

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

+ + + + +

80th MEETING

+ + + + +

THURSDAY,  
OCTOBER 20, 2011

+ + + + +

The meeting convened at 11:00 a.m.  
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  
MARK GRIFFON, Member  
JAMES E. LOCKEY, Member  
WANDA I. MUNN, Member  
JOHN W. POSTON, SR., Member  
DAVID B. RICHARDSON, Member  
GENEVIEVE S. ROESSLER, Member  
PHILLIP SCHOFIELD, Member

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PAUL L. ZIEMER, Member  
TED KATZ, Designated Federal Official

REGISTERED AND/OR PUBLIC COMMENT PARTICIPANTS:

ADAMS, NANCY, NIOSH Contractor  
AL-NABULSI, ISAF, DOE  
BARRIE, TERRIE  
BURGOS, ZAIDA, NIOSH  
ELEY, JUDY, SC&A  
FITZGERALD, JOE, SC&A  
FUORTES, LARS  
GLOVER, SAM, DCAS  
HINNEFELD, STU, DCAS  
KINMAN, JOSH, DCAS Contractor  
KOTSCH, JEFF, DOL  
LIN, JENNY, HHS  
MAKHIJANI, ARJUN, SC&A  
MAURO, JOHN, SC&A  
NETON, JAMES, DCAS  
RAY, SARAH  
ROLFES, MARK, DCAS  
RUTHERFORD, LaVON, DCAS  
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: So I'll run down roll  
4 call, and since we have two SEC petitions  
5 potentially to be discussed today, please,  
6 Board Members and NIOSH ORAU staff and SC&A  
7 speak to conflict of interest for those two  
8 sides as well as responding to the roll call.

9 (Roll call.)

10 MR. KATZ: Okay, I think that we  
11 can proceed, and it's your agenda, Jim. While  
12 we're waiting for Dr. Melius, let me remind  
13 everyone else to please mute your phones  
14 except when you're speaking to the group and  
15 if you don't have a mute button, press \*6 to  
16 mute and \*6 again to take off mute.

17 CHAIRMAN MELIUS: Okay, anyway,  
18 welcome everybody and would just like to note,  
19 I believe all the Board Members know and many  
20 other people on the line know, but not  
21 everyone does.

22 We have lost one of our initial

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1 Board Members. Robert Presley died some few  
2 weeks ago, shortly after our last meeting.  
3 And we'll probably say something more formally  
4 and direct about that on our meeting in Tampa.

5 But he certainly is someone we miss and  
6 devoted a lot of hours and a lot of hard work  
7 to this Advisory Board.

8 Ted, I think the next item on the  
9 agenda is recording votes from Members who  
10 were absent at the last meeting.

11 MR. KATZ: Right. Thank you, Jim  
12 and thank you for that notice. And let me  
13 just mention also for members of the public or  
14 others, the agenda for this meeting is on the  
15 NIOSH website, under the Board section so you  
16 can see what's coming and when.

17 So at the August Board Meeting we  
18 had a good number of votes and we had a number  
19 of Members absent. We received all the  
20 absentee votes by September 9 and have  
21 processed them since and gone forward with  
22 Board letters and there's been HHS action

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1 following that.

2 But let me just record officially,  
3 Dr. Richardson and Mr. Griffon voted  
4 affirmatively with the Board on Vitro. That  
5 was the only vote that they missed.

6 Mr. Gibson voted affirmatively on  
7 W.R. Grace, Vitro, Ames, Piqua, Norton and Y-  
8 12. Voted with the Board.

9 Mr. Presley voted on W.R. Grace,  
10 Vitro, Ames, Piqua and Norton affirmatively  
11 with the Board.

12 And Dr. Lockey voted  
13 affirmatively on Vitro, Ames, Piqua and  
14 Norton. And those were complete votes, then,  
15 for all the actions in August and they all  
16 went forward unanimously.

17 CHAIRMAN MELIUS: Okay. Thank  
18 you, Ted, for the update. The first item on  
19 our agenda is the Pantex SEC petition and we  
20 had a fairly extensive discussion of this  
21 petition and issues related to it at the last  
22 meeting.

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1           After that meeting, we asked that  
2 both NIOSH and SC&A summarize their respective  
3 recommendations on that. NIOSH saying that  
4 they believe they could conduct dose  
5 reconstruction there and SC&A pointing out a  
6 number of problems with doing that and  
7 basically saying that dose reconstruction was  
8 not feasible, which I believe was at least  
9 also the position of at least the Members of  
10 the Work Group that were present for that part  
11 of the meeting.

12           So I believe since that meeting  
13 you've received, all the Board Members have  
14 received the summaries from SC&A and NIOSH. I  
15 believe Ted also sent out, I believe the  
16 transcripts from the Work Group meeting that  
17 had preceded our prior Board meeting and  
18 discussion, which had some additional  
19 information on that.

20           So why don't I first turn over and  
21 ask NIOSH if they'd like to make any comments  
22 or at least to sort of briefly indicate that

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1 in your -- so a brief summary, was there  
2 anything new that hadn't been previously  
3 brought up or discussed or done in terms of  
4 follow-up to the last Board discussion?

5 I don't know, Mark or Stu? I'm  
6 not sure who's going to be speaking on behalf  
7 of NIOSH, so.

8 MR. HINNEFELD: Well, let me just  
9 make a brief comment and then we'll see if the  
10 Board has questions, if Mark feels, based on  
11 the additional things, he can. I felt like I  
12 wanted to put out sort of a summary of the  
13 basis for NIOSH's position in sort of a  
14 concise representation of it.

15 Because the Work Group, of course,  
16 deals in extraordinary detail and there's a  
17 lot of detailed information that's shared in  
18 Work Group discussions, and so it's easy to  
19 lose the theme of the argument.

20 So we tried to do that in our  
21 summary which went out, oh, a couple of weeks  
22 ago maybe. And so I don't know that I have

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1 much else to add to that. Just reinforcing  
2 that our position was that there was a chronic  
3 exposure to uranium during the dismantlement  
4 of this particular weapon system, the W28  
5 weapons system.

6 And because of a variety of  
7 factors, that would have been the highest  
8 exposure rates for, you know, therefore the  
9 highest integrated exposure, not necessarily  
10 the highest exposure rate because there could  
11 be an incident, a short-term incident, that  
12 gave a higher exposure rate.

13 But that this integrated exposure  
14 at those levels represents the highest  
15 exposure that could have happened and  
16 therefore was bounding. So that's the basis,  
17 really, for our argument.

18 CHAIRMAN MELIUS: Okay, thanks,  
19 Stu. Mark, do you have anything to add? Is  
20 there anything that's new or different or  
21 updating it in the October 7 memo from NIOSH?

22 MR. ROLFES: Dr. Melius, this is

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1 Mark. And I don't think we have anything  
2 additional to add at this time, but we'd be  
3 happy to entertain any questions.

4 CHAIRMAN MELIUS: Okay. Thanks,  
5 Mark. And then I don't know if -- Brad  
6 Clawson, are you on the line yet? Apparently  
7 not. I don't know, Joe Fitzgerald from SC&A,  
8 do you want to -- anybody from SC&A want to  
9 say anything about the memo that you sent out  
10 which was dated October 11?

11 MR. FITZGERALD: Again, I, as Stu  
12 was pointing out, I think this is a pretty  
13 good capsule discussion of some of our  
14 concerns over the issue of whether that 1990  
15 set of bioassay data would be in fact  
16 bounding.

17 And I think that's the issue,  
18 whether there's in fact a strong enough basis  
19 for making that conclusion because of the  
20 implications of applying that back over the  
21 length of time we're talking about.

22 So I think we've made our points

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1 and what we're looking for is something, given  
2 the degree of back application, something like  
3 30 years, what we're looking for is something  
4 harder than what we've been able to glean from  
5 the NIOSH position to date.

6 And I think we lay that out in  
7 some specifics here and certainly we would be  
8 pleased to entertain any questions from the  
9 Board.

