And for
15 example, with AWE, sometimes the TBD has less
16 weight, in effect, than all the work that gets
17 done afterwards, than it would with a major
18 DOE site.

19 DR. MAURO: Yes, that's true.

20 MR. KATZ: So, what I am going to
21 suggest, because it doesn't sound like there

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1 is an obvious candidate that everybody is
2 jumping on at once, but if we can agree in
3 principle that we are going to do this focus,
4 to begin with at least, on one site, whether
5 it is a TBD, or what have you, then I think a
6 way to go forward is to agree on that in
7 principle, if the Work Group wants to, that
8 that work ought to be done.

9 Then, I think both DCAS and SC&A
10 might go back to their quarters and consider
11 which might be a good, rich candidate to begin
12 with. I think we can task that. Then we can
13 send around the proposal for the sites. We
14 can do that by email and go forward without it
15 having to await another work group meeting.

16 MEMBER BEACH: I was going to
17 recommend Terrie's suggestion of Rocky Flats,
18 go with a closed site.

19 MR. KATZ: I mean one issue about
20 Rocky Flats is the TBD was developed a long
21 time ago, and if you are looking for value for

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1 going forward, you are dealing with a TBD that
2 was developed under sort of an old system that
3 is not in place anymore and that has been
4 improved.

5 It is not giving you a lot of bang
6 for your buck that way. So there may be a lot
7 of sort of characteristics that you find
8 lacking there, but that have already been
9 corrected. And you really want to look at how
10 things are being done, more or less,
11 contemporaneously.

12 MEMBER BEACH: So maybe a more
13 recent site like NTS?

14 MR. KATZ: So something a little
15 more recent than that.

16 CHAIRMAN GIBSON: I really don't
17 know how, I mean if a Site Profile was put out
18 when there was worker input, maybe there's
19 been some applications, but how many?

20 MEMBER MUNN: Before we go off
21 into old, old documents that were, as Ted

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1 pointed out, processed under a somewhat
2 markedly different set of circumstances, I
3 would like to hear from Kathy a little more.
4 We have been beating up on her with our
5 thoughts about these bullets.

6 And since we are focusing on the
7 first one now, Kathy, you have already
8 suggested that, from your own work, you are
9 aware that Sandia would be one of the
10 candidates for this. Do you, right off the
11 top of your head, have others that you
12 personally know of that might fit the criteria
13 you believe were in mind when this stuff was
14 first made --

15 MS. ROBERTSON-DEMERS: Well, that
16 was for --

17 MEMBER MUNN: Yes, and are you
18 still focused on the first bullet?

19 MS. ROBERTSON-DEMERS: There's a
20 couple. There's just a couple more, and I
21 don't remember off the top of my head what

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1 they were. Medina and Clarksville doesn't
2 have the worker outreach meeting.

3 MEMBER MUNN: It would be helpful
4 for me to have some information about sites
5 that you are already aware of that may be
6 deficient in this regard, rather than have us
7 start trying to search and turn over all the
8 rocks.

9 MS. ROBERTSON-DEMERS: Well, I
10 guess I am a little confused here because the
11 first bullet, and really the second bullet, if
12 we decided that we can't do anything with the
13 data once we have got it, there's not a
14 benefit to it, then do we want to go through
15 that survey? Do we not want to go through
16 that survey?

17 Bullet No. 2 is very similar
18 because it has to do with, okay, well, you did
19 a worker outreach, but you released the Site
20 Profile right after, in too short a time to
21 incorporate those comments.

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1 MR. KATZ: See, I mean I think the
2 first bullet and the second bullet, they are
3 really not part of the framework that we are
4 talking about of evaluating. Those are kind
5 of separate questions that, to me, are very
6 narrow.

7 But, anyway, if you were going to
8 take a site and you take a TBD, or what have
9 you, and you fully explore; you look at what
10 was addressed, what was not addressed, what
11 input was received -- you are looking at the
12 whole spectrum of questions related to how
13 worker input is being obtained, the extent it
14 is being obtained, and how it is being made
15 use of or not being made use of. That is sort
16 of the full spectrum of questions that you
17 want to evaluate as this Work Group. So you
18 get sort of all your bang for your buck by
19 finding a rich example and exploring it fully.

