

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

+ + + + +

ADVISORY BOARD ON RADIATION AND
WORKER HEALTH

+ + + + +

URANIUM REFINING
AWES WORK GROUP

+ + + + +

TUESDAY
AUGUST 16, 2011

+ + + + +

The Work Group convened telephonically at 9:00 a.m., Henry Anderson, Chairman, presiding.

PRESENT:

HENRY ANDERSON, Chairman
R. WILLIAM FIELD, Member

ALSO PRESENT:

TED KATZ, Designated Federal Official
DAVE ALLEN, DCAS
TERRIE BARRIE
HANS BEHLING, SC&A
MARY GIRARDO
SAM GLOVER, DCAS
JENNY LIN, HHS
JOHN MAURO, SC&A
JIM NETON, DCAS
LAVON RUTHERFORD, DCAS
BILL THURBER, SC&A

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

(202) 234-4433

www.nealrgross.com

C-O-N-T-E-N-T-S	
<u>Item</u>	<u>Page</u>
Welcome/introductions	3
Hooker Electrochemical SC&A review of DCAS White Paper on Surrogate Data Use DCAS Response Issues resolution WG Recommendation to Board	4
Electro Metallurgical DCAS report on work in progress/ path forward; ore work	20
United Nuclear DCAS report on work in progress/ path forward	41
WG Plans	64
Adjournment	66

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

(202) 234-4433

www.nealrgross.com

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

2 9:00 a.m.

3 MR. KATZ: Let's begin with roll
4 call. First of all, this is the Advisory
5 Board on Radiation and Worker Health; this is
6 the Uranium Refining Atomic Weapons Employers
7 Work Group, formerly called the TBD-6001 Work
8 Group.

9 (Roll call.)

10 MR. KATZ: All right. So let me
11 just remind everyone on the line, please mute
12 your phone, except when you are addressing
13 the group. If you don't have a mute button,
14 press *6, that will mute your phone. Press
15 *6 again to take your phone off of mute. And
16 please, at no time put the call on hold. If
17 you need to leave for a while, hang up and
18 dial back in.

19 Thank you very much. And Andy,
20 it is your agenda.

21 CHAIRMAN ANDERSON: Okay. The
22 first on the agenda is Hooker Electrochemical

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

(202) 234-4433

www.nealrgross.com

1 and I believe the main thing is the review by
2 SC&A and the White Paper going through the
3 surrogate data use criteria that the Board
4 established.

5 MR. THURBER: John, do you want me
6 to pick that up?

7 DR. MAURO: Yes, Bill, just by
8 way of orientation it might be helpful. Did
9 everyone receive Bill Thurber's e-mail dated
10 August 15? It was our attempt, or SC&A's
11 attempt to collect everything. As you know,
12 there are a number of sites that fall under
13 the AWE Work Group and various stages of
14 maturization. Some of them have been very
15 mature, such as Hooker and United Nuclear and
16 Electro Met and others are in their infancy,
17 such as Baker-Perkins and DuPont. Bill did a
18 nice job in assembling the matrices for all
19 of these and have a cover that sort of gives
20 a status as we understand it as of today.
21 And so, if you don't have that, let us know.
22 Ted, did you receive a copy?

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

(202) 234-4433

www.nealrgross.com

1 MR. KATZ: It was dated, you
2 said, yesterday?

3 DR. MAURO: Yes, dated
4 yesterday. So, yes, some of us may have been
5 on travel. It was sent out. Quite frankly I
6 asked Bill to do it, thinking that even
7 though it wasn't really explicitly asked of
8 us, I said "listen, there's so much here and
9 it could get kind of confusing. It would be
10 a good idea to get it all in one place." If
11 you don't have it in front of you, don't
12 worry about it. We will work our way through
13 it. But you should have it and I think it
14 will be useful in going forward because it
15 puts everything in one place. But with that,
16 and don't worry if you don't have it in front
17 of you, I will ask Bill to kick it off with
18 Hooker.

19 MR. KATZ: Let me just say, this
20 is Ted -- oh, let me remind everyone to
21 identify themselves when they speak, for the
22 court reporter. So I have it and I see that

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

(202) 234-4433

www.nealrgross.com

1 it was sent to all of the Board Members' CDC
2 addresses as well as to related staff, I
3 believe. So, yes. I think --

4 CHAIRMAN ANDERSON: It is six
5 pages?

6 DR. MAURO: That sounds about
7 right.

8 CHAIRMAN ANDERSON: Okay, yes I
9 got it.

10 MR. KATZ: I don't know if Dave
11 Allen received it or not.

12 MR. ALLEN: Yes, we got it here.

13 MR. KATZ: I did, and Sam. So
14 everyone seems to have it. And the other
15 important document is, the one that John has
16 mentioned, is back in July, I think on July
17 8, he sent out a review of Hooker and a
18 matrix back then too.

19 MR. THURBER: This is Bill
20 Thurber. Ted, that review is also included
21 as the matrix for Hooker that is in this
22 packet that you all got yesterday. Anyways,

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

(202) 234-4433

www.nealrgross.com

1 with regard to Hooker, at the last Work Group
2 meeting, SC&A was tasked to review the NIOSH
3 White Paper on the use of surrogate data at
4 Hooker. And prior to SC&A performing its
5 review, NIOSH was asked to update their White
6 Paper to include specific reference to the
7 air samples that they had actually used in
8 their analysis. And David Allen issued a
9 revision of the White Paper shortly after the
10 May 16 Work Group meeting, and we then
11 reviewed that document and provided a White
12 Paper dated July 7. And in that White Paper,
13 we concluded, as you can read in the summary
14 of the status report as follows: "Based on
15 our review we believe that NIOSH has
16 addressed the ABRWH surrogate data criteria
17 in an appropriate manner and that the use of
18 surrogate data at Hooker is consistent with
19 the Board criteria. Use of the selected
20 surrogate data will result in plausible
21 bounding estimates for internal exposures at
22 Hooker."

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

(202) 234-4433

www.nealrgross.com

1 So, we felt that NIOSH had done a
2 fine job in addressing the surrogate data
3 question.

4 CHAIRMAN ANDERSON: Any
5 questions? Bill, do you have any questions?

6 MEMBER FIELD: No.

7 CHAIRMAN ANDERSON: Okay.

8 DR. MAURO: This is John. I
9 believe that was the only open item.
10 Everything else was closed at previous
11 meetings.