10 CHAIRMAN MELIUS: Okay. And --

11 MEMBER BEACH: Hey, Jim?

12 CHAIRMAN MELIUS: Yes?

13 MEMBER BEACH: This is Josie. I  
14 just talked to Brad. He's trying to get  
15 online now.

16 CHAIRMAN MELIUS: Oh, okay. Good.  
17 Yes, I tried to reach him earlier also.  
18 Well, while we're giving Brad a chance to get  
19 online, do Board Members have questions for  
20 either NIOSH or SC&A about these issues?

21 MEMBER MUNN: This is Wanda, Jim.

22 Did you say that SC&A's comments were sent on

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1 the 11th? I don't seem to have them. I have  
2 a NIOSH paper, but if there were comments from  
3 SC&A, for some reason I don't seem to see  
4 them.

5 MEMBER ROESSLER: This is Gen. I  
6 also am looking for them. One of my problems  
7 is I probably don't, excuse me, always get the  
8 CDC emails. I wonder if it was sent to our  
9 other email addresses also?

10 MEMBER MUNN: I don't see it in my  
11 CDC mail.

12 MR. KATZ: This is Ted. I also  
13 forwarded these to your personal email  
14 addresses, I do believe.

15 MEMBER ROESSLER: Well, I'm on the  
16 CDC computer right now. I'm going to see if I  
17 can pull it up.

18 CHAIRMAN MELIUS: It's dated  
19 October 13.

20 MEMBER ROESSLER: Okay.

21 CHAIRMAN MELIUS: It was sent by  
22 Nancy, it had been PA-cleared. Yes, the memo

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1       itself is dated October 11.

2                   MR. KATZ:     Right.     And then you  
3       actually should have gotten a version from me  
4       and a version from Nancy.   So you should have  
5       gotten it twice, actually.

6                   MEMBER RICHARDSON:     The version  
7       from Ted came at 3:02 p.m. on the 11<sup>th</sup>.   And  
8       it would be, yes, it was sent to an AOL  
9       account for Wanda.

10                  MEMBER MUNN:     Yes, and I'll check  
11       my AOL mail.   I'm in CDC mail right now.

12                  MEMBER POSTON:    Ted?

13                  MR. KATZ:     Yes?

14                  MEMBER POSTON:     John Poston, I  
15       just signed on.   Sorry to be late.

16                  MR. KATZ:     Oh, but glad to have  
17       you, John.

18                  MEMBER CLAWSON:    John, this is  
19       Brad.   I'm on, too.   I mean, Ted.   I'm sorry,  
20       I had a computer glitch.

21                  MR. KATZ:     Thanks.   Now we already  
22       took roll call.   For Brad, we also asked for

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1 conflicts for two issues, Pantex and Hangar.  
2 I believe you're not conflicted on either?

3 MEMBER CLAWSON: Correct.

4 MR. KATZ: But we need to state  
5 that for the record, and John, you have a  
6 conflict for Pantex but not for Hangar 481, so  
7 just state that for the record.

8 MEMBER POSTON: That's correct.

9 MR. KATZ: Thank you.

10 CHAIRMAN MELIUS: Gen and Wanda,  
11 did you find those sent memos? The memo, I  
12 should say.

13 MEMBER MUNN: No. As a matter of  
14 fact I didn't, but that --

15 MR. HINNEFELD: This is Stu  
16 Hinnefeld, I just resent it, I just sent it to  
17 Wanda and Gen at their CDC emails.

18 MEMBER MUNN: Thank you. I  
19 appreciate this.

20 CHAIRMAN MELIUS: Any other Board  
21 Members, while they're looking at those, have  
22 questions on either memo?

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1                   MEMBER ZIEMER:   Dr. Melius, Ziemer  
2 here.

3                   CHAIRMAN MELIUS:   Yes?

4                   MEMBER ZIEMER:   Yes, I too didn't  
5 get the October 11 ones. I did get Ted Katz's  
6 October 12. Ted, are you indicating that all  
7 of those Pantex documents that you sent are  
8 the same ones? Is that what you're saying?

9                   MR. KATZ:       No, they came to me  
10 separately and I sent them on separately. So  
11 they should -- they're on different emails and  
12 maybe even a different day.

13                  MEMBER ZIEMER:   Wait, I got an  
14 email from you dated the 12th, which has some  
15 Fernald material and Pantex material. Is that  
16 the one?

17                  MR. KATZ:       Well, like I said, I  
18 sent, I got the Pantex items from DCAS and  
19 from SC&A separately and I forwarded those  
20 directly in their own emails to everyone.

21                  MEMBER MUNN:       Well, for some  
22 reason I don't understand, I don't appear to

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1 have received them, but I do have Stu's  
2 transmittal, which he just sent. Thank you,  
3 Stu.

4 CHAIRMAN MELIUS: Yes, I was going  
5 to say, the NIOSH position on Pantex looks  
6 like it was sent to the CDC accounts on  
7 October 7.

8 MEMBER MUNN: I have that one.

9 CHAIRMAN MELIUS: Okay.

10 MEMBER ZIEMER: October 7?

11 MEMBER MUNN: It was only the SC&A

12 --

13 CHAIRMAN MELIUS: Okay.

14 MEMBER MUNN: -- that I did not  
15 have.

16 MEMBER ZIEMER: I have the October  
17 7th one, yes.

18 MR. KATZ: So Paul, I mean,  
19 something odd may be going on with your  
20 account because of what you noted to me this  
21 morning. I got treated as spam this morning  
22 by Paul's email address, so.

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1                   MEMBER ZIEMER:     Well, that was  
2     different. That was my home account.

3                   MR. KATZ:     Right.

4                   (Laughter.)

5                   MEMBER ZIEMER:    I'm actually on my  
6     CDC account, though, is where I'm looking  
7     here. And I do have, Mark, you sent one out on  
8     the 7th, I have that, is that, that's the  
9     NIOSH initial one?

10                  MEMBER MUNN:     Right.

11                  MR. KATZ:     You should have gotten,  
12     from Nancy Johnson, Paul, the SC&A one as  
13     well.

14                  MEMBER ZIEMER:    On what date?

15                  MR. KATZ:     Maybe the day after  
16     Mark's?

17                  CHAIRMAN MELIUS:     I have it  
18     October the 13th.

19                  MEMBER MUNN:     Thirteenth was what  
20     was said earlier. The document's dated the  
21     11th, but transmission was supposed to be the  
22     13th.

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1 MEMBER ZIEMER: I've got it.

2 MR. KATZ: Oh, good, okay.

3 MEMBER ZIEMER: I'm good.

4 MEMBER MUNN: Well, based on the  
5 fact that I have just now seen my CDC email  
6 from yesterday appear on my screen, which was  
7 not there before, much to my distress,  
8 something is going on with email somewhere.  
9 But it's a bit of a lengthy item for us to  
10 scan at this juncture.

11 So is there substantial  
12 difference? I suppose I could read the  
13 conclusion here.

14 CHAIRMAN MELIUS: Yes. My reading  
15 of these is that these basically summarize  
16 what Mark and Joe Fitzgerald presented to us  
17 at our last Board meeting. That's why I asked  
18 if there was anything new in them, new  
19 information or anything since the last  
20 meeting.

21 It was, I think it brought them  
22 together in maybe a little bit more concise

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1 and focused form, but it's, there's no new or  
2 additional information in here that had not  
3 been presented to us before, I don't believe.

4 MEMBER MUNN: Summaries of this  
5 sort are very helpful for those who are not  
6 involved in that particular Work Group.

7 CHAIRMAN MELIUS: No, I agree, and  
8 I actually think that both the -- Mark, the  
9 people at NIOSH as well as SC&A, they both did  
10 very good summaries in laying out the  
11 information, I thought, in a very sort of fair  
12 and understandable fashion.

13 MEMBER MUNN: Good.

14 CHAIRMAN MELIUS: I think the  
15 issue, if I recall right, is that we had --  
16 the Work Group was ready to request a --  
17 recommend that this be added to the SEC. And  
18 I think the question is, and the question at  
19 the time was that people, the Board Members  
20 felt that they needed more time to think about  
21 it and review the information.

