

This transcript of the Advisory Board on Radiation and Worker Health, Teleconference Board Meeting, 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 Advisory Board for accuracy at this time. The reader should be cautioned that this transcript is for information only and is subject to change.

UNITED STATES OF AMERICA

CENTERS FOR DISEASE CONTROL

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NATIONAL INSTITUTE FOR OCCUPATIONAL
SAFETY AND HEALTH

+ + + + +

ADVISORY BOARD ON RADIATION AND

WORKER HEALTH

+ + + + +

74th MEETING

+ + + + +

WEDNESDAY

JANUARY 12, 2011

+ + + + +

The meeting convened at 11:00 a.m., Eastern Standard Time, via teleconference, James M. Melius, Chairman, presiding.

PRESENT:

JAMES M. MELIUS, Chairman
HENRY ANDERSON, Member
JOSIE BEACH, Member
BRADLEY P. CLAWSON, Member
R. WILLIAM FIELD, Member
MICHAEL H. GIBSON, Member
MARK GRIFFON, Member
RICHARD LEMEN, Member
JAMES E. LOCKEY, Member
WANDA I. MUNN, Member

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JOHN W. POSTON, SR., Member

PRESENT: (continued)

ROBERT W. PRESLEY, Member

GENEVIEVE S. ROESSLER, Member

PHILLIP SCHOFIELD, Member

PAUL L. ZIEMER, Member

TED KATZ, Designated Federal Official

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REGISTERED AND/OR PUBLIC COMMENT PARTICIPANTS

ADAMS, NANCY, NIOSH Contractor
ANIGSTEIN, BOB, SC&A
BARRIE, TERRIE
BONSIGNORE, ANTOINETTE
BROEHM, JASON, CDC
CISCO, JEANNE
CRAWFORD, CHRIS, DCAS
HOWELL, EMILY, HHS
HINNEFELD, STU, DCAS
KOTSCH, JEFF, DOL
LEWIS, MARK, ATL
LUX, LINDA
MAKHIJANI, ARJUN, SC&A
NETON, JIM, DCAS
OSTROW, STEVE, SC&A
POLLY, STEVE
RABINOWITZ, RANDY, NIOSH Contractor
RUTHERFORD, LAVON, DCAS
STIVER, JOHN, SC&A
WADE, LEW, NIOSH Contractor

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

2 (11:01 a.m.)

3 MR. KATZ: Okay. Well, welcome,
4 everybody on the line, to the Advisory Board
5 on Radiation and Worker Health. This is our
6 quarterly teleconference meeting, and let us
7 begin with roll call with Board Members
8 beginning with the Chair, and I'll -- since
9 it's by phone, it's easier if I just call
10 people out.

11 So beginning with you, Dr. Melius?

12 CHAIRMAN MELIUS: I am here. Do
13 you want us to do conflicts on Linde while
14 we're on the -- doing the roll call?

15 MR. KATZ: Yes, well, I can
16 actually, I think -- there are no conflicts
17 among Board Members.

18 CHAIRMAN MELIUS: Great.

19 MR. KATZ: So let me just make
20 that statement at the head here. Okay. Dr.
21 Anderson?

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1 MEMBER ANDERSON: I'm here.

2 MR. KATZ: Ms. Beach?

3 MEMBER BEACH: I am here.

4 MR. KATZ: Mr. Clawson?

5 MEMBER CLAWSON: Here.

6 MR. KATZ: Dr. Field?

7 MEMBER FIELD: Here.

8 MR. KATZ: Welcome. Mr. Gibson?

9 MR. GIBSON: Here.

10 MR. KATZ: Mr. Griffon, I believe
11 he may be intermittently available to us.

12 CHAIRMAN MELIUS: He's got a
13 conflict at the CSB. He will try to join us a
14 little bit later.

15 MR. KATZ: Okay. Dr. Lemen?
16 Dr. Lemen, do we have you? Dr. Lockey we
17 heard.

18 MEMBER LOCKEY: I am here.

19 MR. KATZ: Ms. Munn we heard.

20 MEMBER MUNN: I'm present.

21 MR. KATZ: Dr. Poston? I've heard

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1 from him this morning, so I know he's planning
2 to join us. Dr. Poston, are you with us?

3 MEMBER LEMEN: Dr. Lemen just
4 joined.

5 MR. KATZ: Oh, welcome, Dick.
6 Okay. Let me move on. Mr. Presley?

7 MEMBER PRESLEY: Here.

8 MR. KATZ: Okay. Dr. Richardson
9 is -- has a conflict today, so let me move on
10 from there. Dr. Roessler?

11 MEMBER ROESSLER: Here.

12 MR. KATZ: Mr. Schofield?

13 MEMBER SCHOFIELD: Here.

14 MR. KATZ: Welcome. Dr. Ziemer?

15 MEMBER ZIEMER: Here.

16 MR. KATZ: You sound a little
17 froggy, Dr. Ziemer.

18 MEMBER ZIEMER: Yes, I'm fine.

19 MR. KATZ: Okay. Let me try
20 again. Dr. Poston, are you with us? Okay.
21 Well, we can check on him again in a little

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1 bit. I know he's planning to attend. I
2 traded emails with him this morning.

3 Okay, then let me just --
4 otherwise -- hello? Okay. Let me otherwise
5 remind everyone I can hear a lot of clattering
6 pots and pans and so on. Mute your phones
7 except when you're addressing the group. If
8 you don't have a mute button, use *6 and then
9 *6 again to unmute your phone. Please don't
10 put the call on hold.

11 Let me go on just with the rest of
12 the roll call then now that we can hear
13 better. NIOSH-ORAU team.

14 DR. NETON: This is Jim Neton in
15 Cincinnati.

16 MR. RUTHERFORD: LaVon Rutherford
17 in Cincinnati.

18 MR. CRAWFORD: Chris Crawford in
19 Cincinnati.

20 MR. LEWIS: This is Mark Lewis
21 with ATL.

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1 MR. KATZ: Did I hear Stu
2 Hinnefeld?

3 MR. HINNEFELD: Yes, Ted. I'm
4 here.

5 MR. KATZ: Okay. SC&A team.

6 DR. OSTROW: Steve Ostrow.

7 DR. ANIGSTEIN: Bob Anigstein

8 MR. STIVER: John Stiver.

9 DR. OSTROW: Ted, this is Steve.
10 John Mauro was traveling to Washington this
11 morning, and he's going to call in from
12 Washington, but he might be a little bit late
13 because of the weather.

14 MR. KATZ: Okay. Thanks for that
15 notice. That's -- for the record, that's
16 Steve Ostrow, SC&A.

17 DR. MAKHIJANI: This is Arjun
18 Makhijani, SC&A.

19 MR. KATZ: Arjun, welcome. Any
20 others from SC&A? Okay. How about NIOSH or
21 other federal officials or contractors for the

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1 feds?

2 MS. HOWELL: Emily Howell, HHS.

3 MS. ADAMS: Nancy Adams, NIOSH
4 contractor.

5 MS. RABINOWITZ: Randy Rabinowitz,
6 NIOSH contractor.

7 MR. BROEHM: Jason Broehm, CDC.

8 MR. KOTSCH: Jeff Kotsch,
9 Department of Labor.

10 MR. LEWIS: This is Mark Lewis
11 with ATL. I don't know if I should identify
12 or not, but I contract with NIOSH.

13 MR. KATZ: Right. Right. I got
14 you before. Thanks, Mark. Okay, and then
15 finally, but not least, members of the public.

16 MS. BONSIGNORE: Antoinette
17 Bonsignore, Linde SEC petitioner.

18 MS. BARRIE: Terrie Barrie with
19 ANWAG.

20 MS. LUX: Linda Lux, petitioner.

21 MS. CISCO: Jeanne Cisco with USW.

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1 MR. POLLY: Steve Polly,
2 Machinists Union.

3 MR. KATZ: Okay. Any other
4 members of the public?

5 MS. CISCO: Jeanne Cisco with USW.

6 MR. KATZ: Right. I got you.
7 Thank you, Jeanne.

8 JEANNE CISCO: You're welcome.

9 MEMBER BEACH: Ted, did you get
10 Linda Lux? I think that's --

11 MR. KATZ: I got Linda Lux, too,
12 but it sounded like there was some other.
13 Okay. So I've got all of you. Any other
14 members of the public? Otherwise, welcome to
15 all of you, as well.

16 MEMBER POSTON: Ted? Ted?

17 MR. KATZ: Yes?

18 MEMBER POSTON: John Poston. I
19 didn't want to interrupt your roll call.

20 MR. KATZ: No. Thank you, John.
21 It's great to have you. Let me remind -- I

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1 said it just a moment ago, but all of you
2 especially folks on the public who may not
3 have heard this who came on late, please mute
4 your phones except when you're addressing the
5 Board and there actually isn't a public
6 comment session, although the Linde
7 petitioners will have an opportunity to speak
8 to the Board.

9 So mute your phones. If you don't
10 have a mute button, use *6. That'll mute your
11 phone, and *6, pressing it again, will unmute
12 it. Also please don't put the call on hold at
13 any point. Call back in if you need to break
14 away for a while.

15 Thank you, and Jim, the agenda's
16 yours.

17 CHAIRMAN MELIUS: Okay. Thank
18 you, Ted, and welcome everybody to the -- to
19 our call. I guess it's a good thing we're
20 having a call given all the stormy weather
21 around the country. So that -- our first item

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1 on our agenda today is discussion of the NIOSH
2 ten-year program review. Dr. Wade, are you on
3 the call?

4 DR. WADE: I am indeed.
5 Dr. Melius, I have no major update to make
6 from our last discussion, just to remind you
7 that there are three of the Phase 1 reports
8 that are undergoing internal NIOSH review.
9 That's the customer service piece authored by
10 Ms. Chang, the science issues piece authored
11 by Dr. Daniels, and the surrogate data piece
12 authored by Dr. Spitz.

13 I meet with the ADS of NIOSH
14 tomorrow. Hopefully, those reports will be
15 through internal review, and I can share them
16 with Board Members.

17 The SEC piece you've seen an
18 earlier draft of is being rewritten by Randy
19 Rabinowitz, who's on the call, and I would
20 categorize Randy as 95 percent complete with
21 that rewrite. Again, once that goes through

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1 review, you'll be seeing it.

2 The two pieces on DR and
3 timeliness are on the public website accepting
4 public comment. It's my sincere hope to have
5 substantive materials to share with you before
6 your next meeting, and that's what I'm working
7 towards. Thank you.

8 CHAIRMAN MELIUS: Lew, one quick
9 question. Could you just clarify who the --
10 what ADS stands for?

11 DR. WADE: That's the Associate
12 Director for Science for NIOSH, the element of
13 the NIOSH director's office that would clear
14 the reports.

15 CHAIRMAN MELIUS: Okay. All
16 right. Thank you. I knew that. I'm sure
17 everybody did, but any Board Members have
18 questions for Lew?

19 Okay. Hearing none, the next item
20 on our agenda is the Linde Ceramics Plant SEC
21 Petition and report and update from the Work

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1 Group. Dr. Gen Roessler, I believe you'll
2 start off. Gen, are you there? Gen, you may
3 have it on mute still if you were on mute.