12 CHAIRMAN ANDERSON: All right.
13 Looking through the matrix, that seemed to be
14 --

15 DR. MAURO: That's correct.

16 CHAIRMAN ANDERSON: The only, as
17 I recall -- does this relate just to the slag
18 surrogate? Did we deal with the surrogate
19 data that was used for the other exposures?

20 MR. THURBER: The exposures were
21 only from slag.

22 CHAIRMAN ANDERSON: Okay. So do

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

(202) 234-4433

www.nealrgross.com

1 we have anything else on Hooker then at all?

2 MR. THURBER: That's all we have
3 from SC&A's standpoint.

4 CHAIRMAN ANDERSON: Okay. I
5 have on the agenda here --

6 MR. KATZ: Oh, Andy?

7 CHAIRMAN ANDERSON: Yes.

8 MR. KATZ: I'm sorry. This is
9 Ted Katz. So, if you have closed all the
10 issues, I mean, the next step to do before
11 you leave Hooker is to come up with a Work
12 Group recommendation and a plan for
13 presenting. It is on the agenda for the
14 Board meeting next week.

15 CHAIRMAN ANDERSON: It is?
16 Okay. I didn't see that.

17 MR. KATZ: It is, and so -- I
18 believe it is. I hope I'm not confused about
19 that, but it certainly should be. Hold on a
20 second. Let me see what day it is on. Yes,
21 it's on Wednesday and you were presenting.

22 CHAIRMAN ANDERSON: Okay.

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

(202) 234-4433

www.nealrgross.com

1 MR. KATZ: You are presenting
2 for the Work Group.

3 CHAIRMAN ANDERSON: Okay.

4 MR. KATZ: Reporting out for the
5 Work Group on Hooker. And we'll need a
6 presentation, whether you do it just orally,
7 but it would be best if you actually come up
8 with either a PowerPoint where there will be
9 some slides or a written presentation. And
10 the DCAS folks and the SC&A folks can assist
11 you with that, to the degree that you want
12 help, summarizing what the Work Group
13 reviewed, found, and its recommendations.

14 CHAIRMAN ANDERSON: Okay.

15 MR. KATZ: I think the first
16 thing formally, I think you have all agreed
17 with the Work Group on the individual
18 findings and closing them but you haven't
19 actually, I don't believe, but I didn't
20 finish reviewing all of the transcripts of
21 the last meeting. I don't believe you
22 actually made, specified a recommendation for

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

(202) 234-4433

www.nealrgross.com

1 the Board, but it would be appropriate to do
2 that as a Work Group first, because then it
3 ends up being a motion to the Board.

4 CHAIRMAN ANDERSON: Okay. There
5 is only two of us of the three, so I don't
6 know if --

7 MR. KATZ: There is only two or
8 three, that's true but two of three is a
9 majority already. And keep in mind that this
10 is really, it only ends up being a motion
11 before the Board, so it's not that critical
12 that you have everyone. It is always good
13 to, we prefer to, but Mark hasn't been able
14 to make these meetings and we don't want to
15 leave this live forever. Mark can certainly
16 weigh in at the Board meeting.

17 MEMBER FIELD: Ted, this is Bill.
18 I think that Mark can easily review maybe
19 what Andy puts together in the minutes from
20 the last meeting to see if he is in
21 agreement.

22 MR. KATZ: Absolutely. So Andy,

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

(202) 234-4433

www.nealrgross.com

1 I know we are very short on time, but the
2 thing we normally do is, and I would send
3 around the transcripts of the meetings to all
4 of the Board Members, not just to Mark. But
5 if you have time to get a brief presentation
6 together, you would circulate it to your
7 fellow Work Group Members so that they could
8 say I agree or give you any suggestions if
9 they have suggestions for the presentation.

10 CHAIRMAN ANDERSON: Sure. So,
11 Bill, I don't know if the Chair can make a
12 motion or not. But it seems to me that after
13 our review and we've closed things out that
14 the motion would be to accept the NIOSH
15 recommendation, which was to -- wasn't it
16 NIOSH's position that they could do dose
17 reconstruction?

18 MR. ALLEN: Yes, this is Dave
19 Allen. That was our recommendation in the
20 Evaluation Report.

21 CHAIRMAN ANDERSON: Right.

22 DR. MAURO: And SC&A's

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

(202) 234-4433

www.nealrgross.com

1 findings, as a result of this process, is
2 that we concur.

3 CHAIRMAN ANDERSON: Okay. So
4 that would seem to be the motion from the
5 committee would be that we will accept
6 NIOSH's proposal that they are able to do
7 dose reconstruction that would be claimant-
8 favorable and therefore it would be to deny
9 the petition? Bill?

10 MEMBER FIELD: Yes, I am just
11 trying to get off mute here -- yes, I think
12 that's correct, Andy.

13 CHAIRMAN ANDERSON: Okay.

14 DR. MAURO: If I may help, this
15 is John. One of the issues always, as you
16 know, is surrogate data and we will be more
17 than happy to help out in any way we can, if
18 you need help. I'm sure David is the same,
19 in putting together the slides that summarize
20 the large number of issues that were
21 entertained, the number of changes that
22 occurred in the process. And of course

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

(202) 234-4433

www.nealrgross.com

1 always the matter of surrogate data is always
2 of great concern to the Board and how that
3 was, came to resolution and why. Why we felt
4 that it met the five criteria the Board has
5 developed -- those are always of great
6 interest to the Board. So any way we can
7 help, we will be glad to help out.

8 CHAIRMAN ANDERSON: What I was
9 going to -- let's first do the -- I guess if
10 Bill and I are both in agreement on that for
11 the proposal, then we will move forward with
12 the recommendation and then I will need to
13 have the assistance on the presentation. I
14 don't know if I have it. I may, but I'm sure
15 one of you probably has it more handy than I.

16 If you have the first presentation, slides
17 from the first presentation that were made by
18 NIOSH on their recommendation, that set of
19 slides, I could probably pick from that. And
20 then, John, if you folks are willing to do
21 that, if you could put together some slides
22 from the matrix.

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

(202) 234-4433

www.nealrgross.com

1 DR. MAURO: Sure.

2 CHAIRMAN ANDERSON: And I think
3 we will circulate to the full Board your July
4 7 White Paper review, as well as the NIOSH
5 summary that they did -- or that you reviewed
6 actually.

7 DR. MAURO: Sure.

8 CHAIRMAN ANDERSON: So those
9 seem to be the key documents. So John,
10 maybe, if you could put together a couple of
11 slides from your White Paper review of the
12 surrogate data issue. That seems to me to be
13 the real issue here, and of all of the
14 surrogate data issues that the Board has
15 addressed, this one, to me anyway, seems to
16 be a little more straightforward than usual
17 because it just deals with the slag and the
18 slag handling at the various surrogate
19 facilities and really very similar to what
20 was done here.