22 So I guess my question to the

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1 Board Members: you know, do people feel ready  
2 to reach some conclusion on this? Is this  
3 sort of adequate information, have they had  
4 adequate time to review and think about it in  
5 terms of coming to some sort of conclusion on  
6 this?

7 I know it's difficult on a  
8 conference call to do this sometimes, but I  
9 think that is the question.

10 MEMBER MUNN: In light of the fact  
11 that --

12 MEMBER BEACH: Hey, Jim?

13 CHAIRMAN MELIUS: Yes?

14 MEMBER MUNN: -- I really don't  
15 feel as though I've had an opportunity to  
16 absorb what, certainly what the SC&A memo had  
17 to say. Simply, I don't know what oversight I  
18 can blame that on, but in any case, I don't  
19 feel I've really and truly read that and  
20 absorbed it.

21 That isn't true of the NIOSH  
22 position, but still, I hate to be a

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1 spoilsport, but I hesitate to cast a vote  
2 without having taken a little closer look at  
3 that.

4 CHAIRMAN MELIUS: I know there's  
5 somebody else who was about to speak.

6 MEMBER BEACH: Yes, Jim, this is  
7 Josie. I was wondering if you could just go  
8 over what the motion was?

9 CHAIRMAN MELIUS: I could do that,  
10 yes.

11 MEMBER BEACH: Just to refresh  
12 people.

13 CHAIRMAN MELIUS: Yes.

14 MR. KATZ: This is Ted. Do you  
15 want me to do that, Jim?

16 CHAIRMAN MELIUS: Yes, go ahead.

17 MR. KATZ: The Work Group  
18 recommended that all workers potentially  
19 exposed to radiation material while working at  
20 the Pantex plant during the period of January  
21 1, 1958 through December 1, 1983 and then the  
22 rest of the verbiage you know, about number of

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1 work days, et cetera.

2 So the period is January 1 of 1958  
3 to December 31, 1983 and the Work Group, as  
4 you may recall, was sort of reserving judgment  
5 about periods before and after that, that are  
6 covered by the petition.

7 CHAIRMAN MELIUS: And Ted, did we  
8 have, was that an official motion with a  
9 second? I don't recall the --

10 MR. KATZ: Well, I thought, as I  
11 understood it, if the Work Group brings  
12 forward a motion, does it need a second? Dr.  
13 Ziemer, you're the expert on these.

14 MEMBER ZIEMER: No, a motion from a  
15 Work Group doesn't need a second. It  
16 automatically is on the table if they makes a  
17 formal recommendation.

18 MR. KATZ: So no one -- I don't  
19 believe anyone spoke as a second, but I think  
20 it is a motion.

21 CHAIRMAN MELIUS: My question is,  
22 I can't remember what we formally did with it.

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1 Did we just postpone it or table it or?

2 MR. KATZ: Yes, we did. We  
3 postponed it.

4 CHAIRMAN MELIUS: Okay.

5 MEMBER ZIEMER: Was it -- we  
6 specifically postponed it to this meeting,  
7 right?

8 MR. KATZ: Yes, that's correct.

9 MEMBER ZIEMER: Which  
10 automatically allows it to come back off the  
11 table? I don't think we need that motion to  
12 bring it off the table if we specify that it's  
13 only to this meeting.

14 MR. KATZ: Correct.

15 MEMBER ROESSLER: Am I off mute?  
16 This is Gen.

17 CHAIRMAN MELIUS: Yes, you're off  
18 mute, Gen.

19 MEMBER ROESSLER: Okay, I wasn't  
20 before. I'm sort of in the same position as  
21 Wanda. I feel like I'm not ready to make a  
22 vote, but I had read the NIOSH response on

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1 this, but I was not aware that SC&A had a  
2 response since I hadn't seen that email  
3 earlier.

4 I feel like I'm in a position  
5 where I really haven't had time to look at it.

6 I'm sorry about that; I hate to delay  
7 anything.

8 CHAIRMAN MELIUS: Anybody else?

9 MEMBER ROESSLER: I guess if I had  
10 known that SC&A had a response, I would have  
11 looked or asked for it when I knew it didn't  
12 come through.

13 CHAIRMAN MELIUS: Anybody else  
14 have comments or questions?

15 MEMBER CLAWSON: Well, you know,  
16 all of us knew. This is Brad. All of us knew  
17 that this was going to be coming to this  
18 meeting, and I've pushed this very, very hard.

19 The whole thing is, is nothing has changed  
20 since the last three to four months at all.

21 The only thing that was going to  
22 go on was that NIOSH was going to look at

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1 these data from 1984 to 1989, the bioassay,  
2 which they've put out there. The whole thing  
3 is still the same. They're trying to take  
4 later data and back-extrapolate it 35 years,  
5 which is virtually impossible, in my opinion.

6 It's the same thing. It's the  
7 same thing that we have been going across from  
8 the very beginning of when I started to bring  
9 this to the Board. The whole issue is being  
10 able to back-extrapolate, say that all the  
11 programs were the same, everything was the  
12 same for 35 years. And we know that isn't the  
13 fact. That's the root of everything right  
14 there.

15 CHAIRMAN MELIUS: Anybody else?  
16 Any other Board Members wish to speak?

17 MEMBER SCHOFIELD: Yes, this is  
18 Phil. I'd like to point out that they're  
19 trying to use data from an incident in 1990 to  
20 go back 30 years. You cannot use one incident  
21 and say everything was covered for 30 years  
22 when you don't have any data.

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1           You don't have the data. The CAM  
2 alarms and such were not in the breathing  
3 zones. Some of them are actually out in the  
4 hallways outside of the cells. So the numbers  
5 you might have gotten off of a filter there is  
6 considerably lower than what the people may  
7 have been exposed to.

8           MEMBER MUNN: But it does present  
9 a point and it provides a data point for  
10 individuals who were not in the work zone  
11 themselves. That in itself is good data.

12           MEMBER SCHOFIELD: How do you know  
13 who's in those work zones?

14           MEMBER MUNN: Yes, well, you  
15 don't, that's the point. The fact is you  
16 don't.

17           MEMBER SCHOFIELD: You had crafts  
18 coming through there, you had --

19           (Simultaneous speaking.)

20           MEMBER SCHOFIELD: -- coming  
21 through there. They don't know.

22           MEMBER MUNN: Of course not.

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1                   MEMBER CLAWSON:       Remember, each  
2 one of us on this phone, we talk over one  
3 another and it's going to be very hard for the  
4 court reporter to be able to do it. We need  
5 to show each other the respect, let each one  
6 of them talk.

7                   MR. KATZ:    I'm sorry, this is Ted.  
8 I'll just also remind everyone, please  
9 identify yourself when you speak because Kayla  
10 may not recognize all of your voices. Thanks.

11                  CHAIRMAN MELIUS:     Anybody else?  
12 Any other Board Members wish to comment?

13                  MEMBER ZIEMER:     This is Ziemer,  
14 I'll just make a brief comment. I don't think  
15 either of these papers presents anything new.  
16 These really are just summarizing the  
17 materials that we had at the last meeting, as  
18 far as I can tell.

19                  SC&A, did you have anything new  
20 that -- I didn't see anything new in yours.  
21 And I don't think NIOSH had anything new.

22                  MR. FITZGERALD:    Yes, Paul, this

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1 is Joe. No, I think we made it clear that  
2 this is pretty much what we had said at the  
3 last meeting, but we wanted to go ahead and  
4 summarize it for, you know, clarity's sake.

5 MEMBER ZIEMER: Yes. Just  
6 encapsulating everything into sort of one  
7 place?

8 MR. FITZGERALD: Yes.

9 MEMBER MUNN: This is Wanda. That  
10 appears to be so, from what I'm very rapidly  
11 reading now. Can we again get the  
12 recommendation of the Work Group?

13 MR. KATZ: I'm sorry, I was on  
14 mute. Wanda, this is Ted.

15 CHAIRMAN MELIUS: Hey, Ted, can  
16 you read back the --

17 MR. KATZ: Yes, I will. Yes. So:  
18 "all employees potentially exposed to  
19 radiation material while working at the Pantex  
20 plant during the period of January 1, 1958  
21 through December 31, 1983." And then it goes  
22 on with, "for a number of workdays

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1 aggregated," et cetera.