4 MEMBER ROESSLER: Okay. Now I
5 think you can hear me.

6 CHAIRMAN MELIUS: Yes. Okay.

7 MEMBER ROESSLER: Okay. Sorry.
8 That took me a while.

9 CHAIRMAN MELIUS: No, that's okay.
10 Well, you had me worried. I almost thought
11 I'd lost everybody.

12 MEMBER ROESSLER: No. I've been
13 having so many technological problems lately
14 like with my computer that I'm beginning to
15 wonder if I can even use the phone, but --

16 CHAIRMAN MELIUS: Sometimes this
17 is delayed.

18 MEMBER ROESSLER: Yes. Anyway,
19 there are a number of things we need to do. I
20 would like to comment first that the Board
21 should have two documents that I think would

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1 be helpful as we go through this.

2 I sent one last night which was a
3 very short summary of our Work Group
4 activities and where I think we stand. To
5 supplement that, though, I would like to
6 mention that there is one report that I sent
7 along with a number of other ones after our
8 last Board meeting.

9 This report is also brief, but it
10 has more detail in it with regard to dose
11 reconstruction and other things. If you can
12 pull that up, I think it would be helpful.
13 It's called draft Linde SEC Petition 00107
14 Issue Resolution Matrix.

15 This was put together by Steve
16 Ostrow in November, and I think that would be
17 very helpful to look at if you can have that
18 there in front of you.

19 The -- so the things we have to do
20 today as I see them, I think we're going to
21 have some updates from NIOSH. We might have

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1 some comments and updates from SC&A.

2 We certainly will have the
3 petitioners, and Antoinette's on the line, I
4 know, speaking. We'll certainly have
5 questions from the Board that we need to
6 address. So, Jim, I'll leave it to you to
7 decide what order we should go in here.

8 CHAIRMAN MELIUS: Okay. Why don't
9 we first get an update from NIOSH, just where
10 they are with their evaluation because I think
11 that's sort of the key thing in terms of
12 timing at this point.

13 So, I don't know, Stu or Chris,
14 who's --

15 DR. NETON: This is Jim Neton,
16 Dr. Melius.

17 CHAIRMAN MELIUS: Jim Neton.
18 Okay, I guessed wrong. Go ahead.

19 DR. NETON: I'll start, and maybe
20 others will chime in and supplement as I go.
21 But really there's one issue on the table that

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1 we are working on, and that was the
2 reconstruction of radon in the tunnels.

3 As the Working Group knows, and
4 I'm not sure the full Board knows, but there
5 were two previous approaches to radon
6 reconstruction put forth by NIOSH, and both
7 were reviewed fairly extensively at the
8 Working Group level.

9 For various reasons of perceived
10 discrepancies and issues, we withdrew those
11 approaches. One was a diffusion model, and
12 one was an empirical model based on measured
13 data in the late -- in the mid-40s.

14 Subsequent to that, SC&A, and I
15 think they broached this at the Board meeting
16 in Santa Fe, put forth an approach that would
17 use the radon levels measured in basements in
18 the area surrounding Linde Ceramics and use
19 some adjustment factor based on the radium
20 measure in the soils at the site.

21 We have reviewed that approach and

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1 believe it to be a reasonable way to move
2 forward, and we have actually developed our
3 version of that approach, which will be
4 incorporated into a revision of the Evaluation
5 Report.

6 That is fairly close. We do
7 believe -- and it's firm. I think within two
8 weeks we should have the Evaluation Report
9 revised and in the Board and Working Group's
10 hands.

11 In addition to revising the radon
12 model or the radon approach, we will also take
13 the opportunity to provide -- make any
14 revisions that were discussed and agreed to at
15 the Working Group.

16 Most notably, that would be the
17 reconstruction of dose -- internal exposure
18 during the building renovation period at
19 Linde, which we have since modified. So I
20 think that's the extent of where we are.

21 CHAIRMAN MELIUS: Okay. Thank

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1 you. Do any Work Group or Board Members have
2 questions for Jim?

3 MEMBER ROESSLER: I think -- this
4 is Gen. I know very early on we had some data
5 from basements in the Linde area, and I think
6 maybe the -- not the quite right step was
7 being used at first and I think now you have
8 gotten the set of data that's more appropriate
9 for that area. Is that right, Jim?

10 DR. NETON: That's correct, Gen.
11 We've got the correct county identified now
12 and there was some confusion, as you remember,
13 on our last call. We're using that data, or
14 those data, which are slightly higher, I
15 believe, than the values that were used at the
16 SC&A proposed model. Yes, so we're moving
17 forward with that.

18 MEMBER ROESSLER: Just to get it
19 on the record, what is the correct county?

20 DR. NETON: Erie County is the
21 correct county. We've identified that, yes.

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1 MEMBER ROESSLER: Okay. Thank
2 you.

3 CHAIRMAN MELIUS: The facility is
4 on the -- close to the border between Niagara
5 County and Erie County. Erie County's where
6 Buffalo -- city and that and Niagara County's
7 to the north some for those of you not
8 familiar with New York State geography and
9 counties.

10 Any other questions from Board
11 Members? So I guess my question, Gen, then is
12 to the Work Group is would you then -- say we
13 have an updated report from -- Evaluation
14 Report from NIOSH available in two weeks.
15 Would you then schedule another Work Group
16 meeting -- or Work Group call to talk about
17 that? It wasn't clear to me what the Work
18 Group planned.

19 MEMBER ROESSLER: Well, I don't
20 think we really knew until we heard from
21 NIOSH, but --

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1 CHAIRMAN MELIUS: Okay.

2 MEMBER ROESSLER: -- my thought is
3 that we want to keep this moving along and,
4 let's see, our next face-to-face Board meeting
5 is the third week in February. Is that right?

6 CHAIRMAN MELIUS: Correct.

7 MEMBER ROESSLER: I'm looking at
8 my calendar, so if we get this from NIOSH
9 within two weeks, that would put it the last
10 week in January. I would think that we should
11 be able to get together by teleconference --

12 CHAIRMAN MELIUS: Yes.

13 MEMBER ROESSLER: -- and work this
14 out so that we could address this then at the
15 next face-to-face Board meeting. That would
16 be my goal, and I would think we could do
17 that.

18 CHAIRMAN MELIUS: Good. Okay,
19 yes. Then we would in turn plan, again,
20 depending on the Work Group's review and so
21 forth, but to plan to have -- hopefully try to

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1 bring some closure to the issues if we can at
2 the February Board meeting in Augusta.

3 MEMBER ROESSLER: I think that
4 would be a good approach. I think though here
5 today we need to do as much as we can with
6 regard to hearing from the petitioners, and
7 then also if there are questions from the
8 Board, wouldn't it be appropriate today to
9 hear those and see if we could address the --
10 address any questions?

11 CHAIRMAN MELIUS: Correct. That's
12 what I wanted to go to next. First, I just
13 wanted to offer any chance for -- any comments
14 from SC&A?

15 DR. OSTROW: From what I hear --
16 this is Steve Ostrow. From what I hear from
17 Jim Neton, NIOSH is following the approach
18 that we had discussed in the Work Group
19 meeting, and if all this is incorporated into
20 their revised ER, then SC&A will be happy with
21 it and we can move on.

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1 CHAIRMAN MELIUS: Okay.

2 DR. OSTROW: We should be able to
3 review it very quickly.

4 CHAIRMAN MELIUS: Any questions
5 from other Board Members about issues,
6 unresolved issues, or questions they have? If
7 not, I will raise two issues because -- as
8 we've been approaching this over the last few
9 weeks, I've been reviewing the transcripts and
10 the various reports and -- a lot of hard work
11 on the part of the Work Group, NIOSH, and SC&A
12 on this.

13 Very extensive revisions. A lot
14 of back and forth on this, and I think with
15 good participation from the petitioners also
16 in terms of raising issues of both sort of
17 factual, as well as questions about how the
18 methods and what's being proposed in the
19 Evaluation Report, so I think it's been a very
20 good process and it's gone on for a length of
21 time.

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1 So I think -- again, I was really
2 very impressed by all the work that had been
3 done. I've raised in the emails I've sent to
4 SC&A and to Gen in the last week or so, I have
5 some continued -- personally, I have some
6 continued questions about the planned
7 methodology for -- not the radon, but the
8 exposures during the so-called renovation
9 phase.

10 There's a period of time when, if
11 I understand it correctly, the buildings were
12 -- the site was sort of done, went through an
13 initial decontamination. The buildings were
14 then re-used for other purposes, not DOE or
15 AWE-related.

16 Some of those buildings were --
17 underwent a renovation, and so one of the
18 things that the -- both NIOSH and the Work
19 Group and everybody's been trying to figure
20 out is just how do you then estimate the
21 exposures during the renovation period when

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1 they were very -- in fact, there was almost no
2 sampling that was done during that time
3 period.

4 It was a little different
5 activity, at least appears to be more
6 extensive than what might normally go on.
7 Normally, residual periods it's just back to
8 sort of normal production and usually not --
9 I'm to assume that there's any disturbance of
10 the residual contamination and I think this
11 also -- the methods try to take into account
12 the fact that the initial decontamination was
13 probably up to standards at the time back in
14 the '50s, but they -- currently -- further
15 decontamination to meet sort of current day
16 standards I think is a fair way of saying it.

17 So I guess what I'm trying to
18 understand and I don't think we can go into it
19 in great detail on this call, but it is -- so,
20 what were the actual activities during the
21 renovation period? How long did that go on

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1 for, and is that a -- were all of the people
2 working at Linde involved or was this just a
3 segment of the working population that was in
4 one building or one area of the plant, and,
5 again, does this sort of -- a single
6 methodology for -- that covers the entire
7 facility during this time period, is that
8 appropriate or not?

9 I think it comes down to trying to
10 understand some of the sort of factual -- what
11 do we know about the renovations? Who did
12 them, how long, and so forth.

13 So that's the issue I raised, and
14 going back and forth with NIOSH and SC&A on
15 just trying to understand better. I don't
16 know if, Gen -- or you or NIOSH or SC&A have
17 any comments on that.

18 MEMBER ROESSLER: Well, this is
19 Gen. NIOSH -- no, NIOSH didn't respond to you
20 yesterday, but John Mauro explained how he
21 understood the dose reconstruction would be

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1 done. Then this morning I, too, looked
2 through that report that I mentioned to you
3 that Steve Ostrow put together that briefly
4 but I think very well outlines the approach to
5 doing the dose reconstruction during that
6 period.

7 I don't know if you've looked at
8 that, whether that would help out to answer
9 these questions.

10 CHAIRMAN MELIUS: I have looked at
11 that report and all the reports that formed
12 the basis for that from NIOSH and so forth.
13 Again, I think it may be for more
14 understanding some of the details and so
15 forth, so -- we can follow up, but I actually
16 did hear back from NIOSH about some of these
17 questions also.

18 DR. NETON: Yes, Gen, this is Jim.
19 I responded to Dr. Melius on your behalf, and
20 I sent it to your government email address.
21 Maybe that's why you didn't see it.

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1 MEMBER ROESSLER: Okay. I didn't
2 see that.

3 DR. NETON: Sorry.

4 MEMBER ROESSLER: Okay. Well, I'm
5 not quite sure where we should go on this.

6 CHAIRMAN MELIUS: What I would
7 suggest is that I will, you know, based on the
8 responses and so forth, I will write out a set
9 of questions that circulate and then maybe
10 it's something the Work Group can take up in
11 more detail at your Work Group meeting later
12 in January or early February.