20 Whereas, these first two bullets,
21 again, they are both very narrow questions. I

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1 wouldn't expend my resources that way, if I
2 were making the choice. I think that at least
3 I wouldn't start that way. I would start with
4 your one good horse and follow up as that
5 illustrates you might need to follow up on
6 more narrow questions.

7 MS. ROBERTSON-DEMERS: If you want
8 to select a site and then look at the site,
9 that falls into the last three bullets. If
10 you want a generic survey of what is
11 available, then that is the first two bullets.

12 CHAIRMAN GIBSON: I'm still almost
13 leaning toward thinking it is necessary to
14 look at a site that the documents are closed
15 and one that is still current, both. Again,
16 Terrie gave the example of Rocky. I still
17 think there is value in how well that stuff,
18 how well those documents were modified based
19 on the worker input. That is relevant
20 because, if there needs to be more done and
21 more is done, it could affect claims that have

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1 already been denied. Then, once we see how
2 that works, then we can look at a program that
3 is currently underway to see if the program
4 has fixed the errors from the past.

5 DR. MAKHIJANI: Could I supplement
6 what Mike just said? I think, while there was
7 this problem with the Rocky Flats Site
8 Profile, that the Site Profile was issued and
9 the worker outreach meeting was done two weeks
10 later, that was in 2004.

11 Then there was an SEC petition,
12 and there was an enormous amount of
13 interaction with workers from all sides.
14 There was NIOSH's interactions with workers.
15 Some of the worker site experts were involved
16 with NIOSH in preparing the sites, which
17 caused some controversy, but, nonetheless,
18 they were involved and their input is there.
19 SC&A was involved. And the process was, you
20 know, the Board voted on it in a certain way,
21 and there is a very rich record.

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1 So I would really recommend that
2 we consider a site, and it is useful to
3 consider a site, where there's both been a TBD
4 and an SEC process. So some of the warts with
5 the TBD being issued -- it's a living
6 document; we will go back and fix it; let's
7 have something now for dose reconstruction --
8 get addressed, one way or another, to the
9 extent they are going to be, in an SEC
10 process.

11 Rocky Flats, from my point of
12 view, is fairly contemporaneous. And then, of
13 course, NIOSH developed this whole model for
14 Super S, which was in the center and there
15 were worker interviews, site expert input,
16 SC&A review. You know, there was a whole lot
17 that went on. So it is a very rich site for
18 examining these kinds of questions.

19 DR. MAURO: Arjun, I liked it,
20 and, Mike, I like the idea. I'm coming around
21 to think about this a little differently.

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1 Because what we have here is, if
2 we go back to an older site, and Rocky is as
3 good an example as any, one of the things that
4 would be revealing is how it unfolded. In
5 other words, it has a long history, and the
6 way in which information from the workers and
7 other interested parties found its way into
8 the process, got into the process, how.

9 In other words, it is almost like
10 a historical reconstruction of what transpired
11 on Rocky with respect to and from the
12 perspective of information that was acquired
13 from the workers and experts and other
14 interested parties, and the way in which it
15 came into the record and was taken into
16 consideration in decisions in the end. In
17 other words, it is almost like from an
18 historical perspective.

19 Then, if you went to a current
20 one, now I could tell you that, if you go to a
21 current one, I know of two that I am up to my

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1 eyeballs in right now. One is Linde, and the
2 other is General Steel. These are living,
3 breathing, ongoing interactions with
4 knowledgeable people about the site who are
5 continually feeding the process as the process
6 matures. And it is being factored into White
7 Papers that are unfolding in real-time.

8 This is an interesting
9 perspective. Bear with me. We originally
10 came into this thinking of it as a linear
11 process. You know, you follow PROC-12. You
12 go gather data. You've got the data. You
13 load up your tracking system, and then the
14 people who write the Site Profile go look at
15 it and use that data and follow up as
16 necessary, write a Site Profile.

17 It isn't that way. It is much
18 more a brief, living process, for better or
19 worse. I'm not saying that is the way it
20 should be, but I'm saying that is the way it
21 is.