2 MEMBER MUNN: Yes. And the Work  
3 Group brings that recommendation for approval,  
4 correct?

5 MR. KATZ: That's correct.

6 MEMBER MUNN: And NIOSH tells us  
7 that they can provide individual dose  
8 reconstructions for that period?

9 MR. KATZ: That's correct.

10 MEMBER MUNN: Okay, thanks.

11 MEMBER ZIEMER: This is Ziemer  
12 again. Could I ask a question?

13 CHAIRMAN MELIUS: Sure.

14 MEMBER ZIEMER: Normally when  
15 we're voting, we also have a pretty good idea  
16 of what NIOSH says that they are able to do.  
17 For example, if we do not accept NIOSH's basis  
18 for reconstructing these doses, that  
19 eliminates a process for workers who may have  
20 a non-specified cancer or don't meet the 250  
21 day.

22 What can NIOSH then reconstruct if

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1 this were to be accepted as an SEC? I don't  
2 know that we had been given that piece of  
3 information, which we usually have when we  
4 vote.

5 MEMBER MUNN: This is Wanda. I  
6 think we had it at the original presentation,  
7 but I don't know how to pull that up quickly.

8 CHAIRMAN MELIUS: Stu, do you want  
9 to --

10 MR. HINNEFELD: Well, I can --  
11 this is Stu Hinnefeld -- I can offer what I  
12 believe our judgment would be right now,  
13 absent other guidance, that if in fact a  
14 decision is made that doses can't be  
15 reconstructed through 1983 for uranium  
16 exposure, we would proceed with reconstructing  
17 external exposures.

18 We've said we can do that. And  
19 for individuals with bioassay data for  
20 themselves, we would probably try to  
21 reconstruct what we could from what bioassay  
22 data there is, just for those people. So

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1 their particular bioassay sample.

2 So that would be our -- and then I  
3 guess medical -- that would be our normal  
4 practice, I believe. I'm speaking a little --

5 MEMBER ZIEMER: Right, so the  
6 model couldn't be used, then, for -- because  
7 basically we would be indicating the modeling  
8 is not usable?

9 MR. HINNEFELD: Yes. What we're  
10 proposing for uranium intakes prior to, I  
11 guess, 1984 is not, if that's determined to be  
12 not a feasible approach, then we would not  
13 have a model for unmonitored workers before  
14 1984.

15 Someone who happened to have a  
16 bioassay sample, and it's pretty sporadic, we  
17 may do some intake estimation from that, from  
18 the individual's bioassay record, their own  
19 personal bioassay.

20 CHAIRMAN MELIUS: Any other  
21 questions?

22 MR. HINNEFELD: This is Stu

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1 Hinnefeld. I have one other thing that came  
2 to mind. Our proposed thorium intake approach  
3 depends upon the uranium intake, so that would  
4 also go away. And I don't believe we have --  
5 I don't know if we have any at all. So any  
6 potential thorium intake would also not be  
7 feasible then.

8 MEMBER MUNN: So we're basing all  
9 of our data on uranium, correct?

10 MR. HINNEFELD: It was, I believe,  
11 a fraction.

12 MEMBER CLAWSON: Stu, this is  
13 Brad. That's what you were basing it on.

14 CHAIRMAN MELIUS: Okay. Why don't  
15 we, before we take action, we should -- I  
16 believe one of the petitioners, Sarah Ray, was  
17 on the line. Ms. Ray, do you like to --

18 MS. RAY: No, I don't have any  
19 comments at this point. Just thank you to  
20 everyone for all the work you've done on all  
21 of this so far.

22 CHAIRMAN MELIUS: Okay. Thank

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1 you. Are people ready to vote on the motion?

2 MEMBER ROESSLER: Jim, this is  
3 Gen. Am I off mute?

4 CHAIRMAN MELIUS: Yes, you're off  
5 mute.

6 MEMBER ROESSLER: Okay, I never  
7 know for sure.

8 CHAIRMAN MELIUS: There's no  
9 feedback, it's hard to tell.

10 MEMBER ROESSLER: I don't think I  
11 can vote now.

12 CHAIRMAN MELIUS: I mean, I think  
13 we have a motion before us and someone can  
14 recommend, you know, move that it be postponed  
15 again, but I think we do need to take formal  
16 action on it one way or another at this  
17 meeting.

18 MR. HINNEFELD: Jim, this is Stu  
19 Hinnefeld, I hate to do this, but I want to  
20 offer one comment on the motion as it's  
21 structured. The motion describes, it's  
22 "individuals exposed to radioactive material,"

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1 I believe, is the phrase.

2 "Potentially exposed to  
3 radioactive material." I believe that may  
4 represent an administration issue.

5 CHAIRMAN MELIUS: Yes.

6 MR. HINNEFELD: I don't know --  
7 you know, we've made no judgments along those  
8 lines. Our position having been that dose  
9 reconstruction was feasible, we've not made a  
10 judgment about, is there a -- some portion of  
11 the workers who, at Pantex, were --

12 DR. FUORTES: Could a petitioner,  
13 I wasn't allowed to speak earlier, but --

14 CHAIRMAN MELIUS: Oh, I'm sorry, I  
15 didn't know you were on the line. Yes.

16 DR. FUORTES: Yes, I mean, I would  
17 say, please let's not get held up on  
18 specifics. This has gone on almost eight  
19 years. The potential issue in this point, as  
20 you understand, petitioners have to make their  
21 claims on the basis of -- their petitions on  
22 the basis of ignorance or lack of data.

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1           So in the presence of lack of  
2 data, we would ask you to consider that  
3 employees on this facility would have the  
4 potential for radiation exposure. The other  
5 way of phrasing this would be, put a line  
6 through that and say, "all employees at this  
7 facility."

8           MEMBER CLAWSON: This is Brad, and  
9 that's the way, I believe, that Sarah Ray  
10 stated that in their petition. We just pencil  
11 that out, like was said, and just "all  
12 employees at the Pantex plant."

13           MS. RAY: Yes.

14           COURT REPORTER: Excuse me, this  
15 is the court reporter.

16           CHAIRMAN MELIUS: Yes?

17           COURT REPORTER: I wasn't sure who  
18 was the last speaker just before --

19           MEMBER CLAWSON: Brad. I'm sorry.

20           CHAIRMAN MELIUS: But before that  
21 it was Lars Fuortes. It was one of the  
22 petitioners.

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1 COURT REPORTER: What was that  
2 name again?

3 DR. FUORTES: F-U-O-R-T-E-S.

4 COURT REPORTER: Thank you.

5 DR. FUORTES: Thank you.

6 CHAIRMAN MELIUS: I think one of  
7 the things and one of the steps that we've  
8 taken in these situations is that we -- when  
9 we are, would be hypothetically approving an  
10 SEC that essentially counter to NIOSH's  
11 recommendation was that we would, you know,  
12 Department of Labor hadn't had time to  
13 evaluate the Class Definition.

14 So what we would, we could take a  
15 vote on the motion, but the letter that would  
16 define the Class Definition in more detail and  
17 perhaps could be, might deal with some of the  
18 issues of that other exposures or, you know,  
19 what could be reconstructed at the facility  
20 could, you know, we would prepare that for  
21 action at our next meeting or between now and  
22 the next meeting.

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1                   So that's something for the Board  
2 to consider.

3                   MR. KATZ:   Jim, this is Ted Katz.

4                   CHAIRMAN MELIUS:  Yes?

5                   MR. KATZ:    I just want to add  
6 something, I think Bob Presley would add,  
7 because it relates to this language that we're  
8 talking about striking.  And I can understand  
9 the language might be problematic.  Bob  
10 Presley's concern was whether indeed all  
11 workers at the site would be exposed,  
12 potentially exposed.

13                  So I think that's how that  
14 language got in there.  I just want sort of  
15 context for you to understand where that's  
16 coming from.