21 MEMBER FIELD: And Andy, this is
22 Bill. I think it would be helpful too if we

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

(202) 234-4433

www.nealrgross.com

1 could just find a few minutes Tuesday to talk
2 about the issues with Mark.

3 CHAIRMAN ANDERSON: Yes. We
4 will try to do that.

5 MEMBER FIELD: Yes.

6 CHAIRMAN ANDERSON: I don't know
7 if he is going to be out there or not. But
8 we can maybe touch base with him by phone.

9 MR. KATZ: Mark gets out there,
10 I believe, Tuesday night.

11 CHAIRMAN ANDERSON: Okay.

12 MR. KATZ: Wait. The Board
13 meeting starts Tuesday. No, no. So he gets
14 out there, I believe, Monday night, and he
15 will be there Tuesday and Wednesday.

16 CHAIRMAN ANDERSON: Oh, good.
17 Then we can get together with him on Tuesday.

18 MR. KATZ: Yes. John, is that
19 clear for you, to summarize the matrix so
20 that people know what issues are where and
21 how they were resolved and then address the
22 surrogate data in a series of slides that

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

(202) 234-4433

www.nealrgross.com

1 Andy can use?

2 DR. MAURO: Glad to do it. We
3 will try to turn it into something giving it
4 more of a -- not just itemize the issues but
5 sort of tell the story of the issues.

6 MR. KATZ: Absolutely.

7 DR. MAURO: Yes, and how they
8 were resolved. Yes, we'll do the way we've
9 done these kind of things before.

10 MR. KATZ: Yes. That would be
11 very helpful. In terms of timeline here, I
12 know it's very late today. We are already
13 here on Tuesday. Zaida will need the
14 presentation for the Board meeting and so on
15 at the very latest by Friday. So that is
16 sort of the framework we are dealing with for
17 timing.

18 DR. MAURO: We'll get on this
19 right away and certainly circulate it with
20 David and Jim. In effect, what we will be
21 trying to do is capture the sense that
22 emerged from the whole process in a story

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

(202) 234-4433

www.nealrgross.com

1 that is balanced and it is probably a good
2 idea that, if it is okay with everyone else,
3 that when I sent a draft out to the Work
4 Group, I'll simultaneously send it to Jim and
5 David for their consideration and Sam. See
6 if there is anything else or rewording. This
7 way we're sort of all on the same page. I
8 think that's appropriate to make sure that it
9 catches the whole story.

10 CHAIRMAN ANDERSON: I will be
11 around all week. So if you can get that to
12 me by Thursday, we can finalize it and get it
13 to Zaida.

14 DR. MAURO: I will try to do
15 better than that.

16 CHAIRMAN ANDERSON: I was just
17 looking at it. If I was going to do it, it
18 was going to be this weekend.

19 DR. MAURO: No, well, today's
20 Tuesday, yes, we should be able to get
21 something out by Thursday.

22 CHAIRMAN ANDERSON: Okay, great.

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

(202) 234-4433

www.nealrgross.com

1 MR. KATZ: That is great. That
2 is much appreciated, John. Thank you.

3 DR. MAURO: That is the only
4 one we have. I am making promises like that
5 guy in that commercial.

6 CHAIRMAN ANDERSON: Yes.

7 (Laughter.)

8 DR. MAURO: Never mind.

9 CHAIRMAN ANDERSON: Okay. So I
10 think we've got that. Any other comments on
11 Hooker people have?

12 MR. KATZ: Andy, can I just
13 check on the line? This is Ted Katz again.
14 Do we have the petitioner for Hooker on now?

15 No, okay. Okay, carry on, Andy. I'm sorry.

16 CHAIRMAN ANDERSON: Okay. I
17 didn't hear them up front. So let's move on
18 to an update on Electro Metallurgical.

19 MR. THURBER: Okay, this is Bill
20 Thurber. We provided in the status report,
21 which you received yesterday, an update on
22 the Electro Metallurgical company matrix,

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

(202) 234-4433

www.nealrgross.com

1 which you all have and there were a number of
2 findings of which -- I'm sorry. I'm looking
3 at the wrong matrix.

4 CHAIRMAN ANDERSON: I don't
5 think you sent out that.

6 MR. THURBER: Yes, everyone should
7 have it. It comes after the Hooker matrix in
8 the package.

9 CHAIRMAN ANDERSON: Okay,
10 because I only got six pages.

11 MR. THURBER: There are actually
12 18 pages. Does everyone else have 18 pages?

13 DR. NETON: We do here in NIOSH
14 for the whole transmittal on yesterday's
15 transmittal.

16 MR. THURBER: Yes, right.

17 MS. GIRARDO: Excuse me, this is
18 Mary Girardo in Niagara Falls. Sorry for
19 interrupting, but apparently something got
20 hooked up on this phone conference.

21 DR. MAURO: Mary -- am I the
22 only one that can hear Mary? Hello?

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

(202) 234-4433

www.nealrgross.com

1 MS. GIRARDO: Yes, I'm on.

2 DR. MAURO: I hear you, Mary,
3 and this is John Mauro. I'm not sure if
4 everyone else does.

5 MR. KATZ: I do.

6 DR. NETON: This is NIOSH in
7 Cincinnati. We hear her.

8 DR. MAURO: Okay.

9 MS. GIRARDO: Yes. Something got
10 hooked up here because you weren't hearing me
11 so I had to re-call in. So is this the end
12 of Hooker Chemical as far as you people are
13 concerned?

14 MR. KATZ: Mary, this is Ted
15 Katz.

16 MS. GIRARDO: Yes.

17 MR. KATZ: I'm sorry. Are you
18 the petitioner for Hooker?

19 MS. GIRARDO: Yes, I am.

20 MR. KATZ: Thank you. That's why
21 I asked if there was a petitioner for Hooker
22 on the phone.

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

(202) 234-4433

www.nealrgross.com

1 MS. GIRARDO: Yes, I tried to
2 respond but you weren't hearing me.

3 MR. KATZ: Yes, I'm sorry about
4 that. But you certainly have an opportunity
5 if you want to comment to the group. I
6 assume you heard the discussion. I know you
7 were on the previous teleconference -- or
8 actually it was a face-to-face.