13 MEMBER ROESSLER: I think that
14 would be helpful. I think we need very
15 specific questions, and, again, I'd ask you to
16 look at the report I mentioned and then there
17 are backup reports, too, that --

18 CHAIRMAN MELIUS: I've received
19 those. One thing I discovered during reading
20 through transcripts and, again, it's no fault
21 of the Work Group. I don't think it's really

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1 anybody's fault, but it turns out that we
2 don't really have a method for capturing sort
3 of technical White Papers and other shorter
4 documents that are written and developed
5 during the process of reviewing an SEC
6 evaluation or for that matter a Site Profile,
7 and those just aren't available on the
8 website.

9 I'm not -- even on the O: drive
10 sometimes, so if you're reading a transcript
11 and -- one of these transcripts and I believe
12 a meeting in April it started off saying that
13 there was a report that today we're going to
14 review these three reports.

15 Well, those three reports, which
16 were, I think, about five pages each, were not
17 available. So it was very hard to sort of
18 understand what was going on in the -- from
19 the transcript without the reports. I was
20 able to obtain them, I think, from Ted -- had
21 them in his email.

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1 But, I think one thing Ted and
2 I've talked about is we need to try to get a
3 better way, at least, for stuff that's
4 publicly available to make it available --
5 easier to find and obtain because it's just
6 difficult.

7 And a lot of those reports were
8 available to the petitioners participating. I
9 mean, I think -- as I said, everybody, I
10 think, did a good job within the Work Group
11 and the group that were discussing them and
12 just trying to go back and locate this
13 information, and I think some will, I believe,
14 will be captured.

15 One of them was this new method
16 that NIOSH proposed for the renovation period,
17 and that was one of the documents that wasn't
18 readily available. So I think we can do that
19 and just for anybody that needs to review
20 this, I think it makes it a little bit easier.

21 MR. KATZ: This is Ted. Can you

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1 hear me?

2 CHAIRMAN MELIUS: Yes, Ted.

3 MR. KATZ: Thanks, Jim. I don't
4 want to interrupt the Linde discussion, but
5 just note that at the end of this call I'll
6 talk a little bit about this follow-up bit I'm
7 doing with SC&A and DCAS.

8 CHAIRMAN MELIUS: Okay. Any other
9 questions or comments on Linde from Board
10 Members.

11 MEMBER ROESSLER: This is Gen. I
12 think in view of the fact that we are going to
13 need another conference call before the next
14 Board meeting, I would like to alert the Work
15 Group Members and any others, and we'll have a
16 number of people to pull together on this that
17 we'll need to get together very soon,
18 hopefully today, and pick a date.

19 I hear silence.

20 CHAIRMAN MELIUS: Yes.

21 MR. KATZ: Gen, so I'll -- as soon

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1 as I have -- I can get from DCAS a fairly firm
2 date as to delivery of their revised
3 Evaluation Report, I will work to set that
4 meeting up for as close to that time as
5 possible.

6 We do have a good bit of open time
7 at the end of January and early February, so
8 I'm confident we can accomplish that.

9 CHAIRMAN MELIUS: Stu had just
10 sent me an email saying that he was confident
11 that the report would be ready by the end of
12 January, so --

13 MEMBER ROESSLER: We'll need a
14 little time for SC&A to look at it, but Steve
15 indicated it wouldn't take a lot of time.

16 DR. OSTROW: This is Steve Ostrow
17 again. From what I heard from Jim Neton
18 speaking before, that is NIOSH incorporate the
19 models that they said they would for radon in
20 the tunnel, then that was the only issue that
21 we had open from all the issues. We should be

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1 able to review it very quickly.

2 DR. NETON: This is Jim Neton.
3 There won't be that many additional pages, and
4 we'll go to some lengths to try to make sure
5 we point out the pages that have been modified
6 so one doesn't have to review all, whatever
7 there are, 40 or 50 pages.

8 DR. OSTROW: This is Steve again.
9 That would be very helpful.

10 DR. NETON: Right, and there will
11 be an additional piece on the renovation
12 period because we did change that from the
13 original Evaluation Report, the approach
14 outlined in the original Evaluation Report,
15 but that will not -- again, that will not be
16 extensive. I don't envision that being any
17 more than a couple pages itself, as well.

18 MEMBER ROESSLER: This is Gen. So
19 it seems like we ought to be ready the first
20 week in January to do this, to have a Work
21 Group meeting. Now, I will point out there's

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1 a Health Physics Society mid-year meeting
2 starting February 7, but I think I can -- I'll
3 be able to work something out around that.

4 CHAIRMAN MELIUS: Okay.

5 MEMBER ROESSLER: So maybe we
6 could aim at the first or second week, very
7 early in February if we could.

8 DR. OSTROW: This is Steve Ostrow.
9 My calendar's clear for the first two weeks
10 of February.

11 MEMBER ROESSLER: Good.

12 DR. OSTROW: I could take any day.

13 CHAIRMAN MELIUS: Good. Okay. No
14 further comments from -- or questions from
15 Board Members on Linde. I think we would like
16 to give an opportunity for the petitioners.
17 Have any comments, Antoinette or Linda?

18 MS. BONSIGNORE: Yes, hi. Thank
19 you, Dr. Melius. This is Antoinette
20 Bonsignore. The only -- it's not really a
21 question. The only issue I'd like to raise

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1 with the Board and with NIOSH at this point is
2 my continuing problem with where NIOSH derives
3 the authority, the regulatory authority or the
4 statutory authority, to revise an Evaluation
5 Report.

6 I simply do not understand where
7 in the regulations you are authorized to do
8 that. The original Evaluation Report has been
9 materially changed. Therefore, you are now
10 issuing a revised Evaluation Report. There is
11 no regulatory authority to do that.

12 This is not only an issue for the
13 petitioners and the workers; this is an issue
14 for Senator Schumer and Senator Gillibrand as
15 they pointed out in their letter to the Board
16 in November.

17 I would like an answer to that.
18 The petitioners and the workers would like an
19 answer to that. Senator Schumer and Senator
20 Gillibrand would like an answer to that, and I
21 think we deserve an answer to that because as

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1 far as my reading of the regulations, there is
2 no authority to do this.

3 I had this discussion with the
4 former director, Larry Elliott, about -- in
5 September of 2009, and I asked him whether the
6 Evaluation Report was going to be revised at
7 some point. He insisted to me that NIOSH does
8 not revise Evaluation Reports, that we don't
9 do that.

10 That's what he said to me, so in
11 that context, I really would like to have some
12 sort of official response from NIOSH or from
13 counsel's office sent to Senator Schumer and
14 Senator Gillibrand explaining why this is
15 legal, for lack of a better term.

16 CHAIRMAN MELIUS: Okay. Any
17 response, Stu or Emily?

18 MR. HINNEFELD: This is Stu
19 Hinnefeld, and I guess all I can commit to
20 today is we -- I've heard the request, and I
21 will be discussing it with others in the

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1 agency.

2 CHAIRMAN MELIUS: Okay.

3 MS. BONSIGNORE: Thank you.

4 CHAIRMAN MELIUS: Linda, did you -
5 - Linda Lux, I think -- believe you're on the
6 phone also, if you have comments.

7 MS. LUX: I do. I don't have any
8 comments today.

9 CHAIRMAN MELIUS: Okay.

10 MS. LUX: Thank you.

11 CHAIRMAN MELIUS: Thank you.
12 Okay. Anyway, we will then look forward to an
13 updated report and -- further discussions on
14 Linde at our February Board meeting.

15 The next item on the agenda is a
16 science issues update. Jim Neton?

17 MEMBER MUNN: Jim, before we leave
18 that, this is Wanda.

19 CHAIRMAN MELIUS: I'm sorry,
20 Wanda.

21 MEMBER MUNN: I didn't want to

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1 speak to Linde, but thought I would touch on
2 the larger issue that you raise with respect
3 to a home for White Papers and how accessible
4 they might be. We've had considerable
5 discussion both about this very issue and
6 procedures.

7 It appears based on our past
8 experience that so often the White Papers are
9 truly an internal document even though they
10 have considerable bearing on the discussions
11 in the Work Group or Subcommittee. They
12 nevertheless had not been through PA clearance
13 process which holds up the discussion of the
14 issue, whatever it might happen to be.

15 I just wanted you to know that you
16 are not alone in your concern with respect to
17 the often very important papers that bear on
18 almost each of the major sites that -

19 CHAIRMAN MELIUS: Wanda, I believe
20 Ted's going to talk about that a little bit
21 later on the call.

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1 MEMBER MUNN: Good.

2 CHAIRMAN MELIUS: Yes. Thanks.

3 MEMBER MUNN: Thank you.

4 CHAIRMAN MELIUS: Okay. Jim
5 Neton, science update.

6 DR. NETON: Yes, thanks,
7 Dr. Melius. This is in response to a request
8 at the last Santa Fe Board meeting to provide
9 the Board an update on where we are with
10 what's sort of been called over time the
11 overarching science issues.

12 I believe I've reported on this in
13 the past, but there are some new Board Members
14 that might not have been around the last time
15 I discussed these issues. But, for your
16 reference, I hope everyone received, I think
17 Ted sent it out a couple days ago, two slides
18 that I intend to be speaking from.

19 One slide is labeled dose
20 reconstruction issues identified as
21 overarching, and the second slide is risk

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1 model issues under evaluation. While that is
2 not technically a -- well, they are science
3 issues, the risk models, I thought I'd include
4 them for completeness because these are the
5 two areas that at least I have been tracking
6 since the inception of the program.

7 If we refer to the dose
8 reconstruction issues handout, there are eight
9 issues that are listed here, and this has been
10 fairly static for some time now. I thought
11 I'd start on the right-hand column where there
12 are there issues identified, the first being
13 interpretation of unworn badges.

14 I should point out that these
15 issues have been collected through various
16 avenues. They've either been identified
17 through procedure reviews or dose
18 reconstruction reviews or in some cases added
19 at the suggestion of Board Members.

20 The interpretation of unworn badge
21 issues arose in several cases where there were

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1 site Evaluation Reports under review that
2 seemed to indicate that the workers did not
3 always wear their badges. At the time, NIOSH
4 felt that there may be some method that could
5 be developed to account for that, namely,
6 looking at the shape of the log-normal
7 distribution of the data set for external, and
8 if it tended to curve over at the upper end of
9 the distribution, that might give us some
10 indication that the badges were not being
11 worn.

12 To make a long story short, at the
13 end of the day, that method did not prove to
14 be useful for us. It became apparent over
15 time that in this particular case, even though
16 it is an overarching issue, it really is
17 something that needs to be identified and
18 addressed on a site-specific basis.

19 That became very clear when we
20 went through and evaluated the issue at Nevada
21 Test Site. A lot of work went into the

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1 evaluation, and we ended up putting that issue
2 to bed there through essentially a lot of
3 grunt work going through the individual
4 monitoring data.

5 So, again, even though this is an
6 overarching issue, I don't think there's
7 anything specific NIOSH can do other than to
8 address it on a facility-specific basis.

9 The material tracking piece was
10 actually identified by a Board Member, and I
11 believe it was Brad Clawson who brought this
12 issue to the table, and that is what does
13 NIOSH do when we identify, for instance,
14 exotic radionuclides at one facility? Do we
15 track them to ground?

16 I mean, they must've come from
17 someplace and maybe have been shipped
18 somewhere else, so we needed to be cognizant
19 of where these materials could be identified
20 and exposure potentials exist at other
21 facilities than where we first located them.

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1 That, again, I think is an
2 awareness issue. We certainly are aware of it
3 now, and we do try to track these as we go on
4 a case-by-case basis. Again, there's no -- I
5 don't believe there's any procedure or such
6 that we could put in place that would aid us
7 in addressing this issue.