17                  MEMBER CLAWSON:   This is Brad  
18 speaking again.  And this is part of the thing  
19 that we got into as a Work Group, you know,  
20 this is one of the questions that Mr. Presley  
21 raised.  And the thing is, with the lack of  
22 data, you can't put anybody in any place.  And

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1 the way that this process is set down there,  
2 it's like Joe pulled out in his memo where  
3 this uranium could be the same as what they  
4 had with beryllium.

5 And it was traced from the bays  
6 clear into all the administrative offices. It  
7 was traipsed everywhere. And that's why the  
8 only way in the Work Group that we could see  
9 that we could do it was all people at the  
10 Pantex plant.

11 And, you know, but Bob had raised  
12 this question and this is what we had looked  
13 into and there's no way to distinguish where  
14 anybody would have been. Like Phil said  
15 earlier, we had fans pulling all of this out  
16 into the hallways and throughout the site.

17 So my suggestion as Work Group  
18 Chair was that it was all employees at Pantex  
19 -- who worked at Pantex.

20 MR. ROLFES: Brad, this is Mark  
21 Rolfes. I had a quick comment.

22 MEMBER CLAWSON: Sure.

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1                   MR. ROLFES: I just wanted to point  
2 out, NIOSH did locate a box of records that  
3 were filled out by employees in 1980.  
4 Basically, it was a questionnaire asking which  
5 employees had worked in which areas of the  
6 plant from the beginning of their employment  
7 up until that point in 1980.

8                   So there is information available  
9 to show which employees were in which  
10 buildings for which years, based upon the  
11 employees' own input. In addition --

12                  MEMBER CLAWSON: Yes, but, you  
13 know, Mark, you know as well as I do that  
14 those employees, too, may have worked in those  
15 buildings, but they went through all of the  
16 other buildings. So to be able to say, you  
17 know, this is the building that I work in, I  
18 think you'd be stretching pretty well to be  
19 able to say, well, yes, I didn't get into any  
20 of this.

21                  It's just like when they went in  
22 and started tracing the beryllium out. All of

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1 this beryllium they started finding in all the  
2 office areas, everywhere. And you've got to  
3 remember that when everybody was changing and  
4 everything else, the change rooms, it was, the  
5 guards were in there, the production workers  
6 were in there.

7           Everybody was working in there in  
8 the same stuff. There's absolutely no way you  
9 can just tie it down that, well, because I  
10 worked in this building, I didn't get into  
11 that, because it was traipsed throughout the  
12 facility.

13           MR. FITZGERALD: Yes, this is Joe  
14 Fitzgerald. What I wanted to point out in our  
15 summary memo, speaking to that particular  
16 point, is what I felt was a pretty fundamental  
17 set of findings that the DOE had made on  
18 Pantex.

19           Now again, I think at that point  
20 in time, '89, '90, with Geiger teams and  
21 outside reviews, you started getting an  
22 independent perspective on radiological

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1 controls and monitoring at Pantex, probably  
2 for the first time.

3 And their findings, and I wanted  
4 to summarize those in this piece because I  
5 think it's pretty important, the degree of  
6 control, the monitoring that took place or  
7 didn't take place, the lack of some of the  
8 expected self-monitoring and contamination  
9 control, it was, you know, found wanting.

10 So, you know, the expectation that  
11 you would not have uranium contamination  
12 moving out of the bays and you'd have your  
13 usual controls, I think you can't assume that.

14 I think from this perspective,  
15 yes, it's pretty clear that contamination more  
16 than likely got out of the bay area. And the  
17 beryllium issue was just a question I raised,  
18 I think in an interview we had with a  
19 operating engineer who was involved in that  
20 system and involved with the '89 incident.

21 And, you know, the question was,  
22 what was the expectation in terms of

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1 contamination leaving the bays and affecting  
2 workers other than the workers that were  
3 assigned in those bays? And he's the one that  
4 offered, I think, the observation that they  
5 had a real problem, as it turned out, with  
6 beryllium, because originally they had thought  
7 only the workers in the bays were, in fact,  
8 exposed to beryllium in terms of weapons  
9 dismantlement.

10 As it turned out, it had a much  
11 more widely spread beryllium contamination  
12 issue throughout the plant. And I think that  
13 was a signal that yes, there wasn't a very  
14 good control system that precluded  
15 contamination from leaving the cells and the  
16 bays.

17 MEMBER MUNN: This is Wanda. Joe,  
18 I have a question. The question is: was the  
19 beryllium contamination a radiological concern  
20 or a beryllium disease concern?

21 MR. FITZGERALD: No. I'm not  
22 couching it as a radiological concern. I'm

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1 just --

2 MEMBER MUNN: Well, that's the  
3 point I want to make, that has not been made  
4 in the discussion here today. And that is,  
5 that when we talk about contamination, those  
6 of us who are working on this Board are  
7 concerned specifically with radiological  
8 contamination.

9 And other contamination may be  
10 indicative of some kinds of practices, but do  
11 not give us information with respect to  
12 radiological concerns.

13 I also want to point out that the  
14 fact that contamination is present does not  
15 lead to the conclusion that that contamination  
16 was or even was likely to be high enough to be  
17 a matter of specific concern and especially a  
18 matter of contributory disease to the workers  
19 that were involved.

20 It's very easy to say, well,  
21 contamination was all over everything. But if  
22 the contamination that was, quote, "all over

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1 everything" was of insufficient quantity to be  
2 much more than detectable, then that is an  
3 entirely different issue that, of course, the  
4 dose reconstructors all have to take into  
5 effect.

6 The fact that people move from one  
7 place to another in a plant or even work  
8 briefly from one place to another in a plant  
9 does not translate to the fact that their  
10 exposure was large enough to be one that needs  
11 to be a major aspect of dose reconstruction.

12 So it's very easy for us in our  
13 concern for the workers to say, look,  
14 everybody was potentially exposed. But we all  
15 are potentially exposed. We can't go in a  
16 government building without being potentially  
17 exposed. As a matter of fact, we are exposed.

18 But we are not exposed to a degree that would  
19 affect dose reconstruction for us, that would  
20 indicate any disease factor was involved.

21 So if that -- that's one of the  
22 reasons why a word like "potential," has so

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1 much potential effect on how we think about  
2 things and it's a concern that it's very  
3 difficult to understand that, given what we  
4 are expecting when making our decisions, it  
5 probably has to be in our -- part of our  
6 deliberations in any case when we're thinking  
7 about this.

8 CHAIRMAN MELIUS: Any other  
9 comments or questions? Yes?

10 MEMBER SCHOFIELD: Yes, this is  
11 Phil. I'd like to address that particular  
12 issue, because people, as they go, some of  
13 these people are supposed to self-monitor.  
14 Some would do a good job, some obviously  
15 wouldn't do a good job. You can have quite a  
16 hot spot somewhere on your coveralls, your  
17 blue jeans, whatever you were wearing, lab  
18 coat.

19 And not get it, particularly if  
20 it's on your backside. A lot of these people  
21 probably didn't wash their hands, necessarily  
22 before they went and ate. Now you have no

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1 concept or no way of knowing how much they've  
2 ingested into their system.

3 How much did they breathe in?  
4 Because there was no monitoring. A fecal,  
5 urinalysis, from any of these people, you  
6 know, I mean, there is just absolutely no way  
7 to tell how much some of these people may or  
8 may not have inhaled.

9 It got into their lungs, it got  
10 into their digestive tracts. They only had  
11 three health physics people that covered three  
12 shifts, seven days a week for thousands of  
13 people. There's no way they could do an  
14 adequate job with three people.

15 Give them credit for trying to do  
16 what they did, but there's just not the  
17 physical capabilities to cover everybody in  
18 all the areas properly as they should be  
19 covered.

20 CHAIRMAN MELIUS: Any other  
21 questions or comments?

22 MEMBER CLAWSON: Yes, this is

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1 Brad. I just wanted to respond to what Wanda  
2 made her comment about. You know, and I can  
3 really agree with it and bottom line is,  
4 Wanda, is when you have no data, you cannot  
5 say that they did not have sufficient dose to  
6 be able to -- or sufficient contamination.  
7 When you do not have any of the data, you  
8 don't know.