9 MS. GIRARDO: Yes, but this
10 seems to be like a closed group. The
11 petitioner is kept in the dark. The minutes
12 have not been put on the website. So there's
13 nothing from the last meeting to counteract
14 this thing about surrogate data. There is
15 questions about that. There has been no
16 opportunity to speak. It has just been
17 closed session for SC&A and NIOSH. So, I
18 really don't know what you guys have been
19 doing. Don't know what you are talking
20 about. The White Paper deal, the petitioner
21 hasn't received anything dealing with White
22 Paper. So we don't really know what in the

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

(202) 234-4433

www.nealrgross.com

1 world you are doing. So, in other words,
2 it's like a closed session and we're not to
3 know. So that's my complaint.

4 MR. KATZ: I'm sorry about that,
5 Mary, but the transcript is on the website
6 actually, for the last meeting. The White
7 Papers -- I really don't keep track of
8 whether, for example, the NIOSH White Papers
9 have been PA, Privacy Act, cleared or not.
10 But certainly you can --

11 MS. GIRARDO: But you are making
12 these decisions, folks, based on what you
13 know and what nobody else knows and that's
14 not fair. We have nothing to look at,
15 whether we understand it or not, we have
16 nothing in front of us to see what in the
17 world you are talking about to even make a
18 stab at it. This is wrong.

19 MR. KATZ: David, do you know if
20 the DCAS White Papers are Privacy Act
21 cleared?

22 MR. ALLEN: No, Ted, I don't

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

(202) 234-4433

www.nealrgross.com

1 know off the top of my head.

2 MR. KATZ: Okay. Well, one
3 thing we can do in the meanwhile is check on
4 that. Get them cleared. You can have copies
5 of those White Papers that have come since
6 the NIOSH Evaluation Report. And likewise,
7 we will do the same thing with the SC&A White
8 Papers on Hooker, if they are not already
9 cleared. And I believe I've asked for those
10 to be cleared but I couldn't be certain that
11 they are out and available already because
12 there is a process in reviewing them.

13 MS. GIRARDO: Well, if you were
14 in my position, wouldn't you think that this
15 was a fixed-up job, that it was all planned?
16 Because it's very suspicious, this whole way
17 that you are doing things. And if a person
18 is suppose to speak in front of the Board,
19 you've got to know exactly what in the world
20 you are talking about to some degree, don't
21 you?

22 MR. KATZ: I actually agree, and

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

(202) 234-4433

www.nealrgross.com

1 that's why we have these meetings in public,
2 on the phone, with a phone line and that's
3 why we do put out transcripts for these
4 meetings.

5 MS. GIRARDO: But, first, the
6 petitioner is told that they don't speak
7 unless you people give the go-ahead. We
8 aren't even allowed to speak. So, I'm
9 surprised that you are even listening to me.
10 I've been told more than once that this
11 meeting, the petitioners are not allowed to
12 speak. So now, here I am speaking. So you
13 see, I don't understand this whole routine.
14 I really don't. And this part about
15 surrogate data and slag, you guys just don't
16 make sense at all. You have to talk to the
17 common people. You have to talk in plain
18 English. And you've got to make it clear to
19 people what in the world you are dealing
20 with. And you can't just say slag surrogate
21 data, everything's fine. Well, it may be
22 fine with you but it is sure not fine with

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

(202) 234-4433

www.nealrgross.com

1 the rest of us. So I thank you, and I'm
2 going to exit this meeting because I see no
3 point in continuing in on it. Thank you very
4 much for the opportunity. Goodbye.

5 MR. KATZ: Okay, Andy?

6 CHAIRMAN ANDERSON: Yes.

7 MR. KATZ: Okay, I think we can
8 proceed from there. And we will work on
9 getting Mary at least the White Papers.

10 CHAIRMAN ANDERSON: Is the
11 matrix an available item or not?

12 MR. KATZ: We can -- well, the
13 matrix itself -- we can PA clear anything,
14 yes. So we will get this latest matrix on
15 Hooker PA cleared. We really just need that
16 section PA cleared. And like I said, I
17 believe I've asked for the Hooker White Paper
18 to be PA cleared, so I believe your SC&A part
19 is probably done by now, cleared and ready to
20 go to her. And I would ask if we could do
21 the same for its White Paper.

22 CHAIRMAN ANDERSON: Yes, those

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

(202) 234-4433

www.nealrgross.com

1 seem to be the two key documents that
2 apparently she hasn't seen, so if we can get
3 those to her.

4 MR. KATZ: Right. I think that
5 would be good.

6 CHAIRMAN ANDERSON: And we need
7 to be able to arrange, I assume she won't be
8 -- or maybe she will be out in Pasco but at
9 least have her be able to be on --

10 MR. KATZ: Yes, that is already
11 arranged. I mean, someone from NIOSH
12 contacts each of the petitioners and informs
13 them about what's on the agenda and finds out
14 whether they are interested in speaking to
15 the Board, either in person or by phone. So
16 that should already be taken care of.

17 CHAIRMAN ANDERSON: Okay.
18 Because she didn't know that, maybe she
19 didn't know that we were this close to just
20 having the one issue.

21 MR. KATZ: Well, yes. I mean,
22 frankly, I thought that the discussion at the

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

(202) 234-4433

www.nealrgross.com

1 last meeting was very clear and sort of
2 systematic in going through the issues and
3 closing the issues. I can understand though,
4 you know, folks in the public, the
5 petitioners, they have a hard time following
6 along on these technical issues.

7 CHAIRMAN ANDERSON: Yes.

8 MR. KATZ: And you know in some
9 Work Groups, they've asked for things made in
10 a sort of simplified form for them produced
11 and we've been able to do that in some cases.

12 We did some of that for Linde, I think. But
13 it is very tough for them to follow the
14 technical issues, which is not their bag,
15 particularly if they are not someone who
16 worked at DOE or worked in these processes at
17 DOE, trying to understand what is being
18 discussed is hard.

19 CHAIRMAN ANDERSON: Okay, well
20 let's then, as long as you are going to be
21 taking care of getting what information is
22 cleared to her, that would be helpful.

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

(202) 234-4433

www.nealrgross.com

1 MR. KATZ: Yes. I will follow
2 through on that.

3 CHAIRMAN ANDERSON: Okay, and I
4 found the 18 pages. I had somehow or other
5 only six printed for me. So go ahead, I got
6 it up.

7 MR. THURBER: Okay, good. This is
8 Bill Thurber again. Do you want to go
9 through these findings item by item or how
10 would you like to proceed on this? In a lot
11 of cases, when these findings were discussed
12 at the May 16 Work Group meeting, NIOSH said
13 that they were still waiting on information
14 from DOE, and without this additional input
15 from DOE, there were many of the findings
16 that were in abeyance because they couldn't
17 come up with a good source term calculation.