8 The third issue, which is the
9 internal dose from Super S plutonium, had
10 arose during the Rocky Flats SEC evaluation,
11 and I believe the Board is pretty familiar
12 with that case. We have issued a TIB-49 that
13 provides our methodology for dealing with
14 this, and that is now in place and used at any
15 facility where we have a potential for very
16 insoluble plutonium. That's what Super S
17 stands for; highly insoluble plutonium.

18 Okay, moving over to the left
19 column, there are five issues over here, and
20 I'll start on the bottom with thoriated
21 welding rods. That issue was identified in a

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1 review. I think -- I forget which review it
2 was. It was a Site Profile, I believe, review
3 where potentially thoriated welding rods were
4 used.

5 NIOSH did evaluate this. There
6 was a fair amount of analysis done,
7 particularly by the Nuclear Regulatory
8 Commission. In fact, they exempt them from
9 licensing. The bottom line is the exposures
10 turn out to be fairly small in these cases;
11 less than 10 millirem for any particular year.

12 For overestimating cases, the
13 increase in dose would be trivial. For best
14 estimates, it would need to be considered even
15 though it's small, and we would address these
16 exposures under specifically defined
17 circumstances.

18 The issue of non-standard external
19 exposures arose from several Site Profile
20 reviews. I think it originally came up at the
21 Mallinckrodt review where one might be exposed

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1 to a geometry. The orientation of the badge
2 that the person is wearing might be different
3 than a sort of an anterior/posterior parallel
4 beam situation.

5 The examples that were brought
6 forth were for someone working on a -- lathing
7 a piece of uranium or possibly working in a
8 glove box or cleaning up a material spilled on
9 a floor. These are what we would consider
10 non-standard geometries, and correction
11 factors would need to be applied.

12 We have addressed a number of
13 these in TIBs already. TIB-13 specifically
14 deals with these issues, so the ones that
15 we're aware of we've addressed and they've
16 been dealt with using essentially Monte Carlo-
17 type simulation techniques.

18 In fact, one of those, TIB-13, is
19 under review currently by the Subcommittee on
20 Procedures Review. So we feel we've
21 identified the major ones, and any additional

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1 ones that arise we would certainly deal with
2 on a case-by-case basis.

3 The hot particle issue dealt with
4 both inhalation of hot particle and the
5 present -- or the ingestion of hot particles
6 and the deposition of hot particles on the
7 skin.

8 We have methods in place for using
9 a VARSKIN model; it's a standard model
10 developed by, I believe, the Nuclear
11 Regulatory Commission, to deal with
12 calculation of dose on the skin from hot
13 particles.

14 The ingestion issue we evaluated,
15 and it turns out that as long as you know the
16 total magnitude of the intake, the dose to the
17 GI tract is about the same. The ICRP models
18 even thought about this and felt that there
19 was no way to account for the difference of
20 hot particle transversing the gastrointestinal
21 system versus a -- sort of a particle that

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1 uniformly distributed throughout the system.

2 The top two issues, oronasal
3 breathing and workplace ingestion, were
4 probably the two biggest issues that affect
5 the largest number of procedures and dose
6 reconstructions. I'll start with workplace
7 ingestion. There have been comments raised by
8 SC&A early on that our ingestion model, that
9 is how do we predict how much a person ingests
10 from this transfer of contamination on the
11 surface to their mouth in the workplace, how
12 do we do that?

13 We have issued a TIB, TIB-9, that
14 deals with this, and over time there has been
15 a debate on several issues. I believe at this
16 point, and SC&A would have to verify this,
17 that we are in essential agreement with the
18 ingestion approach or facilities that have
19 been cleaned. That is, I think our approach
20 would be considered acceptable by them as it's
21 written.

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1 The only outstanding issue on the
2 ingestion method, I believe, has to do with
3 facilities that have a fair amount of loose
4 contamination present, and it boils down to
5 what percentage of that contamination is
6 available for ingestion.

7 That issue is being tracked and
8 reviewed by the Subcommittee on Procedures
9 Review under both TIB-9 and a large part of
10 TIB-70, which is reconstruction of residual
11 contamination -- is being reviewed. So those
12 two are being tracked.

13 The last issue is oronasal
14 breathing, and that essentially has to do with
15 mouth breathers. A certain percentage of the
16 population are mouth breathers, and the issue
17 was raised during the Bethlehem Steel Site
18 Profile review is what -- how does that affect
19 your models?

20 Well, we did an analysis of this,
21 and it turns out that this mouth breathers --

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1 if you have bioassay data whether you're an
2 oronasal -- you're a mouth breather or a
3 regular nasal augmenter, the biokinetics are
4 such that the models do account for it, and it
5 makes almost, I think, no difference in the
6 dose that would be calculated -- intake that
7 would be calculated.

8 The only place this comes into
9 effect is in the area where we use air
10 sampling data to establish intakes. Our
11 position is that we use the distribution of
12 the air samples in the workplace and pick
13 either the 50th or 95th percentile to
14 establish intake and assign the geometric
15 standard deviation.

16 If we use the 50th, we'd assign
17 the geometric standard deviation which is
18 fairly large. That uncertainty incorporates -
19 - is much, much, much larger than any
20 uncertainty that's associated with the
21 oronasal breathing portion.

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1 So that pretty much covers our
2 position on these eight issues. I'd certainly
3 be happy to take any questions before I move
4 on to the risk model issues.

5 CHAIRMAN MELIUS: Why don't we
6 break here and see if there are any questions
7 on these issues.

8 DR. NETON: All right.

9 CHAIRMAN MELIUS: Anybody -- any
10 Board Members? My sense going through them, I
11 hope I captured this right, Jim, but -- is
12 that all of these issues are either, I guess,
13 ones either settled or they are issues that
14 have -- essentially deemed site-specific.

15 DR. NETON: Correct.

16 CHAIRMAN MELIUS: It may be
17 overarching, but the solution or the --
18 resolution may be the better word -- is site-
19 specific or three, that they're currently
20 under -- they're part of TIBs that are under
21 review or whatever would be covered under the

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1 Procedures Work Group. Is that a fair
2 statement on these?

3 DR. NETON: I believe that's
4 correct, yes.

5 CHAIRMAN MELIUS: Okay. Anybody -
6 - any other Board Members have comments or
7 questions?

8 MEMBER ZIEMER: This is Ziemer. I
9 have one question on that. Jim, on the
10 workplace ingestion, I think the issue there
11 was for the dirtier places was the
12 resuspension factor. Isn't that correct?

13 DR. NETON: Yes.

14 MEMBER ZIEMER: Are you saying
15 that rather than a generic approach to that
16 you would have to handle that on a case-by-
17 case basis also? Is that where we're going to
18 end up?

19 DR. NETON: That's probably where
20 we're going to end up.

21 MEMBER ZIEMER: Yes. I think on

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1 the clean ones you were -- both SC&A and NIOSH
2 were comfortable with a ten to the minus six
3 resuspension factor or something in that
4 range, but the issue was on these dirty
5 workplaces and you would have to look at sort
6 of the particle-size distribution and the work
7 activities and so on a site-specific basis.
8 Is that the approach?

9 DR. NETON: That's correct, and
10 that would be reflected in the modification of
11 the TIB.

12 MEMBER ZIEMER: Which might give
13 an approach to handling it rather than a
14 specific number.

15 DR. NETON: Exactly.

16 MEMBER ZIEMER: Yes. Thank you.

17 CHAIRMAN MELIUS: Thank you. Any
18 other Board Members have questions or
19 comments?

20 MEMBER CLAWSON: Yes, Jim, this is
21 Brad.

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1 CHAIRMAN MELIUS: Yes.

2 MEMBER CLAWSON: I know, Jim,
3 we've been around this numerous times about
4 this material and transferring back and forth,
5 and I know that you've said that we're going
6 to have to do this as a site-specific, but
7 part of the things that we're getting into,
8 and I've seen it at numerous facilities, is
9 that the record keeping of these transfers
10 aren't that good.

11 That's why I was -- you know, this
12 is why it's kind of been -- come over an
13 overarching issue. We're dealing with this at
14 Mound. We're dealing with this at Fernald.
15 We're dealing with this at a lot of sites. I
16 know we'll have to deal with it as the site-
17 specific, but part of my thing is when we get
18 into these other sites and we see this
19 material being transported someplace else,
20 we've got to be able to track that in a little
21 bit of a way because a lot of this stuff never

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1 showed up as on the site.

2 I'm thinking of Mound. They were
3 saying that they were using small amounts of
4 this certain material and so forth, but we
5 traced back to where it came from, and it's
6 much larger.

7 I just wanted to make sure we
8 don't lose -- part of what my comment was was
9 that we need to do -- we need to track this,
10 so we -- when we find these, we know where
11 they did go and the quantity because you may
12 only see it on the shipping end of it.

13 DR. NETON: Right. I totally
14 understand what you're saying, Brad, and
15 totally agree with it.

16 MEMBER CLAWSON: Okay. I just --
17 yes, I just wanted to make sure that that
18 part of it was --

19 DR. NETON: Yes.

20 MEMBER CLAWSON: -- and I know
21 we've got to do it site-by-site, and I

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1 appreciate your input into it.

2 DR. NETON: Yes, and I wasn't
3 trying to minimize the importance of the
4 issue. It seems to me, though, a lot of --
5 we've learned a lot in the last few years
6 about a lot of these exotics and such and the
7 picture's become somewhat clearer, but there
8 are surprises that pop up still fairly
9 frequently. I fully understand what you're
10 saying.

11 MEMBER CLAWSON: Well, and part of
12 my thing was that as we're doing research,
13 this data retrieval and so forth, it may be
14 for a totally different site, but we've ended
15 up pulling up other data for different sites,
16 and I hope that when we pull this data that we
17 kind of collectively send this to the people
18 that need to know because as any of us that's
19 been doing data retrieval, we find all sorts
20 of stuff in these files. A lot of them don't
21 have anything to do with the site that we're

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1 looking at, but they pertain to other sites.

2 DR. NETON: Yes, I totally
3 understand what you're saying.

4 CHAIRMAN MELIUS: Thanks, Brad.
5 Any other comments or questions? If not, Jim,
6 do you want to do the risk model issues?

7 DR. NETON: Yes, I will. These
8 are -- Risk Model Issues Under Evaluation, and
9 there are six of them on this handout. These
10 issues were identified fairly early on in the
11 program, and I think aside from chronic
12 lymphocytic leukemia, I think the other five
13 were actually brought up either during or
14 shortly after the Probability of Causation
15 rule was being written.

16 So I'll just go through these
17 briefly. The evaluation of chronic
18 lymphocytic leukemia, I think the Board is
19 pretty well aware of what's going on there.
20 We have prepared our position on this after
21 doing extensive reviews and model development.

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1 All I can say at this point is that we are
2 working it through the government review
3 cycle. I don't think I can say any more than
4 that at this time.

5 The second issue, the
6 incorporation of nuclear worker epi studies in
7 the risk models is something that is certainly
8 a goal of ours. It's recognized that the
9 Hiroshima/Nagasaki data is the gold standard,
10 but how does that differ when you have
11 exposures that are low dose rate exposures in
12 the workplace.

13 We've not done a lot on that, but
14 there is a sister agency within NIOSH, the
15 Occupational Energy Research Program, that has
16 been doing some work in that area, and in
17 fact, they have just recently published a -- I
18 think it's a preprint -- a pre -- online
19 available -- it hasn't been published yet, but
20 in the Occupational Environmental Medicine
21 Journal, a meta-analysis of leukemia cases

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1 using, I think, 23 separate occupational
2 cohorts that were out there.