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1 The actual interactions may start
2 out with some outreach that make it into the
3 tracking system. But, then, when the process
4 becomes richer in terms of especially when an
5 SEC hits, and there are lots of interactions,
6 I am starting to think that we are actually in
7 a process that is non-linear. Unfortunately,
8 it is non-linear because of the interaction of
9 the Board and SC&A in this overall process.

10 You know, I am almost
11 contradicting what I said before. Please bear
12 with me. I'm thinking out loud right now.

13 Is it fair to think about the
14 outreach program as a self-contained entity
15 that finds its way into the process in a
16 linear manner and then is reflected in a Site
17 Profile, and, ultimately, perhaps in an
18 Evaluation Report? Is it appropriate to think
19 about it that way?

20 Then, we, as outsiders, the Work
21 Group, and SC&A as your contractor, come in

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1 and take a look at it, and the degree to which
2 the process unfolded the way it is supposed to
3 unfold, according to the procedure. I think
4 that is how I came into thinking about this
5 when this meeting began.

6 And the more we talk about this
7 example, we're trying to find examples of
8 something we could look at, the more I realize
9 that you probably can look at it from an
10 historical perspective. That is how I came to
11 this thinking with regard to Rocky, because
12 that would be very informative, to see how it
13 actually unfolded. So I could see that having
14 value.

15 If we go to a current one, and the
16 only ones I am very familiar with right now
17 are the ones that are very alive and well and
18 interactive and unfolding in real-time, that
19 would be a very difficult one for anyone to
20 sit in judgment of regarding where you could
21 have improvements.

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1 I am not sure, but this is a
2 thought that struck me as we were having this
3 discussion. I hope that it adds a little bit.

4 MEMBER MUNN: Well, John, I am
5 sure nobody would daresay that this is a
6 linear process, for goodness' sake.

7 (Laughter.)

8 I might suggest another site that
9 might fit many of the criteria that have been
10 thrown out here today, but hasn't been
11 mentioned, and that is Bethlehem Steel. That
12 is essentially a closed matter now, but it
13 certainly, if you want to talk about outreach,
14 now there's a rich lode that you might
15 consider mining.

16 DR. MAURO: It would be a very
17 good one. It would be a little simpler than
18 Rocky, for obvious reasons.

19 But bear in mind that the
20 interaction was very -- the Board and SC&A was
21 very much involved. And Arjun could speak to

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1 that better than anyone.

2 MEMBER MUNN: Yes, it certainly
3 was.

4 DR. MAURO: In the way in which it
5 came to life, the interaction with the
6 workers, and NIOSH's interaction, and the
7 joint meetings -- so it unfolded in a way that
8 it is almost impossible to segregate out the
9 Board and its contractor from the process, if
10 that is what your intention is, to try to see
11 what has NIOSH done in terms of its PROC-12
12 and meeting its intent and whether PROC-12 is
13 functioning, is alive and well, independent of
14 the role of the Board and its contractor.

15 MEMBER MUNN: Well, it is so
16 relatively new that it gives us a much clearer
17 picture of what we would think of as current
18 process, as opposed to past historic process.

19 MR. KATZ: Are you saying
20 Bethlehem Steel is new compared to Rocky
21 Flats? Because Rocky Flats is --

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1 MEMBER MUNN: The actions that we
2 have taken on it, the input.

3 MR. KATZ: Just the Board maybe,
4 but all the work, I mean that is the most --

5 MEMBER MUNN: What I am talking
6 about is the amount of interaction and the
7 amount of worker outreach that was involved in
8 Bethlehem Steel was extensive.

9 DR. MAKHIJANI: Well, it is
10 actually quite complicated.

11 MEMBER MUNN: It is.

12 DR. MAKHIJANI: Just in terms of
13 the history, SC&A first attended a NIOSH-
14 sponsored worker outreach meeting, and I was
15 the one representing SC&A. It was the very
16 first outreach meeting we attended, and it
17 wasn't one organized by us. But a set of
18 technical observations came out of that for
19 SC&A which we used in our review.

20 The sort of upshot of that was
21 that Ed Walker, who was leading the Bethlehem

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1 Steel action group, often communicated with us
2 and put us in contact with workers who had
3 more technical information.

4 So I think it would be very
5 difficult to evaluate NIOSH's process -- and
6 then, NIOSH was also, of course, involved --
7 and untangle it from what we did.