18 So, however you would like to proceed. We
19 can go through them item by item or whatever.

20 CHAIRMAN ANDERSON: Well, if we
21 could just --

22 DR. GLOVER: I just want to make a

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

(202) 234-4433

www.nealrgross.com

1 suggestion. This is Sam Glover at NIOSH. We
2 finally received the letter from Department
3 of Labor so I thought maybe -- so we really
4 hadn't had a chance to proceed on that
5 because we needed our source term
6 information. Maybe we could just go over
7 some of the things that we have been able to
8 cover because we really, until we got that
9 information, couldn't proceed.

10 CHAIRMAN ANDERSON: Okay.

11 DR. GLOVER: It's up to you.

12 CHAIRMAN ANDERSON: That sounds
13 good.

14 DR. GLOVER: I certainly, if
15 SC&A, Bill, if you still had action items. I
16 think most of the things were in our court
17 though.

18 MR. THURBER: They were all in
19 your court, Sam, I believe. Trying to make it
20 easy.

21 DR. GLOVER: There you go. Make
22 it easy that way. So here's what we've made

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

(202) 234-4433

www.nealrgross.com

1 progress on.

2 CHAIRMAN ANDERSON: That's what
3 I thought we were just going to hear about
4 today is if anything has transpired, and it
5 sounds like it has. So if you want to just
6 give a quick update on that.

7 DR. GLOVER: So really the
8 thing, last week we finally received a letter
9 from the Department of Energy regarding ore
10 operations and thorium operations at Electro
11 Met and I'm just going to paraphrase. Ted, I
12 apologize. I was on travel a lot and didn't
13 get to forward -- I had forgotten to forward
14 that to you guys. So Ted, you should have a
15 copy of that now, if you don't mind
16 forwarding that to the appropriate folks. So
17 I did include Ted on that letter. Basically,
18 they said that they looked at our
19 information. They can't really put a
20 timeframe of when ore operations were there
21 nor really what the scope is. Dave Allen and
22 I went through the operations very thoroughly

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

(202) 234-4433

www.nealrgross.com

1 and back to the letters. And everything we
2 can tell, with the information we have, shows
3 that it was probably a laboratory level 25/50
4 pound kind of operation conducted earlyish in
5 the '44, '45 time frame at Electro Met. So
6 DOE doesn't give any additional information.
7 They didn't find anything additional to what
8 we had. They do concur that there was some
9 ore there. They couldn't put time scopes to
10 it. They did also say that they were going
11 to remove thorium from the listing that they
12 had included because they had no information
13 thorium had been included. They have no
14 information that shows thorium was ever at
15 the facility. So, you now have a copy of
16 that letter. So that -- we thought there
17 might have been several tons that were
18 shipped. That may not be the case. It looks
19 like a more modest amount, as we review the
20 records more carefully in the overall set,
21 but at least what we understand. I think
22 where that leaves us, however, is the back-

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

(202) 234-4433

www.nealrgross.com

1 extrapolation timeframe where we are looking
2 at back-extrapolating using that '48 data to
3 go back to '43. So where I am, as I talk to
4 Jim and Dave and Stu, is that we are
5 currently reviewing our data as it supports
6 dose reconstruction and we are focusing on
7 concentrating on that back-extrapolation
8 timeframe. So that's really the focus where
9 we are at, what data we have and whether
10 that's going to support that timeframe for
11 dose reconstruction, mostly regarding the
12 uranium data and not concentrating on this
13 ore component.

14 CHAIRMAN ANDERSON: We don't
15 know -- we are not going to find out how much
16 ore was processed, it sounds like. I mean,
17 you have a sense that it might not have been
18 very much, but we really don't know.

19 DR. GLOVER: DOE was hesitant to
20 -- I can read -- let's see. I will read a
21 little more carefully here. "This document
22 confirms that Electro Met received varying

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

(202) 234-4433

www.nealrgross.com

1 grades of uranium ore from the Belgian Congo.
2 The facility supported the beneficiation
3 program which involved assessing different
4 ore leaching methods to determine the best
5 approach to larger-scale mill operations to
6 recover uranium. They were unable to find any
7 additional documents relevant to our
8 request."

9 And that's pretty much where they
10 left it. So that is --

11 DR. NETON: This is Jim. DOE is
12 not able to tell us how much was there. All
13 records that we have, as Sam said, indicate
14 small quantities. But we, as Sam indicated,
15 are refocusing our efforts on looking at the
16 dose reconstruction process for the earlier
17 years, in light of, frankly, SC&A's findings,
18 and our looking at it a lot closer. And we
19 feel that is the place to look right now to
20 see if we can actually continue to do dose
21 reconstructions and will come to some
22 determination in the near future on that.

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

(202) 234-4433

www.nealrgross.com

1 CHAIRMAN ANDERSON: So that's
2 really finding number two is still on hold
3 while you look at things.

4 DR. NETON: Right. We think if
5 something comes up where we feel that maybe
6 dose reconstruction is not possible, I'm not
7 saying we've reached that determination, but
8 saying we did, it would be on a uranium
9 basis, and that would sort of make the ore
10 situation, I don't want to say irrelevant,
11 but --

12 CHAIRMAN ANDERSON: Yes. Okay.

13 DR. MAURO: Jim, this is John.
14 Now my recollection is that when I think
15 back of many of these different sites we work
16 on. Really the only thing I am able to keep
17 in my mind is the 30-second sound bite until
18 I actually go into it. But I remember there
19 were two aspects of this particular site that
20 remained with me. One is, back-extrapolating
21 from '47/'48 data when you did have data on
22 uranium and then back-extrapolating to the

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

(202) 234-4433

www.nealrgross.com

1 earlier '40s, which is what you just
2 mentioned. And the other one had to do with
3 -- and I remember Bill explaining to me that
4 Electro Met is a very, very large site. And
5 the place where the operations took place
6 that are under discussion was -- the way I
7 keep it in my head, a postage stamp on this
8 large envelope and there was some questions
9 on whether or not, when the issues are being
10 aired, whether or not we are able to confine
11 our concerns to just this localized area that
12 perhaps was under tight security control,
13 access control where we knew who was going in
14 and going out and therefore the issue is just
15 the smaller area where the work was going on
16 or whether there was, as we ran into, I guess
17 in GE, more of a difficult problem in
18 defining the size of the area that's under
19 consideration. Is that still a matter before
20 us?