3 The bottom line of their study was
4 that they were low-dose rate type facilities,
5 the risk coefficients that they derived from
6 their analysis were consistent with what that
7 was observed in the Hiroshima/Nagasaki
8 survivor set, so that was fairly interesting.

9 This is a NORA project within
10 NIOSH, and I'm actually listed as a
11 collaborator on that study, you know, part of
12 my time as author, I have to say that I did
13 not put much into it given my time
14 availability.

15 The third issue is dose and dose
16 rate effectiveness factors. That is how do
17 you adjust the dose, the risk to a person
18 based on the fact that you've got high
19 exposures, relatively high exposures in the
20 Hiroshima/Nagasaki survivors and now we're
21 rating people with very low dose rates. Is

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1 the radiation less effective at inducing
2 cancer or not?

3 SENES Oak Ridge, our contractor,
4 has developed a full scientific review up
5 through, I believe, last year. There's a
6 200-page draft report that they have issued
7 that covers the waterfront on this, and we are
8 going to, once that's finalized, use it to
9 rethink our position -- what our position
10 should be on the DDREF.

11 There are a number of agencies --
12 I can say right now looking at this, ICRP is
13 very interested in it, as well as -- I forget
14 who -- there's another agency out there. I
15 think it's the IAEA is also interested in it.

16 The issue of grouping of rare and
17 miscellaneous cancers has to do with the fact
18 that the -- when the models were developed,
19 especially for the Hiroshima/Nagasaki
20 survivors, risk models were only deemed to be
21 appropriate if they -- I think they had

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1 50 cancers available for analysis, so the ones
2 that were -- they didn't have sufficient
3 numbers were grouped in the various
4 categories.

5 NIOSH was to look at how those
6 groupings might be changed or if new
7 information comes available how they might be
8 moved around.

9 We haven't done a lot with this.
10 SENES Oak Ridge, our contractor, has been
11 paying attention to this. We did look at
12 pulling out the prostate cancers out of the
13 all male genitalia. We are in the early
14 stages of that.

15 At the current time, it looks to
16 us if you pull the prostate cancers out of the
17 all male genitalia, the risk model actually
18 would go down. But we are looking at that
19 issue.

20 The age of exposure analysis,
21 there's nothing actively ongoing at this time

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1 within the NIOSH. It's still on the list.
2 This has to do with the fact that people who
3 are exposed at older ages may be more
4 susceptible to cancer for various reasons.
5 There are certainly some studies out in the
6 literature that provide some substantiation
7 for this argument.

8 The final one, interaction with
9 other workplace exposures, we even committed
10 to this in the regulation that we would be
11 looking, at least in the preamble, looking at
12 other -- interaction of other agents such as
13 asbestos, benzene, or other solvents with
14 radiation to see if -- what effect that might
15 help potentiate the radiation. There might be
16 some synergistic effect going on.

17 We are keeping abreast of
18 literature on this, but at this time, in our
19 opinion, there's nothing out there that's
20 risen to the level where we believe a
21 quantitative analysis of this is possible.

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1 So that's the story on the risk
2 models. I'd be happy to answer any questions
3 if there are any.

4 CHAIRMAN MELIUS: Okay. Thanks,
5 Jim. I actually think that last issue is
6 included in the original legislation also.

7 DR. NETON: I think you're right.

8 CHAIRMAN MELIUS: Any Board
9 Members have questions for Jim? Comments?

10 If not, I have a suggestion. If
11 you recall or don't recall from -- at the last
12 Board meeting this issue came up. There was a
13 suggestion that we form a Work Group on
14 science issues, and I believe there was some
15 discussion there.

16 I believe Drs. Richardson and
17 Lemen were involved. I can't remember who
18 else at the time, and we said, well, let's --
19 before we do that, let's get an update from
20 Jim on it -- Neton on it -- sort of an
21 overview of the issues because not all of the

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1 newer Board Members had been -- were aware of
2 our earlier list.

3 I think you're right, Jim. This
4 list goes back to the early days of the
5 program when we were first talking about the
6 regulations and so forth. So the other issues
7 -- most of them came up quite early. Not all.

8 So I think the question is how do
9 people feel about charging a Work Group to
10 look into these issues, and as I recall the
11 conversation, I may be wrong, it was focused
12 more on the risk model side of issues, and I
13 was thinking it might be useful to have a Work
14 Group that would look at the issues currently
15 under consideration on this list.

16 I think with the exception of the
17 CLL issue, which is sort of out of our hands,
18 I think, at this point in time, and also
19 identify are there any new issues that we need
20 to be -- should be considered as relevant to
21 this program. Any comment on that thought?

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1 MEMBER MUNN: This is Wanda. I
2 was unsure at the time that this was under
3 discussion at the Board meeting what real
4 value a Work Group might bring to this that we
5 could not accomplish through simple review
6 from time to time in the Board forum.

7 It's not one of the types of
8 processes that a Work Group can by definition
9 move forward very well. These are all
10 technical issues, which require resolution by
11 our technical contractor and NIOSH.

12 So, I guess at the time we were
13 discussing it, it wasn't really very clear to
14 me how a Work Group could bring any
15 expeditious review or any added emphasis to
16 the process we have. I'd be delighted to hear
17 some thoughts on that.

18 MEMBER LEMEN: This is Dick Lemen.
19 I'd like to support, as I said in the Board
20 meeting in the past, such a Work Group. I
21 think there is a lot of areas that this type

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1 of Work Group could address that are not being
2 addressed as a general issue in the Work
3 Groups that exist already.

4 Therefore, I'd like to see such a
5 Work Group put together. Obviously, if we do
6 put together the Work Group and the time that
7 there is not a need for it in some point in
8 time, it can always be disbanded, but I think
9 it's worth setting up initially to at least
10 look at the issues we've just been talking
11 about.

12 As Dr. Melius said, I think there
13 are probably other issues that could be
14 identified that this group could also look at.

15 MEMBER MUNN: I think perhaps I
16 misunderstood earlier then. Your focus, Dick,
17 would be to try to identify whether there are
18 major issues of this nature that have not been
19 overlooked and are not included on the list.
20 Is that your -- that's your real --

21 MEMBER LEMEN: Well, that would be

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1 part of the issue and also address issues that
2 are not being addressed by Work Groups that
3 are already set up. This Work Group would be
4 more of a general Work Group to address these
5 general, more broad-sweeping issues.

6 CHAIRMAN MELIUS: This is Jim
7 Melius. I would be a little careful that Work
8 Groups are supposed to be self-limited to some
9 extent, and so they -- so what I was trying to
10 do -- and really, it's somewhat in response to
11 what the concern Wanda raised was that we sort
12 of give it a specific task or specific tasks
13 and then ask it to report back on those tasks,
14 which would be, again, on these risk model
15 issues with the exception of the CLL issue to
16 review the current status of those and then
17 also identify any new science risk based --
18 risk model issues that would be -- could be
19 relevant to this program and should be
20 followed up on.

21 They would come back to the Board

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1 and report to the Board on that and we would
2 have discussion. I'd also say in response to
3 Wanda, all these precludes the Board from
4 receiving periodic updates from Jim Neton like
5 we've done, but frankly, I don't think we --
6 our meeting agendas are tight and limited and
7 I think we -- a Work Group could probably
8 spend a little bit more time and more detail
9 and I think there's a radio of interest in
10 expertise from some of our new Board Members,
11 as well as our current Board Members that
12 would be helpful and useful to the Board in
13 this kind of endeavor. So, that was what was
14 my thoughts on it.

15 MEMBER LEMEN: This is Dick Lemen
16 again. I would agree with you, Jim, that the
17 Board should task the Work Group with specific
18 issues. I agree with that wholeheartedly.

19 MEMBER LOCKEY: Jim Lockey. Let
20 me ask you a question in relationship to the
21 legislation. For instance, if we start

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1 looking at epidemiology studies in
2 relationship to nuclear production workers,
3 okay, I can't see how we would -- our Board
4 would use that data in what our assignment is
5 and what our tasks are.

6 CHAIRMAN MELIUS: Well, the
7 legislation actually calls for NIOSH to do
8 that.

9 MEMBER LOCKEY: It does -

10 CHAIRMAN MELIUS: Yes, I mean, I
11 don't have the language in front of me. It's
12 qualified, but it was a specific part of the
13 original act, and I think it's fair to say
14 that, Jim Neton, you can correct me, that
15 NIOSH's response is that they didn't think
16 that current scientific literature provided
17 enough information to do that in terms of
18 incorporating such information into the risk
19 models.

20 That may very well still be the
21 case, but I don't think this is going -- this

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1 is a specific charge in the legislation.

2 MEMBER LOCKEY: That's right. I
3 didn't realize that. That's --

4 CHAIRMAN MELIUS: Yes, no --

5 MEMBER LOCKEY: So, if NIOSH comes
6 back and says the epidemiology is adequate now
7 and we do need to modify the risk models, then
8 the legislation allows that? Is that what
9 you're saying?

10 CHAIRMAN MELIUS: Yes.

11 DR. NETON: Yes, that's true.

12 MEMBER LOCKEY: Yes.

13 MEMBER SCHOFIELD: This is Phil
14 Schofield. I'd be more than -- I think it's a
15 very good idea given the expertise of the
16 people we have on the Board that I think they
17 have the knowledge and the skills to do these
18 assessments.

19 MEMBER MUNN: The incorporation of
20 existing epidemiological data --

21 MEMBER LOCKEY: That's a huge

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1 task.

2 MEMBER ZIEMER: This is Ziemer.

3 Could I comment?

4 CHAIRMAN MELIUS: Yes.

5 MEMBER ZIEMER: Yes, I agree with
6 Dr. Lemen on the idea of having a Work Group
7 take a look at the issues broadly. I don't
8 think any of us are saying that we would, for
9 example -- the Board or the Work Groups,
10 would, for example, figure out how to
11 incorporate worker epidemiological studies
12 into the IREP model. That would be a job for
13 a group like SENES or even a larger group such
14 as the ICRP.

15 But, it seems to me in terms of
16 the Board, we need to be cognizant of what
17 issues are out there, number one, and if they
18 are being addressed and how and whether --
19 what the timelines are, for example,
20 interaction with other workplace exposure.

21 We note that nothing significant

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1 really is showing up in the literature. NIOSH
2 is doing a little bit on this in other parts
3 of the agency, but for example, are there --
4 can we identify things that could be done to
5 implement that in a more active way?

6 The same with age at exposure
7 analysis; nothing actively going on. Should
8 there be and who would do it? So, I don't
9 think we actually solved the problem so much
10 as see what's out there, what needs to be
11 done, and what we can do to stimulate the work
12 to go forward.

13 It may be that such a group would
14 meet only once or twice just to sort of get
15 our hands around it and report back to the
16 Board that it -- sort of the status of the
17 issue.

18 Obviously, Jim is keeping us
19 abreast of it, but we may want to take sort of
20 an additional in-depth look in terms of how it
21 appears to a number of different people on the

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1 Board that have different backgrounds.

2 MEMBER LOCKEY: This is Jim
3 Lockey. I would agree with that approach. I
4 think that's a reasonable approach. These are
5 upcoming issues. Somebody needs to look at
6 these issues, but not for us to pull it apart
7 because that's just too much of a task.