8 I think it is worth evaluating, if
9 you want to evaluate that process, but very
10 unique in that way.

11 MR. KATZ: I think, no matter
12 which of these you choose --

13 DR. MAKHIJANI: It's going to be
14 tangled in a different way.

15 MR. KATZ: -- the untangling the
16 Board and SC&A, I don't think you will be able
17 to entirely untangle it. But you still can
18 look in a focused way at the questions of how
19 well has NIOSH been obtaining input and making
20 use of it or not making use of it. So you
21 still can look at those questions in a focused

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1 way.

2 But there is lots of sort of mixed
3 influence in that process, and none of them
4 are linear, as John said. I think that is
5 going to be true in every case.

6 DR. MAKHIJANI: No, no, I agree
7 with you, Ted. Certainly, I wasn't saying
8 don't look at Bethlehem Steel.

9 And in retrospect, I think you're
10 right. It is going to be difficult to
11 untangle. Rocky Flats would also be difficult
12 to untangle.

13 MR. KATZ: Sure.

14 MEMBER BEACH: And at the risk of
15 moving forward --

16 (Laughter.)

17 -- let's decide on Rocky or take a
18 vote. Because I would like to see us start
19 with Rocky. I mean, I think we can argue all
20 day about it or discuss all day the merits of
21 all the sites, but Rocky would give us a good

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1 place to start, I think.

2 MR. KATZ: Yes. I mean, from what
3 I said before, I think Rocky, given all the
4 SEC work that happened after the TBD and
5 everything, I think that is a rich example to
6 plumb.

7 CHAIRMAN GIBSON: So are the rest
8 of the Work Group Members okay with tasking
9 SC&A to start on Rocky?

10 MEMBER MUNN: No, I would oppose
11 that, but it is interesting. I wondered how
12 Rocky was going to get back on the table.

13 (Laughter.)

14 MEMBER BEACH: And we're talking
15 the last three bullets here.

16 MEMBER MUNN: Yes, we are talking
17 getting Rocky back on the table. That's what
18 we're talking about.

19 CHAIRMAN GIBSON: We're talking
20 let's see if there is a problem with the
21 system, I believe.

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1 MEMBER BEACH: Yes, that's what I
2 think.

3 MR. KATZ: I mean the focus is
4 worker outreach, not --

5 MEMBER BEACH: Yes.

6 MEMBER MUNN: Today.

7 MR. KATZ: I think there needs to
8 be more sort of the methodology clarified
9 beyond these bullets. It seems to me at least
10 that there is not a really clear methodology
11 laid out yet, and I think it would be useful
12 for the work group to have that to see exactly
13 what the sort of path forward for how to do
14 it.

15 I mean, it is going to take you
16 some thinking on your part to produce that.

17 MS. ROBERTSON-DEMERS: So
18 something like more -- we will review the
19 docket, you know, kind of a step-by-step?

20 MEMBER MUNN: And how many of
21 these technical worker documents involving

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1 Rocky are we going to be looking at?

2 MS. ROBERTSON-DEMERS: I thought
3 we were looking like a step-by-step?

4 MR. KATZ: Yes, I don't really
5 mean -- well, the methodology, I mean really,
6 yes, you have to consider what sources you are
7 going to for information, how you are going to
8 evaluate those sources of information.

9 I mean, I can't do it on the spur
10 of the moment here, but I could explain an
11 evaluation methodology to you with some
12 thoughts.

13 DR. MAKHIJANI: Yes, I see your
14 point, Ted, yes.

15 MEMBER BEACH: Starting with the
16 bullets?

17 MR. KATZ: I mean the bullets are
18 not really a methodology. They are just --

19 MEMBER BEACH: But I mean start
20 with where you are going to take that, yes.

21 DR. MAKHIJANI: Why don't we try

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1 this on for size? I think, Kathy, what we
2 might consider as a next step to develop is to
3 tell the Working Group and NIOSH, Ted, the
4 way, how we are going to conclude when a
5 certain statement -- so, starting with a TBD,
6 then a lot of the technical conclusions of the
7 TBD are modified along the way. And how we
8 are going to decide which modifications arose
9 from worker inputs, with a simplest example
10 being the worker input that Super S was not
11 considered and a Super S model was developed.