21 DR. NETON: Well, we examined
22 that and I think that relates to issue number

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

(202) 234-4433

www.nealrgross.com

1 one.

2 DR. MAURO: Okay.

3 DR. NETON: No, where was that?

4 I'm on the wrong --

5 MR. THURBER: Yes, that is finding
6 one, that is correct.

7 DR. NETON: Finding one, and Sam
8 I can speak to that but we did follow up on
9 that with, was it Energy?

10 DR. GLOVER: With Department of
11 Labor.

12 DR. NETON: Labor rather. Go
13 ahead, Sam. Tell them what we found.

14 DR. GLOVER: So we spoke with
15 Department of Labor regarding this and based
16 on their records, they cannot differentiate
17 the people. They just simply do not have the
18 ability to do it. Yes it is, there is not
19 differentiation between Electro Met and
20 Electro Met little in the middle. It is
21 Electro Met. So they don't say the little
22 building here, they call Electro Met Electro

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

(202) 234-4433

www.nealrgross.com

1 Met. And when they go do employee
2 verification they simply do not have the
3 records. We've got that documented and DOL
4 puts people in places. Whether we try to
5 make that distinguished, you try to
6 distinguish that or not, they can't put them
7 in place. That's how they are going to treat
8 them. That's what they've told me. There's
9 nothing I can do.

10 DR. MAURO: Okay, that helps,
11 because I remember that was important because
12 the number of people changes dramatically in
13 terms of the issue, depending on how you draw
14 those boundaries.

15 DR. GLOVER: So I apologize that
16 I haven't gotten farther for you on this but
17 we had to wait until we got the ore
18 discussion.

19 DR. MAURO: No, I understand.

20 DR. GLOVER: So that's, we will
21 proceed with due haste and get some
22 additional follow-up on these action items.

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

(202) 234-4433

www.nealrgross.com

1 CHAIRMAN ANDERSON: Okay,
2 others?

3 MEMBER FIELD: Yes, this is Bill.
4 I just had a question. Does anyone know
5 what the original source was to indicate that
6 there may have been thorium used at the site?

7 DR. GLOVER: We have no idea.
8 That was just put into -- they used thorium
9 at the facility in the `60s or `50s, late
10 `50s, outside the covered period. So the
11 facility had some specific, some other things
12 that they cleaned up and so I think it got
13 drug in from the clean-up documents, some of
14 the descriptions they had. That, as I
15 started to think about it more, I think it
16 came from some different documentation but
17 not from the DOE process that occurred in the
18 early `40s, to the beginning of the `50s.

19 MEMBER FIELD: Okay.

20 CHAIRMAN ANDERSON: What about
21 finding number six on the air?

22 DR. NETON: I think these are

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

(202) 234-4433

www.nealrgross.com

1 all related to the general issue of our going
2 back and looking at our ability to
3 reconstruct uranium.

4 CHAIRMAN ANDERSON: Yes.

5 DR. NETON: There is a lot of
6 things we need to consider such as: what kind
7 of work processes were there? Was this
8 mechanical, shuffling, that sort of thing,
9 and we are rethinking our position on this
10 right now.

11 CHAIRMAN ANDERSON: So all of
12 these things kind of roll into that.

13 DR. NETON: All of the internal
14 issues that are there kind of roll into that
15 one.

16 CHAIRMAN ANDERSON: Okay. So
17 then it is kind of what's your timeline, do
18 you think, Jim?

19 DR. NETON: I would say that we
20 will have a position here well in advance of
21 the December Board meeting.

22 CHAIRMAN ANDERSON: Okay.

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

(202) 234-4433

www.nealrgross.com

1 DR. NETON: Easy to say now
2 since it is only August, but I think this
3 will go fairly quickly on our side.

4 CHAIRMAN ANDERSON: Okay, great.
5 Any other questions on Electro Met? Bill?
6 Do we have the petitioners on? Okay. Either
7 people are on mute and they are talking.
8 Should we move on to United Nuclear?

9 DR. MAURO: How would you like
10 to proceed?

11 MR. THURBER: I can pick it up if
12 you want, John.

13 DR. MAURO: Yes. I know Hans
14 also, the both of you worked pretty closely
15 on this. Why don't you get it started?

16 MR. RUTHERFORD: This is LaVon
17 with NIOSH. I do want to point out the fact
18 that we haven't issued any White Papers in
19 resolution to the issues that SC&A has
20 previously identified from the last Work
21 Group meeting. We are working towards
22 resolutions to those issues and actually we

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

(202) 234-4433

www.nealrgross.com

1 can provide the Board -- or the Work Group
2 some better dates on completion of those
3 issues within the next week or two. We
4 should be able to finalize some good dates
5 based on the resources that are available.

6 I just wanted to point that out
7 instead of going through each of the issues
8 where we are going to end up coming back to
9 stating that we are working on those issues
10 at this time. And, again, we can give you
11 some better dates here within the next week
12 or two. I can send that out to the Work
13 Group as soon as those are available.

14 DR. NETON: Which site is this
15 we're talking about?

16 MR. RUTHERFORD: United Nuclear.

17 DR. NETON: Oh, we are skipping
18 over DuPont?

19 MR. RUTHERFORD: Yes.

20 DR. NETON: Okay.

21 CHAIRMAN ANDERSON: We had
22 started talking briefly about United Nuclear

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

(202) 234-4433

www.nealrgross.com

1 but you are still working on that?

2 MR. RUTHERFORD: Yes, the actual
3 matrix that was provided with the grouping
4 that Bill Thurber provided, I appreciate that
5 because it does actually identify the issues
6 that are closed and the issues that are open
7 and the issues focused around the internal,
8 we are working at, that were previously
9 identified. And all the issues that are
10 open, we have action items and we are working
11 to resolve those issues. Again, I anticipate
12 having good dates for the Work Group within
13 the next week or two weeks.

14 CHAIRMAN ANDERSON: Okay.

15 MR. RUTHERFORD: That we can
16 identify future Work Group meetings.

17 CHAIRMAN ANDERSON: Okay. Do we
18 want to go talk about the other sites that
19 are listed here? I don't know, is there
20 anything to --

21 MR. THURBER: Neither of, the
22 other two sites -- this is Bill Thurber.

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

(202) 234-4433

www.nealrgross.com

1 Neither Baker-Perkins or DuPont Deepwater
2 have been on the Work Group agenda. We
3 provided just for informational purposes the
4 Baker-Perkins matrix at last Work Group -- or
5 in some of the material we supplied for the
6 last Work Group meeting. But the matrix was
7 not reviewed. We just recently, I think in
8 the last week or so, got DOE clearance and
9 issued our report on DuPont Deepwater and
10 have, based on that report, also supplied a
11 findings matrix. Again, this has never been
12 discussed. These are kind of just for the
13 group's information at the moment.