8 CHAIRMAN MELIUS: No. Absolutely,
9 yes.

10 MEMBER CLAWSON: This is Brad, and
11 I agree with what Dr. Ziemer just said. One
12 of the things that I've been so impressed with
13 is many of the people on the Board looking at
14 the backgrounds -- Jim, Paul, all the new
15 Members that have come in. I think that we
16 ought to utilize the talents that we have, and
17 we're not saying that we're going to tear it
18 apart, but also, too, I think we've got to use
19 the best approaches we can out there.

20 If they can use their talents to
21 help this, I think it's a wonderful thing.

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1 CHAIRMAN MELIUS: Any other
2 comments? Does -- it's just difficult because
3 it's a conference call, but does anyone -- do
4 we want to make a motion? Why don't we do it
5 that way. Does anyone want to make a motion
6 that we establish such a Work Group?

7 MEMBER LOCKEY: I'll make that
8 motion. Jim Lockey, I move that we establish
9 a -- what do you want to call it, a Scientific
10 Work Group?

11 CHAIRMAN MELIUS: Right.

12 MEMBER LEMEN: I'm Dick Lemen.
13 I'll second that.

14 CHAIRMAN MELIUS: Okay. Any
15 further discussion?

16 MEMBER MUNN: This is Wanda again.
17 I'd be much happier if we identified clearly
18 in our motion what the expectation was going
19 to be for the Work Group. We've talked about
20 it, but if it is clear in the motion it would
21 be helpful for some of us.

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1 MEMBER ZIEMER: This is Ziemer.
2 I'm wondering if it would be of value to
3 actually spell out the scope of the
4 responsibilities and maybe present that at the
5 full meeting, which is not really far off --

6 MEMBER LOCKEY: Yes, yes. I think
7 that's a good idea.

8 MEMBER ZIEMER: I'm sure such a
9 group is not going to be able to meet before
10 the next -- the full Board meeting in any
11 event because of other pressing things on the
12 schedule such as Linde.

13 Would it be of value to postpone
14 final action on the motion until we get sort
15 of a specific charter and not a -- I mean, all
16 the Work Groups are supposed to have
17 responsibilities and it's pretty easy on a
18 standard Site Profile because we do those all
19 kind of the same. Maybe we need sort of a
20 more detailed outline of what should happen
21 here.

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1 CHAIRMAN MELIUS: Yes. I'll take
2 that as a motion to postpone. Do I have a
3 second for that?

4 MEMBER LOCKEY: Second.

5 CHAIRMAN MELIUS: Okay. Any
6 further discussion? If not, can we just by
7 voice vote all in favor say aye?

8 (Chorus of ayes.)

9 CHAIRMAN MELIUS: Anybody opposed?

10 (No response.)

11 CHAIRMAN MELIUS: Good. Okay.
12 What I will do is I will put together a draft
13 charge to that Work Group, circulate that
14 before the Augusta meeting, and we can discuss
15 it at the Augusta meeting. Is that fair?

16 Meanwhile, it just may help to --
17 I'm not -- if people that are interested in
18 serving on such a Work Group could just email
19 me their interest and maybe we can then get it
20 appointed at the -- after we've discussed the
21 charge at the Augusta meeting. Thank you, Jim

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1 Neton, for the update.

2 DR. NETON: My pleasure.

3 CHAIRMAN MELIUS: Next is -- we
4 hear from LaVon on SEC petition status update.

5 MR. RUTHERFORD: All right. Thank
6 you, Dr. Ziemer -- or Dr. Melius.

7 CHAIRMAN MELIUS: You can thank
8 all of us.

9 MR. RUTHERFORD: From the past
10 there, you know? First, I want to bring to
11 the Board's attention that Josh Kinman
12 recently took the SEC petitioner counselor
13 position that was held by Laurie Breyer.

14 Josh has been working within the
15 SEC group for quite a while so there will be
16 little time needed getting him up-to-speed,
17 and we hope he will be able to attend the
18 February Board meeting so we can introduce him
19 to some of the -- to the Board Members.

20 As for the February meeting, we
21 anticipate presenting three SEC petition

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1 evaluations. They are for Wah Chang, Grand
2 Junction Operations Office, and the residual
3 period at Norton.

4 Wah Chang petition evaluation was
5 sent to the Advisory Board late last month,
6 and we anticipate having Grand Junction to the
7 Advisory Board this week and Norton late next
8 week.

9 We also anticipate that we will
10 provide an update to the Board concerning GE
11 Evandale at the February meeting and possibly
12 Hangar 481. That's just depending on whether
13 we get some information back on the specific
14 individual film badge readings from Landauer
15 or not.

16 CHAIRMAN MELIUS: LaVon, just to
17 interrupt briefly, the first three -- I know --
18 -- I believe Norton is a -- was an 83.14, but
19 the other two --

20 MR. RUTHERFORD: Actually, Norton
21 was -- I'm sorry, all three of these are

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1 83.13s.

2 CHAIRMAN MELIUS: Okay.

3 MR. RUTHERFORD: Norton
4 originally, if you remember --

5 CHAIRMAN MELIUS: Okay.

6 MR. RUTHERFORD: We added a Class
7 for Norton with an 83.14 for the operations
8 period. This is specifically for the residual
9 period.

10 CHAIRMAN MELIUS: Okay.

11 MR. RUTHERFORD: Again, Wah Chang
12 and Grand Junction are also 83 -- that's
13 pretty much it.

14 CHAIRMAN MELIUS: Okay. Any other
15 questions for LaVon?

16 MEMBER ZIEMER: This is Ziemer. I
17 have one issue or one comment on this topic
18 and that is that Bliss & Laughlin, I believe,
19 the TBD-6000 Work Group basically is in a
20 position to recommend action on that one.

21 We were basically waiting for one

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1 final vote of one Member who was not able to
2 be at our Work Group meeting, but I believe
3 the other vote -- other four votes were in
4 favor of bringing this forward for action at
5 the next meeting.

6 So, I -- I'm expecting that we
7 would have Bliss & Laughlin on the schedule,
8 as well.

9 CHAIRMAN MELIUS: Okay.

10 MEMBER ZIEMER: Ted, does that
11 concur with your understanding? We're still
12 waiting for one member's vote, I think.

13 MR. KATZ: Yes, that's correct,
14 Dr. Ziemer.

15 MEMBER CLAWSON: Jim, this is
16 Brad.

17 CHAIRMAN MELIUS: Yes, go ahead,
18 Brad.

19 MEMBER CLAWSON: I just wanted to
20 let LaVon know that the individual that was
21 doing the Grand Junction did contact me, and

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1 we had a conversation and discussed my issues,
2 that he was going to look into them.

3 LaVon just made the comment that
4 he would have them get in touch with me, and I
5 just wanted him to know that he had.

6 MR. RUTHERFORD: Yes, and he
7 actually -- thank you, Brad. He actually told
8 me he had had the conversation with you and
9 discussed the issues with me, and I think we
10 had them addressed.

11 MEMBER CLAWSON: Okay. Sounds
12 good.

13 MR. RUTHERFORD: All right.

14 MR. KATZ: If the Board Members
15 don't have any other questions, I have a
16 couple questions to add.

17 CHAIRMAN MELIUS: Okay. Go ahead.

18 MR. KATZ: This is along the lines
19 of what petitions might be presented or
20 discussed at the next Board meeting. At the
21 last Board meeting face-to-face, there was

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1 discussion about some DCAS follow-up on
2 Chapman Valve and so I just wanted to check to
3 see where that stands.

4 MR. HINNEFELD: This is Stu. We -
5 - I believe I can provide a sort of summary
6 for what we've tried to learn and I said well,
7 to tell you -- tried to learn and didn't learn
8 anything, we -- the item we were pursuing were
9 a set of records that were still classified in
10 Oak Ridge at an organization called the
11 Records Holding Task Group -- or I think that
12 was the organization that gathered them at
13 least. That's how they are referred to now.

14 We made a data review down there,
15 and one of the specific things we were looking
16 for was information from Chapman that would
17 help us understand the sample, the enriched
18 sample that was found at D&D.

19 I got a verbal report that we
20 didn't really learn anything. I'm getting a
21 summary now of what exactly did we find down

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1 there. There was some Chapman information
2 there, and how that doesn't help us out for
3 the period where -- for the question we're
4 interested in.

5 I also at some time committed to
6 contacting the Navy about information. This
7 has been some time ago I contacted them. They
8 -- our contact there assured me that they
9 could not -- they would -- they did not have
10 any information that would relate to the
11 question we're asking at Chapman.

12 There is also -- we received some
13 information about a procurement database from
14 the armed services, I'm not sure if it's the
15 Navy or a consolidated armed services
16 procurement database, that's available for
17 certain years.

18 I believe it might be the '70s or
19 '80s when that starts. I intend to provide
20 sort of a screen snapshot. I called it a
21 database; it really is a data file. It's a

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1 listing of suppliers to the military that --
2 and they're listed by company name, so you can
3 search, in this case, by the time this was
4 generated. You would search for Crane
5 Company, which was the successor to Chapman.

6 You can find Crane Company in --
7 where was that, Orchard something,
8 Massachusetts. You can find the company on
9 there and there's a very brief description of
10 what the procurement was for and the ones we
11 have been able to see were valves. The
12 military bought valves from the Crane Company.

13 So, that's the extent of what
14 we've been able to learn. I will prepare a
15 summary for that, and I expect I should be
16 able to get that out well in advance of the
17 Board meeting if the Board chooses to consider
18 that.

19 CHAIRMAN MELIUS: Just -- Jim
20 Melius -- a follow-up on that then and I may -
21 - I'm sure where we stand with this, but would

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1 that then go out to the Work Group to --

2 MR. HINNEFELD: We can provide it
3 to the Work Group --

4 CHAIRMAN MELIUS: Are we beyond
5 the Work Group stage? I think --

6 MR. HINNEFELD: Well, there is a
7 Chapman Work Group. I have to let the Chapman
8 chairman --

9 CHAIRMAN MELIUS: That is why I'm
10 asking -- Dr. Poston, I believe you're the
11 chair? Is that -- John, are you still on the
12 call? Apparently not. Ted or I -- Ted, you
13 and I -- one of us will follow up and we'll --

14 MEMBER POSTON: Jim?

15 CHAIRMAN MELIUS: Oh, yes, there
16 you are.

17 MEMBER POSTON: I'm here.

18 CHAIRMAN MELIUS: Okay.

19 MEMBER POSTON: I'm sorry. What -

20 -

21 CHAIRMAN MELIUS: My question was

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1 I didn't know where we stood with the Chapman
2 Work Group. I guess Stu's going to prepare an
3 updated report on their attempts to find
4 further information, and I didn't know whether
5 we'd be appropriated to have that come back
6 through the Work Group with perhaps a quick
7 conference call or just have it come directly
8 back to the Board.

9 MEMBER POSTON: Well, I don't know
10 the proper approach, but certainly if you came
11 back to the Work Group, we could have a
12 telecon and bring a recommendation. I mean,
13 the -- I don't remember exactly, but I think
14 the motion's been tabled.

15 We voted on it a couple times. We
16 tried to take it off the table, and we've
17 never been able to do that.

18 CHAIRMAN MELIUS: Why don't we, if
19 you can -- let's see if we can set up a Work
20 Group call just in case there are questions
21 about the information rather than -- if

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1 there's not, then we can put it on the agenda
2 for the February Board meeting.