9 And when you don't have good  
10 traceability of how the people moved through  
11 there or anything else like that, you're  
12 right, we're looking at this 35 years later,  
13 whatever, and trying to make these decisions,  
14 but also, too, you've got to be able to make  
15 this claimant-favorable when there is no data  
16 out there and you do not know what went on.

17 We picked one weapon and just to  
18 illustrate because it was one of the worst  
19 ones, but this wasn't the only one. There was  
20 numerous ones that went through there that had  
21 potential for all this, but when we don't have  
22 the data, we don't have data.

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1                   MEMBER MUNN: I agree exactly with  
2 what you say, Phil. So by the same token, we  
3 do not have data on each and every individual.

4       Doesn't mean that we don't have data. We do  
5 have some data and I suspect that we will  
6 always have differences of opinion with  
7 respect to whether or not that data is  
8 adequate to make judgments on, but we  
9 virtually never have perfect data. And we  
10 have to --

11                   MEMBER CLAWSON: But, Wanda, the  
12 point I was trying to get, and I haven't made  
13 it very clear, is with Pantex, they're really,  
14 we're talking, you know, we get back to this  
15 event-driven or whatever else like that,  
16 you've got three or four maybe bioassays in  
17 one year or some years none.

18                   To me that's, you know, that's  
19 pretty lacking.

20                   CHAIRMAN MELIUS: Any further --  
21 any other questions or comments? If not, I  
22 think we need to proceed to a vote.

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1 MR. ROLFES: This is Mark Rolfes.

2 I did have one additional thing to add. We  
3 do have available approximately 10,000 alpha  
4 air concentrations from approximately 1963  
5 forward. And we do have about 200,000  
6 contamination swiped results in addition to  
7 the bioassay data set that we're using.

8 We've actually compared the  
9 intakes based upon the air sampling to the  
10 intakes based upon the bioassay data that  
11 we're using and found that our approach using  
12 the bioassay data is much more claimant-  
13 favorable to use.

14 CHAIRMAN MELIUS: Any further  
15 comments from Board Members? Or questions?  
16 If not, I'll ask Ted to read the motion and  
17 then mark the votes.

18 MR. KATZ: Okay, and Jim, I assume  
19 I'm reading the motion with the deletion of  
20 the "potentially exposed" terminology?

21 CHAIRMAN MELIUS: Correct.

22 MR. KATZ: Okay, thanks. And, you

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1 know, I think as Jim said, this definition, of  
2 course, may get modified some as a result of  
3 discussions with DOL and so on to make it  
4 administrable.

5 But the sense is, "all employees  
6 working at the Pantex plant during the period  
7 of January 1, 1958 to December 31, 1983," and  
8 then it goes on with the language "for a  
9 number of workdays aggregating at least 250  
10 days occurring either solely under this  
11 employment or in combination with workdays  
12 within the parameters established for one or  
13 more other Classes of employees included in  
14 the SEC."

15 CHAIRMAN MELIUS: Okay.

16 MR. KATZ: So are you ready for  
17 votes?

18 CHAIRMAN MELIUS: I'm ready, go  
19 ahead.

20 MEMBER CLAWSON: Ted, let me --

21 MR. KATZ: Okay, so I'll run down  
22 the list alphabetically.

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1           MEMBER CLAWSON:   Ted, let me just  
2 clarify.   We're saying that NIOSH cannot do  
3 it, correct?

4           MR. KATZ:    Oh, yes.   This is to  
5 add a Class, yes.

6           MEMBER CLAWSON:   All right.

7           MR. KATZ:    Thank you, Brad.

8           MEMBER    ZIEMER:           Point    of  
9 information.

10          MR. KATZ:    Yes, go ahead, Paul.

11          MEMBER    ZIEMER:           This is Ziemer.  
12 So a yes vote is to support the recommendation  
13 of the Work Group to establish an SEC is what  
14 we're saying, right?

15          MR. KATZ:    Correct.

16          CHAIRMAN MELIUS:   Yes, thanks for  
17 the clarification.    I think that's worth  
18 asking also.

19          MEMBER    ZIEMER:           Thank you.

20          CHAIRMAN MELIUS:   Thanks, Paul.

21          MR. KATZ:    Okay. I'm sorry. So I  
22 have Dr. Anderson, yes. Ms. Beach?

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1 MEMBER BEACH: Yes.

2 MR. KATZ: Mr. Clawson?

3 MEMBER CLAWSON: Yes.

4 MR. KATZ: Dr. Field?

5 MEMBER FIELD: Yes.

6 MR. KATZ: Mr. Gibson is absent,  
7 I'll collect his vote after this. Mr.  
8 Griffon?

9 MEMBER GRIFFON: Yes.

10 MR. KATZ: Dr. Lemen is absent.  
11 Dr. Lockey?

12 MEMBER LOCKEY: Yes.

13 MR. KATZ: Dr. Melius?

14 CHAIRMAN MELIUS: Yes.

15 MR. KATZ: Ms. Munn?

16 MEMBER MUNN: No.

17 MR. KATZ: Dr. Poston is recused.  
18 Dr. Richardson?

19 MEMBER RICHARDSON: Yes.

20 MR. KATZ: Dr. Roessler?

21 MEMBER ROESSLER: No.

22 MR. KATZ: Mr. Schofield?

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1 MEMBER SCHOFIELD: Yes.

2 MR. KATZ: And Dr. Ziemer?

3 MEMBER ZIEMER: I will vote yes on  
4 this one.

5 MR. KATZ: Okay. So the vote  
6 passes with ten in favor, two nays and a  
7 couple of absent votes to collect. But in any  
8 event, it passes.

9 CHAIRMAN MELIUS: Okay, thank you.  
10 And thank everybody for their work on this  
11 and also for conducting the discussion on the  
12 Board call. I realize it's sometimes  
13 difficult.

14 DR. FUORTES: The petitioners  
15 would like to thank all of you and Mr. Presley  
16 as well for all of your time and efforts.

17 CHAIRMAN MELIUS: Okay. Thank  
18 you. The next issue on our agenda is the  
19 Hangar 481 SEC petition, which we were hoping  
20 to be able to at least update and possibly  
21 wrap up today. However, we heard in the last  
22 couple of days that the petitioners'

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1 representative was actually tied up today in  
2 some DOL hearing related to some -- and that  
3 he'd also put in some new interviews and some  
4 other new information that NIOSH had collected  
5 and he had put in, just recently put in --  
6 became aware of that, apparently, and had put  
7 in a Freedom of Information request for that  
8 information and wanted to have time to review  
9 it. That'll take some time to go through,  
10 Privacy Act and so forth review before he can  
11 see it. So he had requested that we postpone  
12 any action on the petition at this conference  
13 call due to that, which I think is, you know,  
14 is reasonable.

15 We would be putting it off, I  
16 think all this could be accomplished before  
17 the next meeting. And I don't believe that  
18 there's any additional new information that  
19 would, you know, warrant any other need for  
20 gathering further information or anything.

21 Ted, is that a fair summary?

22 MR. KATZ: Yes, I think that's

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1 absolutely correct, Dr. Melius.

2 DR. GLOVER: This is Sam Glover.  
3 Based on the volume of the request and it's  
4 going to have to go to DOE, it could be months  
5 before the petitioner sees the documents. I  
6 can't speak to how long the review process --  
7 this is DOE documents, so beyond just us it's  
8 going to go back to DOE, sir.

9 CHAIRMAN MELIUS: Okay, well, then  
10 let's see if Sam or somebody, I don't know  
11 who. We can coordinate that, but could at  
12 least track what's happening with that process  
13 so we would know in terms of timing.

14 MR. KATZ: Okay. Then, Sam, this  
15 is Ted, but then understanding what you said,  
16 you're saying that really this would not be  
17 feasibly addressed at the Tampa meeting? Is  
18 that what you're saying?

19 DR. GLOVER: This is Sam Glover.  
20 This is a possibility, but it's, I would  
21 think, highly unlikely that it'll be able to  
22 come out of our office, through DOE, go

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1 through all of the classification reviews at  
2 DOE and get to them in time.