12 So that is sort of Exhibit A, very simple
13 case that we have done.

14 But that is an example of what I
15 think you are looking for, right? How are we
16 going to conclude that worker input was
17 ignored on the one extreme or fully taken into
18 account and incorporated, or it wasn't
19 relevant, and therefore, justifiably, you
20 know --

21 MR. KATZ: Yes. I mean you start

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1 at the top with your evaluation questions.
2 What are your very specific evaluation
3 questions for this particular, if we say Rocky
4 Flats, what are your evaluation questions?
5 Then, how are you going to answer those? You
6 have to sort of lay out. It is a hierarchy
7 for an evaluation plan.

8 MS. ROBERTSON-DEMERS: Well, and
9 we have partially got that answered in our
10 questions under Objective 3.

11 MR. KATZ: Yes, right, that is
12 very broad and generic, exactly. Now you have
13 to just sort of lay out the details of how you
14 are going to go about that. Right.

15 DR. MAKHIJANI: And we should
16 translate that for Rocky and tell you, here is
17 what we are going to look at for Rocky Flats.

18 MR. KATZ: Right. Here's what
19 we're going to look at and how we are going to
20 look at it.

21 But I just think that would be

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1 helpful, so that, then, if the Work Group has
2 thoughts about other ways to go about that
3 evaluation, whatever, they can give you input
4 on that.

5 DR. MAKHIJANI: Yes.

6 MR. KATZ: And you will need to
7 have a game plan anyway before you actually
8 get started.

9 DR. MAKHIJANI: I agree.

10 MS. ROBERTSON-DEMERS: Okay. So,
11 are we going to pretend like we are doing it
12 for Rocky and then come up with a game plan?

13 MR. KATZ: Oh, yes, not pretend.
14 I think you decided that you are going to do
15 it for Rocky.

16 MS. ROBERTSON-DEMERS: Okay.

17 MR. KATZ: So that sounds good.

18 DR. MAKHIJANI: I agree.

19 MEMBER BEACH: Well, whatever is
20 formulated needs to be able to be consistent.
21 So, if this is the first one, the next one we

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1 do, it needs to be consistent, so that the
2 worker can --

3 MR. KATZ: Well, you may learn
4 lessons in this first one, too --

5 MEMBER BEACH: Sure, sure.

6 MR. KATZ: -- and, then, make
7 improvements. But the planning part of any
8 evaluation study is really important for
9 getting good answers.

10 DR. MAKHIJANI: And this is a
11 really new activity.

12 MR. KATZ: Right, it is totally
13 new, right. You haven't done this kind of an
14 evaluation before. So you are really sort of
15 cutting a new path here.

16 CHAIRMAN GIBSON: Okay. So, it
17 looks like now they have been trying to make
18 sure we got everything covered, what we have
19 done today, what actions we have got going
20 forward, and trying to get a timeframe on
21 that, and see if can we just schedule another

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1 meeting or if it is too early to do that.

2 DCAS is going to look at some
3 issues in the matrix and make some modified
4 statements or portions of procedures and get
5 back with us.

6 And SC&A is going to put together
7 a draft plan for reviewing the Rocky Flats
8 plant and get that back to us.

9 Is there anything else that I have
10 forgotten?

11 (No response.)

12 So, do we have any idea from DCAS
13 or from SC&A how long it is going to take you
14 to have some of these actions filled and ready
15 for us to get back together?

16 DR. MAKHIJANI: Kathy, by the time
17 of the Board meeting, just after the Board
18 meeting?

19 MS. ROBERTSON-DEMERS: Yes, we
20 probably could --

21 DR. MAKHIJANI: I've got my hands

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1 full with Savannah River. I would like to
2 kind of work along with you on this.

3 MS. ROBERTSON-DEMERS: So we could
4 probably pull it together. We also need to
5 update the matrix, and there was one other
6 action item we had.

7 DR. MAKHIJANI: Okay.

8 CHAIRMAN GIBSON: And, J.J., do
9 you have any idea how long it may take you to
10 make some of these changes?

11 DR. MAKHIJANI: I wasn't
12 suggesting meeting before the Board meeting.

13 MR. KATZ: It's not going to
14 happen.

15 DR. MAKHIJANI: I was suggesting
16 that Kathy and I kind of produce an internal
17 draft by the time of the Board meeting, so we
18 can talk at that time.