3 MEMBER POSTON: Sure, as soon as
4 we get something from Stu, we can --

5 CHAIRMAN MELIUS: Right. Okay.

6 MEMBER POSTON: Should be able to
7 talk about it.

8 CHAIRMAN MELIUS: Okay. Great.
9 Thanks.

10 MR. KATZ: Okay. This is -- so
11 that was one of my items. Thank you,
12 Dr. Poston, and I'll help you with setting up
13 that meeting as soon as I get a sense from Stu
14 as to when you'll have final documentation.

15 The last item I just want to check
16 with is with Brad. Brad has scheduled a
17 Fernald Work Group, and I think his hope or
18 intention was to try to bring Work Group
19 activities on the SEC to a close, but I want
20 to confirm that.

21 I'm not certain about that. Brad

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1 may have done more work since then and know
2 more.

3 MEMBER CLAWSON: Yes, Ted, this is
4 Brad. I plan on -- we're finishing up the
5 last few items here, and I plan on bringing it
6 to the Board at the next full Board meeting.

7 MR. KATZ: Very good then, Brad.
8 So then Fernald will have a place on the
9 agenda, as well. Is that good with
10 Dr. Melius?

11 CHAIRMAN MELIUS: Yes.

12 MR. KATZ: That's it for me.
13 Thank you.

14 CHAIRMAN MELIUS: Okay. Thanks.
15 Any other Work Group -- it's time for Work
16 Group/Subcommittee updates. I'm -- this is
17 sort of a -- we do this on a volunteer basis.

18 Anybody that has anybody that has anything --

19 MEMBER CLAWSON: Yes, this is Brad
20 again. What I'm talking about is Pantex, and
21 I just wanted to make sure that -- I've had

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1 somewhat of a problem with my CDC account to
2 be able to send stuff out.

3 It sends out half of the
4 addresses, not the other half, but I wanted to
5 make sure that all the Work Group Members,
6 especially Stu and Jim, that they got this
7 update that I sent out about a week ago on the
8 status of where we were at with Pantex.

9 CHAIRMAN MELIUS: Which Jim? Jim
10 -- me or Jim Neton?

11 MEMBER CLAWSON: Well, actually,
12 you were on the list, too. You sent me back
13 and said yes, you had received it, so I wanted
14 to make sure that Jim Neton got it.

15 DR. NETON: Yes, I got it, Brad.
16 This is Jim Neton.

17 MEMBER CLAWSON: Okay. I just
18 wanted to make sure of that. We're working on
19 several issues and we're processing through
20 these things right now. I think we're making
21 some head ways with the tour that we had and

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1 everything at Pantex. I think it really
2 helped out, but we're just proceeding forward
3 at this time.

4 CHAIRMAN MELIUS: Good. Anybody
5 else?

6 MEMBER MUNN: Yes, this is Wanda.
7 The Subcommittee on Procedures is staying
8 busy. We met on January 5 for a long full
9 day. Covered a great deal of material, got a
10 great deal done.

11 We were able to close a
12 significant number of entries that existed on
13 the database and look forward to being able at
14 our next meeting to close quite a few more.

15 One of the things that we're very
16 pleased to know is that the lead personnel for
17 our contractor is going to be meeting with the
18 IT designers for the database that we use to
19 try to tweak what we have just a little more.

20 We've had numerous improvements
21 over the last few months to how that database

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1 operates, but in adding some new functions, we
2 have lost one or two key items that we need to
3 obtain our overall availability of information
4 when we work with the database.

5 So, it's my understanding that
6 that meeting is going to take place with the
7 programmers and designers for the database
8 probably next week, and so we're looking
9 forward eagerly to the new, again, improved
10 look and availability of information for next
11 time.

12 At this precise moment, we've been
13 focusing on the two-page summaries of the
14 final program reviews that SC&A has been doing
15 for us. We had four on our plate this last
16 time, and up to this point we've undertaken a
17 very tedious process in order to try to get
18 these right.

19 We went through this with the
20 first pilot attempt and we've diminished the
21 amount of attention by some degree but still

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1 are spending far too much time how we do this.

2 We had a little discussion about that, and I
3 think it's generally agreed that we will
4 attempt to streamline that process markedly.

5 Necessary that we do that actually
6 in view of the fact that our contractor has
7 just presented us with another 12 two-pagers
8 to be working on. I've been in communication
9 with the lead personnel who are putting
10 together those summaries for us based on the
11 actions that we took at our last meeting of
12 January 5.

13 They've requested an opportunity
14 to rework those 12 that have been forwarded to
15 us, and we look forward to seeing those
16 reworks in the expectation that they'll be
17 simplified and come closer to following some
18 of the rules we have established and what we
19 expect to do there.

20 We are planning our next meeting
21 to be in early March -- rather, late March,

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1 and at that time given the information that we
2 have now, we probably will have every bit as
3 heavy a load as we have had up to this point.

4 We feel like we're making progress
5 and are going to need to make some decisions
6 about how we approach an upcoming report to
7 the Secretary, which should be coming up on
8 our agenda in another two or three meetings.
9 I think that's it.

10 CHAIRMAN MELIUS: Okay. Thank
11 you, Wanda. Anybody else have anything to --
12 Work Group chairs have anything to report?
13 Mark Griffon had to leave the call. He did
14 send me an email updating. I just --
15 basically that his Work Groups there are --
16 meetings scheduled or being scheduled for
17 them, so -- and I know from the schedule that
18 a number of the other Work Groups are meeting
19 or have meetings scheduled coming up.

20 MEMBER CLAWSON: Hey, Jim, this is
21 Brad. This is more of a question for

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1 Genevieve, especially where we were dealing
2 with Linde. She spoke of some earlier
3 documents that she sent to us.

4 I've gone through all of my email
5 accounts, and I can't find those. I was
6 wondering if, Genevieve, if you could send me
7 those earlier two reports that you were
8 speaking of.

9 MEMBER ANDERSON: Those were back,
10 I think, in November, weren't they?

11 MEMBER CLAWSON: Yes. They were -
12 -

13 MEMBER ANDERSON: It was a long
14 time ago, yes.

15 MEMBER CLAWSON: Right. I went
16 through all my files and stuff, and I couldn't
17 find those. After that last Board meeting, I
18 was trying to figure out quite a few things,
19 but I was just wondering if I could have Jim
20 send those to me. I would appreciate it.

21 MR. KATZ: Brad, this is Ted. I

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1 have them, too. I'm happy to send that to
2 you.

3 MEMBER CLAWSON: Okay. Yes, if
4 any -- just so I could be onboard and
5 understand what they're talking about. I'd
6 appreciate it. Thank you.

7 MR. KATZ: Absolutely.

8 CHAIRMAN MELIUS: Ted, do you want
9 to give the update on -- you had some other
10 updates you wanted to give.

11 MR. KATZ: Yes. Yes, thank you,
12 Jim. Do you want to address Board
13 correspondence first, or do you want me to do
14 this?

15 CHAIRMAN MELIUS: I was going to
16 have you go first, but it doesn't matter. Why
17 don't you go ahead.

18 MR. KATZ: No, that's fine. Let
19 me -- so, I have a number of things to talk
20 about about the upcoming February Board
21 meeting. One, I left -- we were talking about

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1 petitions and I probably should've also
2 mentioned we discussed in the November Board
3 meeting Dow Madison, very extensively, and
4 Board Members wanted some additional time so
5 we postponed any action on that until
6 February, but that would be on our agenda,
7 too.

8 I have an action item for that,
9 which was to send the last two transcripts --
10 both the transcript of the Board meeting --
11 the November Board meeting itself, as well as
12 the last meeting of the Work Group -- the SEC
13 Work Group, which discussed Dow Madison to
14 Board Members in preparation for the February
15 Board meeting. So, I'll take care of that
16 closer to time so that you have it when you
17 need it.

18 Then I have a number of those
19 other things. We'd also discussed for the
20 upcoming Board meeting strategies for maybe
21 coming back on the NIOSH program update, and I

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1 talked to Stu about some of this, and so one
2 thought is to shorten the NIOSH program
3 update, at the head of the meeting, to
4 15 minutes where really I think what DCAS --
5 what Stu would do is send you the usual full
6 information sort of presentation in advance of
7 the Board meeting, but rather than present
8 that, spend the time at the front end of the
9 meeting presenting that, you would take
10 questions at that point.

11 Then I had another thought, which
12 I haven't had a chance to discuss with Stu,
13 but we can discuss it right here on the line,
14 which is perhaps -- we had a conversation
15 during the Board meeting about what would be
16 most useful to the public and, for example,
17 David Richardson suggested maybe a poster
18 presentation in the hallways or what have you.

19 What I thought might be perhaps a
20 little easier for the public -- because poster
21 presentations are very sort of familiar to

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1 people in public health and research in
2 general, but maybe less the public, maybe Stu
3 could take that -- just that portion of the
4 update that covers local sites and just do a
5 very brief oral presentation at the head of
6 the public comment session so that -- and
7 that's when we have most of the public there
8 to sort of bring them up-to-date with issues
9 that are of direct concern to them locally.

10 But, so that's a suggestion for
11 the Board and for Stu. We haven't discussed
12 it.

13 CHAIRMAN MELIUS: Ted, you were
14 also going to update us on the White Paper
15 issue?

16 MR. KATZ: Yes. So I have others,
17 I just wanted to raise that because I'm going
18 to have to start planning for this. So, Stu,
19 I mean, does that seem agreeable to you? The
20 Board, does that seem agreeable to you?

21 MR. HINNEFELD: Ted, this is Stu.

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1 The local information presentation you're
2 proposing, I do at the start of public
3 comments.

4 MR. KATZ: Yes, that's what I was
5 suggesting.

6 MR. HINNEFELD: Okay. So, it's
7 essentially -- the status for the local site.

8 MR. KATZ: Yes.

9 MR. HINNEFELD: Okay. I can do
10 what the Board requests. That sounds fine to
11 me. I think there's some merit in removing
12 the overall statistics presentation part.
13 We'll still provide that. We'll still provide
14 the same information probably in much the same
15 format in advance to all the Advisory Board
16 Members, and then if they have questions about
17 the package, they can ask.

18 Then I'd maybe make a comment or
19 two about any particular news items or newly
20 breaking items that -- to talk about.

21 MR. KATZ: Right, Stu. So that's

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1 what I was suggesting, the questions about the
2 full presentation. We still have 15 minutes
3 at the front of the meeting to take those.

4 MR. HINNEFELD: Right. Right.
5 That part I think we had discussed, and that
6 part I thought we --

7 MR. KATZ: Right.

8 MR. HINNEFELD: I'm certainly
9 agreeable with, and as for the rest, for the
10 local information presenting that at public
11 comment, I'll do whatever the Board wishes.

12 CHAIRMAN MELIUS: Yes, I mean --
13 this is Jim Melius. Why don't we try that and
14 see. I think in Augusta where it's basically
15 one-sided, it works. I think it's -- some of
16 these locations where you have several sites,
17 it gets -- I'm not -- it just may take a while
18 or something. But, let's try it in Augusta,
19 see how it works, and --

20 MR. KATZ: Okay.

21 CHAIRMAN MELIUS: I think we can

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1 always modify it as we try to fit the location
2 and circumstances where we are.

3 MR. KATZ: Okay. Thank you. Then
4 some other items for the meeting. We have
5 annual -- I know you've done it online, but
6 we'll get it out of the way for the next year,
7 too -- our annual ethics training and we're
8 planning to handle that in the later afternoon
9 of the first day for the Board.