3 MR. KATZ: Okay.

4 MS. ELEY: Excuse me a minute.  
5 This is Judy Eley calling in from Vienna,  
6 Virginia. Arjun Makhijani is in Paris, France  
7 and would like to call into this conference  
8 call, but he can't use the 866 number. Is  
9 there any alternate number he could use to  
10 call in?

11 MR. KATZ: Judy, I don't know of  
12 another number.

13 MS. ELEY: Okay, thank you.

14 CHAIRMAN MELIUS: Okay. Any  
15 questions or comments on Hangar 481?

16 MEMBER MUNN: Well, I might  
17 suggest that we consider an update at the  
18 Tampa meeting if, for any magical reason, it  
19 might have cleared the DOE hurdles that are  
20 necessary, then we may address it.

21 CHAIRMAN MELIUS: Okay. Agreed,  
22 thank you. And it is the petitioners that are

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1 requesting the delay, so we'll do that.

2 MEMBER MUNN: Right.

3 CHAIRMAN MELIUS: Next item on our  
4 agenda is the Special Exposure Cohort petition  
5 status update. LaVon?

6 MR. RUTHERFORD: Yes, thank you,  
7 Dr. Melius. This is LaVon Rutherford. From  
8 an SEC perspective, the December Board Meeting  
9 looks like it's going to be a very light load.

10 We've completed our evaluation of a petition  
11 for Clinton Engineering Works, but we are  
12 having trouble defining a Class that can be  
13 administered by Department of Labor.

14 Therefore, so we're doing some  
15 additional research to see if we can find some  
16 information to define the Class. We had  
17 planned to present the evaluation at the  
18 December meeting, but that appears to be  
19 doubtful.

20 We also are working on an 83.14  
21 for Brookhaven National Lab and that does not  
22 appear that it'll be ready as well. So at

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1 this time it looks like we will not be  
2 presenting any new petitions at the December  
3 meeting.

4 I anticipate three to four new  
5 evaluations for the February meeting, with  
6 Clinton Engineering Works and Brookhaven being  
7 two of those. And really, that's about it.  
8 So we don't have any new petitions, again, for  
9 the December meeting.

10 CHAIRMAN MELIUS: Okay. Must be  
11 our holiday present or something.

12 (Laughter.)

13 CHAIRMAN MELIUS: Any questions  
14 for LaVon?

15 (No response.)

16 CHAIRMAN MELIUS: Okay. Any  
17 updates on Work Groups or Subcommittees?  
18 Mark, are you still on the phone? I know Mark  
19 had to leave, had another meeting at noon. So  
20 he did send me an email.

21 Let me just do a brief update on  
22 his behalf. You may have, at least Board

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1 Members may have received information on this,  
2 but the Dose Reconstruction Subcommittee is  
3 scheduled for a meeting on December 19.

4 The Rocky Flats Work Group will be  
5 meeting by conference call from 2:00 to 4:00  
6 p.m. on November 3.

7 And he is also working on setting  
8 up a conference call meeting for the Savannah  
9 River Work Group, did not establish a date,  
10 but they expect it sometime between now and  
11 before the December meeting.

12 And any other Board Members have  
13 any updates on Work Groups they'd like to  
14 present? Or Subcommittees?

15 MEMBER BEACH: This is --

16 MEMBER MUNN: Oh, go ahead.

17 MEMBER BEACH: No, no, go ahead,  
18 Wanda.

19 MEMBER MUNN: This is Wanda. I  
20 have a brief report with respect to the  
21 Procedures Subcommittee. We met on the 19th  
22 of September in Cincinnati, had a full day of

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1 activities. We are to the point where we have  
2 only six, we consider fairly minor issues, to  
3 be worked out with respect to the new  
4 database, which is beginning to operate much  
5 more smoothly than it has in the past.

6 We're aware of the fact that the  
7 items which were significant in number when we  
8 undertook them have now all been addressed in  
9 one way or another so that we have them  
10 categorized in boxes other than "Open."

11 We have 99 documents that are on  
12 our database currently and those include 60  
13 Technical Information Bulletins, 30  
14 procedures, five PERs, three IGs and a TBD,  
15 all of which have a large number of action  
16 items associated with them.

17 But a significant number of them,  
18 a number actually, we believe, exceeding 50  
19 percent of the original open items have been  
20 cleared now, and we have a very small number  
21 of new items that are being added to the  
22 database.

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1           So we are beginning to see, get a  
2 real handle on where we are and what we have  
3 yet to do. It's not nearly as daunting as it  
4 was this time last year.

5           Our next meeting will be in  
6 January and we are anticipating at that time  
7 that we will have at least four or five of the  
8 major items that we've been carrying for  
9 several days -- for several months, with  
10 respect especially to our PER database, to be  
11 resolved, transferred to Work Groups or  
12 otherwise cleared.

13           MR. KATZ: Wanda, this is Ted. If  
14 I could just supplement your report, I sent to  
15 all the Board Members a large batch or two  
16 batches of the two-page summaries of  
17 procedures that have been resolved by the  
18 Subcommittee summarizing those resolutions to  
19 be posted on the Board's website, ultimately.

20           But I've sent them on to all Board  
21 Members. It's your opportunity, if you have  
22 comments about how those are written up or

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1 suggestions, to get them in to Wanda and the  
2 Procedures Subcommittee, which looks at those  
3 and finalizes those so that they can be  
4 posted. I just wanted to remind you all that  
5 you have those.

6 MEMBER MUNN: Thank you, Ted. And  
7 I do need to point out that what you have are  
8 the rough submissions. They will be edited  
9 for, not for context -- or for content, but  
10 for grammatical and format changes, prior to  
11 their being posted.

12 But if you do have comments with  
13 respect to content, please do let us know and  
14 we'll take those under advisement at the  
15 January meeting. Thank you.

16 CHAIRMAN MELIUS: Okay, thank you,  
17 Wanda. Josie, I think you had updates?

18 MEMBER BEACH: Yes. I was just  
19 going to update you on Mound. The Work Group  
20 is meeting on November 7 and I anticipate  
21 being able to bring a partial report where we  
22 can finish up some of our work. We won't be

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1 totally finished until after January.

2 CHAIRMAN MELIUS: Okay. Thank  
3 you.

4 MEMBER CLAWSON: This is Brad.

5 CHAIRMAN MELIUS: Yes, Brad?

6 MEMBER CLAWSON: Just to bring you  
7 up to speed on Fernald because we've had this  
8 brought before the Board already, but we've  
9 got a Work Group that's going to come up, it's  
10 either going to be the 28th or 29th, depending  
11 on what Ted finally comes up with.

12 But we'll probably be giving a  
13 report on this at the Tampa meeting. This is  
14 -- we're coming to the end on Fernald, too.

15 MEMBER SCHOFIELD: This is Phil.  
16 Pinellas Work Group met on the 13th of  
17 October. We still have some outstanding  
18 issues that we need to address. It'll be  
19 sometime after the first of the year before we  
20 meet again.

21 CHAIRMAN MELIUS: Okay. Thank you,  
22 Phil. Anybody else?

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1                   MEMBER RICHARDSON:   This is David  
2 Richardson.

3                   CHAIRMAN MELIUS:   Oh, hi, Dave.

4                   MEMBER RICHARDSON:       Hi.       The  
5 Science Issues Work Group met on October 12.  
6 We had a discussion of the scope of tasks for  
7 the Work Group with a focus on disease risk  
8 models, reviewing the current status of  
9 science issues identified by NIOSH, also  
10 identifying any new issues and some discussion  
11 of how we'd assess and report on each issue.

12                   We made a list of priorities as  
13 sort of a rank ordered topic list that the  
14 Working Group is focusing on.  There's seven  
15 issues on that list.  They include DDREF, Dose  
16 and Dose Rate Effectiveness Factor, RBE,  
17 Relative Biological Effectiveness, issues  
18 related to adjustment of Probability of  
19 Causation based on exposures to other  
20 factors, the role of age at exposure,  
21 incorporation of other nuclear worker epi  
22 studies, the grouping of rare and

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1 miscellaneous cancers and the potential use of  
2 data in house by NIOSH OCAS for informing risk  
3 models. The last thing we talked about was  
4 kind of the process by which we'll provide a  
5 brief report to the full Board on what the  
6 Working Group has done.