14 CHAIRMAN ANDERSON: And both of
15 these are just Site Profiles, right?

16 MR. THURBER: Yes. They are both
17 Site Profile reviews, not SEC.

18 DR. MAURO: And I don't believe
19 there are any SECs active on either Baker or
20 DuPont.

21 CHAIRMAN ANDERSON: Okay.

22 DR. MAURO: So these are pure

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

(202) 234-4433

www.nealrgross.com

1 Site Profile issues.

2 CHAIRMAN ANDERSON: Okay.

3 MR. ALLEN: This is Dave Allen
4 from NIOSH. I've got one suggestion. As far
5 as DuPont, as Bill said, we just got this
6 like last week so we haven't had a chance to
7 really digest that one yet. But the Baker-
8 Perkins, Bill, you can correct me if I'm
9 wrong, but I believe all of these findings
10 are associated with the original Appendix P.

11 MR. THURBER: Yes, they are, Dave.
12 I'm pretty they are, yes.

13 MR. ALLEN: Yes. And since that
14 time, we revised that appendix into a
15 standalone TBD and when that happened, we did
16 have these findings alongside of us and we
17 tried to address these findings and the TBD
18 because the original TBD was based on some of
19 the defaults in TBD-6001 and we had to go
20 away from that.

21 MR. THURBER: Right.

22 MR. ALLEN: So, my personal

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

(202) 234-4433

www.nealrgross.com

1 opinion, I'm thinking this might warrant, I
2 guess, what would you call it? A focused
3 review of the TBD compared to these findings.

4 I mean, several of these just seem like they
5 are moot now.

6 MR. THURBER: That could well be.

7 And if the Work Group wants us to do it --
8 help me, John, here. I think that we could
9 certainly undertake a focused review of the
10 standalone TBD and come up with a revised
11 matrix.

12 DR. MAURO: Yes. It may turn
13 out a lot of these go away, as they have in
14 the past, because you are absolutely right.
15 I didn't think of that. Because I think the
16 Baker-Perkins has been, you have reissued, as
17 your cover memo indicate, I believe the
18 original Baker-Perkins was withdrawn. I'm
19 not sure. Yes, it was. Let's see, I'm
20 looking down at the front. Yes, it was
21 canceled on February 17. Now -- and I am
22 presuming there is a revised Baker-Perkins

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

(202) 234-4433

www.nealrgross.com

1 active now and perhaps -- I don't know, Bill,
2 do you know whether our review was done --

3 MR. THURBER: No, our review was
4 back in September of last year.

5 DR. MAURO: Okay. So, that
6 means that our review is dated.

7 MR. THURBER: That's right.

8 DR. MAURO: And so I think it
9 would not serve the Work Group well for us to
10 review issues given that the -- we probably
11 should take a quick look. I don't think it's
12 a big deal. I think these are not big
13 matrices and just to see how you step back
14 away from TBD-6001 defaults and have adopted
15 other strategies for dealing with these
16 matters. I will leave it up to, of course,
17 you folks, if you like us to go back and
18 revisit and update our report, revise the
19 matrix to reflect these changes and then
20 maybe we will be on better standing.

21 CHAIRMAN ANDERSON: I think that
22 would be a good -- rather than try to go

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

(202) 234-4433

www.nealrgross.com

1 through something that's not dated and
2 support document as changed. I think if you
3 could redo the matrix, look at your initial
4 points, see if they are still relevant or
5 not.

6 MR. THURBER: Yes.

7 CHAIRMAN ANDERSON: And where's
8 the new TBD? Is that on the website?

9 MR. THURBER: Yes, it is. It is
10 covered in the front page of the status
11 report.

12 CHAIRMAN ANDERSON: Okay.

13 MR. THURBER: Down there
14 somewhere. It was formerly Appendix P.
15 There is a link there.

16 CHAIRMAN ANDERSON: Okay.

17 MR. THURBER: Which we lifted from
18 the NIOSH website.

19 CHAIRMAN ANDERSON: Okay. I see
20 them now. And 6001 is not there anymore. I
21 want to be sure I can get it. Okay.

22 DR. MAURO: Now that's not,

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

(202) 234-4433

www.nealrgross.com

1 that's not the case of DuPont. DuPont,
2 unlike Baker, was in fact released recently
3 and does reflect -- I don't even think DuPont
4 is part -- is DuPont part of 6001?

5 MR. THURBER: Oh, yes.

6 DR. MAURO: Oh, it was, okay.

7 MR. THURBER: It was Appendix
8 whatever, P.

9 DR. MAURO: It was one of the
10 appendices. Well, anyway, that was done only
11 recently and does reflect the latest version
12 of DuPont. So it doesn't suffer from the
13 same problem as Baker.

14 MR. THURBER: No, it was the Site
15 Profile that we reviewed.

16 DR. MAURO: We reviewed the
17 Site Profile. So of course it was only
18 issued last week, so certainly NIOSH didn't
19 have a chance to look over these. If you
20 would like to quickly go -- there are seven
21 findings, these are pretty straightforward.
22 If you want to go through them quickly, or

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

(202) 234-4433

www.nealrgross.com

1 would NIOSH care to wait until you have a
2 chance to look it over, read the report and
3 then fill in, I guess, column two in the
4 matrix?

5 CHAIRMAN ANDERSON: My
6 preference would be, I think we are going to
7 want to have another meeting before the
8 December meeting. So, unless NIOSH has some
9 thoughts on it, rather than have you go
10 through your comments and NIOSH say, well,
11 we'll --

12 DR. MAURO: Right.

13 CHAIRMAN ANDERSON: We'll look
14 at them, and so I would like to see the
15 matrix filled in.

16 DR. MAURO: And I agree.

17 CHAIRMAN ANDERSON: Then we can
18 focus on that discussion.

19 DR. MAURO: Yes. And there's
20 nothing that nuanced about these that require
21 development in a conversation like now. I
22 think when NIOSH reads it, it will say, oh,

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

(202) 234-4433

www.nealrgross.com

1 yes, I can see what this is all about. The
2 Putzier effect, things like that. Things
3 that everyone has seen before. So it's not
4 that there will be any ambiguity about the
5 points we are making.