10 Then, another item, public
11 comments. The public is dealing with
12 responding to public comments. The Privacy
13 Act clearance process is backed up in part
14 because of the holidays, and I'm sure it's not
15 helped by this snow event in Atlanta, but for
16 the comments that were provided by the public
17 at the November Board meeting, so I'm a little
18 uncertain as to whether we will have them. I
19 need them Privacy Act cleared before DCAS can
20 do its piece in addressing responses to them
21 and then get that to the Board.

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1 So, I'm quite uncertain as to
2 whether that will be ready for the February
3 Board meeting. If it's not, I will plan on we
4 having that session during the next
5 teleconference, which is in April, if that
6 seems acceptable to the Board.

7 CHAIRMAN MELIUS: Yes, I think
8 that's fine, Ted. You have to do the best you
9 can given the -- I think going through those
10 on a call is -- well, we tried it once; it was
11 difficult. Now we've changed the approach, so
12 it might be easier next time. So --

13 MR. KATZ: Well, I'll give that
14 some thought. If it looks like it would be
15 difficult to get in the way, we have things
16 and we can always -- we have a meeting then in
17 May, as well, a face-to-face. So however that
18 works out.

19 CHAIRMAN MELIUS: Okay.

20 MR. KATZ: All right. Then, let's
21 see. An administrative matter about the

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1 upcoming Board meeting in Augusta I just want
2 to speak with you about. We're going to --
3 Zaida is going to try to coordinate your
4 travel.

5 A lot of you -- some of you may be
6 flying directly into Augusta, and that's easy,
7 but for many of you who may be flying into
8 Atlanta, we're going to try to coordinate so
9 that we have some of you sharing rental cars
10 and you don't have to have a fleet of them to
11 get you all to that.

12 I'd also, just on an
13 administrative note, encourage you to keep in
14 mind when you're doing your 450s and mandatory
15 annual trainings, clearances, and so on, these
16 requests that you get from CDC, I know these
17 are noisome in a sense -- I mean, it's -- you
18 guys are all very busy, and I fully appreciate
19 that. I find them noisome myself, having to
20 comply with all these things, as well, but
21 they're very important, and so I just want to

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1 encourage you to keep that in mind and try to,
2 on a timely basis, respond to these requests
3 you get from CDC.

4 The CDC folks, I think, work very
5 hard to try to minimize the burden on you to
6 the extent they can in what they ask from you
7 -- being responsive to your questions and so
8 on.

9 Okay, then the last matter is what
10 we discussed about earlier -- is the
11 difficulty -- well, two issues really. Two
12 sides to this. You as Board Members need
13 access to all of the SC&A reviews and memos,
14 et cetera, particularly for the full Board
15 because the Work Group gets these things and
16 they all file these things away in their own
17 personal computers or they know where to find
18 them, but then when these -- particularly with
19 SEC petitions when they come to the full
20 Board, of course, everyone else doesn't have
21 the same advantage, and Jim spoke to this in

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1 doing his work in preparing on the Linde
2 matter.

3 So, I am -- I've had conversations
4 with folks at DCAS and with folks at SC&A and
5 we are working to do a number of things. One,
6 the quickest and sort of easiest thing to do
7 is we're getting a complete inventory of all
8 these materials and we'll have those available
9 on the K: drive, including memos, including
10 White Papers.

11 Some of these items would never
12 show up on the web anyway, but -- so that's a
13 first order of business, to get an easily
14 searchable place on your O: drive, what you
15 refer to as your O: drive, so that for any
16 given site you can find everything that SC&A
17 has said, everything the DCAS has said in
18 response to support you in reviewing one of
19 these petitions or TBD, whatever it might be
20 that comes before the full Board.

21 Then we have the issue of trying

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1 to get more material up on the public website.

2 Right now the public website is very good in
3 terms of the TBD review, Site Profiles, the
4 SEC Petition Evaluation, the major reports for
5 SC&A responding to those Petition Evaluations,
6 so much of that site-specific material is up
7 there and available for the public, but we
8 have a lot of SC&A procedure reviews that
9 aren't specific to a site and some procedure
10 reviews that are more or less specific to a
11 specific site.

12 Those all have not been
13 automatically PA cleared, and they're sort of
14 dispersed. SC&A has them themselves and then
15 the Work Groups that have been involved with
16 those procedure reviews have them, but they're
17 not in one place. Then they're certainly not
18 in one place on the web for the public.

19 So, we're working through that.
20 What I'm having done is PA clearing the site-
21 specific material that hasn't been cleared and

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1 there's very little of it that hasn't been
2 cleared.

3 First, that we can get that up on
4 the website, and I think those would be
5 logically put onto the site as other material
6 is already. Then after that we will go
7 through and make sure we PA cleared all the
8 major procedure reviews and get those also up
9 on the website so that the public can see all
10 of this major work that SC&A has done in doing
11 DCAS' work.

12 Any questions about my path
13 forward or suggestions?

14 CHAIRMAN MELIUS: I think that
15 would be, I think, useful. As I said in the
16 Linde case, when -- again, I believe the
17 petitioners were given access to this because
18 they were active participants, but there were
19 a number of items and it also included one of
20 the general procedure OTIBs that I went to --
21 you sort of try to pull the string if you're

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1 looking at something referred to in a
2 transcript, and it wasn't there to find, so I
3 think this will be helpful, and I think it's
4 useful.

5 Any other comments or questions on
6 that or for Ted or I guess -- so we're talking
7 about the Board meeting. Any other comments
8 or questions regarding the Augusta Board
9 meeting?

10 As I think you already know, if
11 you counted the SEC petitions, we have a busy
12 Board meeting coming up with lots of petitions
13 to go through.

14 The last item -- we sort of
15 skipped over for Ted -- correspondence. The
16 only correspondence we've received, in the
17 interim, at least I'm aware of to the Board is
18 the letter from Senators Schumer and
19 Gillibrand regarding the Linde Site.

20 Ted circulated the letter and a
21 draft response to you yesterday. I've

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1 received comments from editor-in-chief Wanda
2 Munn already, which -- or editorial comments.

3 As Ted indicated, the email we are going to
4 add just sort of a brief update that the Linde
5 petition will be discussed at the next Board
6 meeting and we're expecting closure at that
7 Board meeting.

8 But anybody have questions or
9 comments on the letter?

10 MEMBER ZIEMER: This is --

11 CHAIRMAN MELIUS: Go ahead, Paul.

12 MEMBER ZIEMER: Ziemer. I was
13 just going to ask, were the editorials that
14 Wanda made change anything substantive?

15 CHAIRMAN MELIUS: No. They
16 clarify. Particularly in the third paragraph,
17 she clarified some issues --

18 MEMBER ZIEMER: Thank you.

19 CHAIRMAN MELIUS: In that. I'm
20 just going to briefly summary. There are two
21 issues that were raised in the letter. First,

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1 was this whole timeliness of the initial
2 evaluation process, and the response to that
3 was basically that NIOSH and the Board are
4 working together to address this and NIOSH is
5 doing this program review and we hope to be
6 able to reduce the amount of time that's
7 involved in the overall process.

8 The second issue is -- I think is
9 a more difficult issue to address. It's the
10 issue of when a Site Profile, or I guess it
11 would come up under an SEC evaluation also,
12 when there's an agreement that there's a
13 problem with one of the individual dose
14 reconstruction methods for a particular site,
15 sort of the timeliness of that then getting --
16 of the review and sort of the working with
17 NIOSH's process for working with a DOL to
18 reopen those cases where necessary and I think
19 that's a knottier issue just because it's
20 complicated by the review process and NIOSH to
21 some extent waiting for closure particularly

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1 on an SEC petition as to what's going to
2 happen to the site overall.

3 I think it's difficult and I think
4 it's something that we can work with NIOSH on
5 to be more cognizant of. If not the next
6 Board meeting, the following Board meeting, I
7 thought it might be useful to have -- get a
8 little presentation from Stu about what the
9 NIOSH process is with DOL.

10 I think at the last meeting Stu
11 addressed it -- we asked him some questions,
12 but I think it may be helpful to get a little
13 bit more organized -- for Stu to have time to
14 get a little more organized response to that
15 and see if there are things that we can do to
16 address that.

17 We don't want to delay claimants
18 getting a review where it would assist them in
19 their claims because the method is changed.
20 At the same time, there needs to be some
21 certainty that that is going to be sort of the

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1 final word on that, at least for some
2 significant period of time doing that.

3 So, her response is basically
4 saying, "Yes, it's something we're -- that the
5 Board is working with NIOSH on."

6 Anybody -- any other comments or
7 questions? I'll say it, people did not have
8 much time to review this and if people have
9 additional wording changes, whatever, please
10 get them to me.

11 If you can try to do it by the end
12 of the week, we'll wait till then till we
13 finalize.

14 MEMBER ZIEMER: Jim, this is
15 Ziemer, and I know we have a policy that
16 requires that the Board authorized letters to
17 the congressional people, and I think the
18 nature of your response is fine.

19 There may be minor editorials, but
20 I think -- I certainly the Board ought to
21 authorize this to be sent and not wait for the

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1 next meeting or something --

2 CHAIRMAN MELIUS: Right.

3 MEMBER ZIEMER: There's a
4 timeliness issue even on the responses and I
5 think in terms of the general thrust of what
6 you've said, I certainly agree that we should
7 authorize you to send it.

8 I don't know if you need a motion
9 on that, but --

10 CHAIRMAN MELIUS: I guess maybe
11 try to go through that. Anybody have any
12 objections to the letter?

13 (No response.)

14 CHAIRMAN MELIUS: Hearing none, I
15 guess --

16 MEMBER MUNN: I'll be glad to send
17 the edits out to the whole Board if you'd like
18 that.

19 MEMBER ZIEMER: Well, I assume,
20 Jim, you'll send us the final copy and --

21 CHAIRMAN MELIUS: I'll send

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1 everybody a final.

2 Nancy Adams also. They're -- they
3 needed to go into a federal government
4 congressional correspondence formatting also.

5 MEMBER ZIEMER: Right.

6 CHAIRMAN MELIUS: Good. Any other
7 business that people would like to bring up
8 for this meeting?

9 MEMBER PRESLEY: Hey, Jim, this is
10 Bob Presley.

11 CHAIRMAN MELIUS: Yes, Bob.

12 MEMBER PRESLEY: Would it be too
13 much trouble to have NIOSH, Ted Katz put out a
14 revised list of when our Working Group
15 meetings are going to be? We've had so many
16 cancellations and additions to Working Groups,
17 it's hard to keep up with that anymore.

18 CHAIRMAN MELIUS: Yes, I believe
19 Ted did one about two or three weeks ago, I
20 think, Ted?

21 MR. KATZ: Actually, I think I did

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1 one less than a week ago, Bob, so you should
2 have it in one of your email accounts.

3 MEMBER PRESLEY: Okay. If you
4 would, send that to my home account, would you
5 please?

6 MR. KATZ: I'd be happy to do
7 that.

8 MEMBER PRESLEY: Thank you.

9 CHAIRMAN MELIUS: Okay. Any other
10 changes? Comments? Questions? Okay. If
11 not, I guess we have a motion to adjourn.

12 MEMBER ZIEMER: So moved.

13 CHAIRMAN MELIUS: Second?

14 MEMBER BEACH: Second. Seconded.

15 CHAIRMAN MELIUS: Okay. All in
16 favor -- click your phone. Hang up, and we'll
17 see you all in Augusta if not sooner. Thanks
18 very much.

19 (Whereupon, the above-entitled
20 matter went off the record at 12:51 p.m.)

21

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