7 The first topic we're going to  
8 tackle is Dose and Dose Rate Effectiveness  
9 Factors. And we're waiting for NIOSH to  
10 provide us with a report that was prepared by  
11 SENES Oak Ridge on work that they've done on  
12 that.

13 CHAIRMAN MELIUS: Okay.  
14 Excellent. Any other, anybody else have Work  
15 Group updates?

16 MEMBER ZIEMER: This is Ziemer. I  
17 can give you an update on the TBD-6000 Work  
18 Group. That group met on September 20 to  
19 consider General Steel Industries petition as  
20 well as Appendix BB, which is basically the  
21 Site Profile for General Steel Industries.

22 At our meeting, we considered the

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1 NIOSH White Paper on portable radiography  
2 sources, as well as an SC&A review of that  
3 White Paper.

4 We've identified a number of  
5 follow-up issues, including some additional  
6 worker interviews that will help us clarify  
7 what sources were present in the early years,  
8 which is 1952 to '62 at that site, as well as  
9 the radiation safety practices in the early  
10 years.

11 We're scheduled to meet again on  
12 November 2 to follow up on those items and  
13 then we are also awaiting another White Paper  
14 from NIOSH dealing with modeling for the  
15 betatron exposure, so we will have another  
16 meeting shortly after New Year's to consider  
17 that White Paper and its ramifications.

18 So we're making progress, but  
19 still a lot of open issues.

20 CHAIRMAN MELIUS: Excellent.  
21 Anybody else have updates?

22 MR. FITZGERALD: Jim, Joe

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1 Fitzgerald. I didn't hear Mark Griffon  
2 mention Los Alamos, but I just wanted to add  
3 that both NIOSH and SC&A have been working a  
4 number of open issues on Los Alamos and making  
5 progress.

6 But, you know, again, we haven't,  
7 there isn't a Work Group meeting scheduled,  
8 but certainly we're moving toward that.

9 CHAIRMAN MELIUS: Okay. Yes, I  
10 think it's similar on Hanford also. I think  
11 we're sort of waiting for work to get done on  
12 these and then schedule a meeting, but wanted  
13 to make sure that SC&A and NIOSH have time to  
14 get the work done.

15 So, good. Anybody else have  
16 updates?

17 MR. KATZ: This is Ted, Jim. I  
18 might as well give an update for the Worker  
19 Outreach since Mike is not on the call.

20 CHAIRMAN MELIUS: Okay.

21 MR. KATZ: But we have from SC&A  
22 a new sampling plan, the Worker Outreach, one

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1 of their projects is to evaluate worker input  
2 into Technical Documents, SEC both and Site  
3 Profile documents for sites. And their focus  
4 right now is Rocky Flats and we've been  
5 working back and forth and getting a plan  
6 together for doing that evaluation and SC&A  
7 has put in a new plan so the Work Group  
8 members have that. As soon as we get  
9 concurrence from the Work Group members, that  
10 project will go forward.

11 CHAIRMAN MELIUS: Okay. Good.  
12 Anybody else? Okay. I don't believe we have  
13 any Board correspondence to discuss, but out  
14 previous discussions sort of flow into our  
15 plans and what's happening at the December 11  
16 Board meeting, and I believe it's looking at,  
17 Ted shared with me sort of a straw man agenda  
18 trying to just figure out timing and so forth.

19 And given what LaVon told us about  
20 earlier in terms of 83.14s and other petition  
21 reviews underway, apparently we have a fairly,  
22 at least compared to our recent meeting, a

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1 light schedule in terms of agenda items for  
2 the Tampa meeting.

3 So we will be, I believe it's safe  
4 to say, that we will be planning a meeting  
5 that would last two days. Should not be a  
6 need for another, a third day, or a third half  
7 day for the meeting in Tampa. We'll try to pin  
8 it down a little bit more in terms of exact  
9 time, but the plan would be to meet on  
10 Wednesday and Thursday of that week.

11 I don't recall the --

12 MR. KATZ: It's December 7 and  
13 December 8.

14 CHAIRMAN MELIUS: Eighth? And I  
15 think people that are, at least those that  
16 want to, given where they're traveling to,  
17 should be able to get out, you know, early  
18 evening or, you know, around 6:00 pretty  
19 easily out of Tampa on the second day, on the  
20 8th, given our agenda.

21 So if that helps people in terms  
22 of planning and so forth, to let you know

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1 that. Anybody have questions on that Board  
2 agenda or suggestions for other items?

3 MEMBER ANDERSON: So we'll go a  
4 full day until 5:00 or 4:30 on Thursday?

5 CHAIRMAN MELIUS: That's why I  
6 hesitated a little bit, given what we've heard  
7 from some of the reports and given the  
8 tentative agenda, I'm not even sure we would  
9 go until 5:00. Ted, you helped pull it  
10 together. What do you think?

11 But it looks to me as if a couple  
12 things have dropped off, or could easily drop  
13 off. We had Hangar 481, we had that on. Given  
14 what Sam said, that's unlikely. Clinton  
15 Engineering we had, that doesn't appear to be  
16 on the agenda.

17 So what we would have to discuss,  
18 in terms of SEC petitions or Hooker, you  
19 pulled from your group, Andy. Pinellas would  
20 just be really an update. We have the Linde,  
21 the new petition or relatively new petition on  
22 Linde that -- Fernald, we have time set aside

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1 for that.

2 I'm not sure, we could potentially  
3 put on GSI, but I'm not sure, based on what  
4 Paul said, whether that'll be ready for a  
5 vote. And then we have Savannah River, which  
6 we really need to resolve a vote on that.

7 We have the recommendation from  
8 NIOSH and from the last meeting, but we have  
9 questions on the -- essentially on the Class  
10 Definition and how that -- whether that can be  
11 implemented, so we'll need some discussion on  
12 that at the December meeting.

13 MR. KATZ: And then on top of  
14 that, Jim, we have Mound. I think Josie was  
15 saying she would probably be reporting out at  
16 least partially on Mound.

17 CHAIRMAN MELIUS: Yes.

18 MR. KATZ: So I agree, Jim, I  
19 mean, I think we're looking at a 4:00, 4:30 at  
20 the latest. Maybe less. Paul, I'll need to  
21 talk with you about GSI. The question, you  
22 may understand it, as to why I had a question

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1 about whether part of that petition might be  
2 addressed.

3 MEMBER ZIEMER: Right, yes, we're  
4 talking about the early years of GSI. There's  
5 a possibility we might have a recommendation.

6 MR. KATZ: Right, so we have a  
7 meeting, as Paul mentioned, coming up and the  
8 Work Group is going to try to address the  
9 question of whether the early period, one way  
10 or the other, whether that looks like those  
11 dose reconstructions can be done or cannot.

12 CHAIRMAN MELIUS: So I would say,  
13 for those needing to plan travel and so forth,  
14 that I think certainly 4:00 is fairly firm for  
15 Thursday at this point.

16 MEMBER ANDERSON: Okay, thanks.

17 CHAIRMAN MELIUS: Yes.

18 DR. MAKHIJANI: Hi, Jim. This is  
19 Arjun.

20 CHAIRMAN MELIUS: Hi, Arjun.

21 DR. MAKHIJANI: I'm sorry I came  
22 on late. I didn't know if there were any

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1 questions for me that I might have missed.

2 CHAIRMAN MELIUS: No, there aren't  
3 any, I don't believe.

4 DR. MAKHIJANI: Okay. Thank you.

5 CHAIRMAN MELIUS: Thank you. Any  
6 other items or possible agenda items for the  
7 next Board meeting or any other issues that  
8 people would like to bring up? Board Members?

9 If not, we can adjourn.

10 (Whereupon, the above-entitled  
11 matter was adjourned at 12:19 p.m.)

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