19 MR. CALHOUN: We don't need to get
20 this done for the next Board meeting. Before
21 the next Work Group meeting.

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1 MR. KATZ: Well, yes, that's what
2 Mike is looking for a target date for the next
3 work group meeting.

4 MR. CALHOUN: When do you want to
5 have the next work group meeting?

6 CHAIRMAN GIBSON: We are leaving
7 it up to you guys. What about --

8 MR. KATZ: In December? It will
9 be in December, right?

10 CHAIRMAN GIBSON: Yes.

11 MR. KATZ: Is the December
12 timeframe practical for you to be able to
13 follow up on some of these items?

14 MR. CALHOUN: I think so. We
15 think so.

16 MR. KATZ: You don't have to put
17 them all to bed, but like, for example,
18 looking at the feasibility question for
19 tracking, and so on.

20 MR. JOHNSON: Challenging, but
21 doable.

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1 MEMBER MUNN: December 2nd?

2 MR. KATZ: I would say, why don't
3 we push it a little later in December?
4 Because people are going to be very busy
5 preparing for the Board meeting.

6 MR. CALHOUN: And Thanksgiving.

7 MR. KATZ: Thanksgiving is there,
8 too.

9 MEMBER BEACH: So, are we thinking
10 after the holidays, like the last week of
11 December?

12 MR. KATZ: I was thinking before
13 Christmas, but not the first week in December
14 maybe, if that's possible.

15 Let's see, we already have, let me
16 tell you when we have something already
17 scheduled because that might help some folks,
18 too.

19 We have, let's see, okay,
20 actually, what we have scheduled is the first
21 week of December. So, how are people's

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1 calendars for the week of the 13th through the
2 17th?

3 MEMBER BEACH: Mine is good at the
4 last part of the week.

5 DR. MAKHIJANI: I'm not available
6 on the 17th. I know that. I have to look at
7 my calendar.

8 MEMBER BEACH: The 16th?

9 MR. KATZ: The 16th? How is the
10 16th for people's calendars? That is a
11 Thursday. That is the week before Christmas
12 week. How's that? Wanda, okay, and Phil?

13 MEMBER SCHOFIELD: No, I don't
14 think I have got anything scheduled that week.

15 MR. KATZ: Mike?

16 Kathy, is that good for you?

17 MS. ROBERTSON-DEMERS: That's
18 fine, as far as I know.

19 MR. KATZ: You're happy with it?
20 Is that good?

21 MEMBER BEACH: Yes, that's good.

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1 MR. KATZ: Okay. So, why don't we
2 do that, December 16th? That gives everybody
3 something to shoot at.

4 MEMBER BEACH: Mike, are you going
5 to gather up the action items and send them
6 out to us?

7 MR. KATZ: I think, Josie, the
8 practice is for SC&A and DCAS each to send an
9 email with their action items to the full work
10 group.

11 MEMBER BEACH: Okay.

12 MEMBER SCHOFIELD: Well, see,
13 that's close enough to Christmas that, if
14 anybody wants to spend Christmas in Denver,
15 you can come through Denver airport.

16 MR. KATZ: Are you saying we
17 should be meeting in Denver? Is that what you
18 are saying?

19 MEMBER SCHOFIELD: I'm saying
20 don't go through Denver at that time.

21 MR. KATZ: Oh, okay, I got you.

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1 MEMBER SCHOFIELD: We had people,
2 you'll remember, a few years ago, who spent
3 from Christmastime to the first of the year in
4 the airport. They couldn't get out.

5 MR. KATZ: Are we ready to
6 adjourn?

7 CHAIRMAN GIBSON: Yes, anything
8 else for the meeting today?

9 (No response.)

10 If not, this meeting will be
11 adjourned.

12 MR. KATZ: Thank you, everyone,
13 for your hard work, on the line and in the
14 room.

15 And have a good rest of the week.
16 Take care.

17 (Whereupon, the above-entitled
18 matter went off the record at 3:31 p.m.)

19

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