6 CHAIRMAN ANDERSON: Jim, is that
7 okay with you?

8 DR. NETON: Sounds good with us.

9 CHAIRMAN ANDERSON: Yes. We
10 don't need a -- any other issues related to
11 this? So basically DuPont, that matrix is
12 really still current, where the Perkins one
13 is now a standalone TBD.

14 MR. THURBER: And we will revise
15 that and for Baker-Perkins we will revise our
16 report and provide an updated matrix.

17 CHAIRMAN ANDERSON: Okay.

18 DR. MAURO: So SC&A has two
19 action items: help out the Hooker slides and
20 re-review Baker-Perkins.

21 CHAIRMAN ANDERSON: Right.

22 MR. THURBER: That is what I have

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

(202) 234-4433

www.nealrgross.com

1 on my list, John, yes.

2 DR. MAURO: Okay.

3 CHAIRMAN ANDERSON: Okay.

4 MR. KATZ: Andy, this is Ted
5 Katz. I just -- and I was dealing with one
6 of these, Mary's issues for a second, so I
7 didn't have my ears on for all of the United
8 Nuclear discussion but do we have a
9 timeframe, folks, Jim, Dave, for when it
10 makes sense? I mean, the SECs being a
11 priority, Electro Met and United Nuclear as
12 to when we should be meeting next?

13 MR. RUTHERFORD: Ted, this is
14 LaVon. I'm the POC on United Nuclear and
15 what I had committed to the Work Group was
16 that we would be able to provide some good
17 dates for completing the -- or for producing
18 some White Papers and stuff on the issues
19 that were previously identified. I can give
20 good dates on that probably within the next
21 week or two weeks. As soon as I get those
22 good dates, I will get them immediately to

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

(202) 234-4433

www.nealrgross.com

1 the Work Group and that will help them
2 identify a date that we could have our next
3 Work Group meeting.

4 MR. KATZ: Thank you, LaVon.
5 And Electro Met, what's the date frame for
6 that?

7 DR. NETON: Electro Met, it's
8 going to take a matter of a few weeks or
9 more, probably within a month.

10 MR. KATZ: Okay. So that one is
11 certainly realistic to address in the next
12 Work Group meeting before the next Board
13 meeting?

14 DR. NETON: That is what I said
15 earlier. I thought we could provide them the
16 information well in advance of the December
17 meeting.

18 MR. KATZ: Great. I'm sorry. It
19 is my fault for having missed those points.

20 DR. NETON: I'm just trying to
21 be consistent, remember what I said.

22 CHAIRMAN ANDERSON: That is what

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

(202) 234-4433

www.nealrgross.com

1 you said. You said well before the December
2 meeting.

3 (Laughter.)

4 MR. KATZ: Okay. So we will
5 certainly then wait on you, Lavon, before we
6 try to schedule the next Work Group meeting.

7 CHAIRMAN ANDERSON: Probably
8 going to have to be some time in November.

9 MR. KATZ: Right, that's my
10 guess.

11 CHAIRMAN ANDERSON: Yes. Okay.
12 So we pretty well out of assignments here?

13 MR. KATZ: We do. One other
14 thing. This is Ted again. One of the things
15 I was looking to is that the transcript from
16 the last meeting, because I was concerned
17 about Mary's point she was making that she
18 doesn't feel like the petitioners have been
19 given an opportunity to speak for the Work
20 Group. That wasn't the case at the last Work
21 Group meeting because another petitioner -- I
22 assume she was a petitioner, but she was

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

(202) 234-4433

www.nealrgross.com

1 speaking for the petitioners, did ask about
2 this and we did say certainly, petitioners
3 can speak to the group, and she did speak to
4 the group at the last meeting.

5 But I do think, to Mary's point,
6 we probably could be more systematic and
7 conscientious about asking for petitioners'
8 comments to make them welcome to speak up in
9 these meetings. I know we try to do that,
10 but then we get tangled up in technical
11 things and just carry on.

12 CHAIRMAN ANDERSON: Yes.

13 MR. THURBER: Ted, this is Bill
14 Thurber.

15 MR. KATZ: Yes.

16 MR. THURBER: I happened to notice
17 on the website, the agenda website that it
18 said this meeting is open to the public but
19 without a public comment period. So I think
20 that was probably one of the things she was
21 referring to as well.

22 MR. KATZ: That is interesting.

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

(202) 234-4433

www.nealrgross.com

1 I mean, I didn't even know they made that
2 notice. We don't have a public comment
3 period, none of the Work Group do, because
4 they're really intended for the Board to do
5 its work. In the rest of the Federal Advisory
6 Committee world, they are not even open to
7 the public. But we've always, in all of
8 these Work Groups, invited the public to
9 comment, particularly dealing with petitions.

10

11 And most Work Groups, there are
12 many Work Groups that there are petitioners
13 who actually participate heavily with
14 comments during the session even though there
15 is not a public comment session. But they
16 raise their questions and they make their
17 comments as we go along, as most of you know
18 who sit on other Work Groups.

19 So, I know Denise Brock, who's
20 ombudsman, has been consulting with Mary or
21 Mary has been consulting with her to help her
22 along. I think she's maybe not so acquainted

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

(202) 234-4433

www.nealrgross.com

1 with how things go, although the other
2 petitioners commented at the last meeting,
3 maybe she felt a little intimidated or what
4 have you about speaking up. But we certainly
5 can always try to do better on this front.

6 CHAIRMAN ANDERSON: It seems,
7 and certainly on the phone, I would say it is
8 even for us difficult to follow unless you
9 have the matrices in front of you. It would
10 seem to me being able to clear matrices at
11 some point would -- those are a nice
12 capsulized summary of what the issues and the
13 discussion has been, and then I think that's
14 a little easier for them to respond to than
15 trying to listen as we go forward. And we
16 have documents in front of us that they
17 don't.

18 MR. KATZ: Yes. And the
19 difficulty is, matrices are typically just in
20 time. PA clearing them has been practically
21 impossible in time for the meetings.

22 CHAIRMAN ANDERSON: Yes, I know.

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

(202) 234-4433

www.nealrgross.com

1 Okay.

2 MR. KATZ: I have asked for this
3 one to be PA cleared for Mary, to be sent to
4 Mary, dealing with the Hooker part of it and
5 it shouldn't take too long to clear that
6 piece of it. So, yes, when we can, we PA
7 clear matrices when we know someone wants
8 them and when we know, when we get them early
9 enough, but typically get them just ahead of
10 a meeting and then it's literally impossible
11 to do that.

12 DR. MAURO: Ted, I have a suggestion
13 that might be helpful, because it benefits me
14 very often when I prepare for these. The
15 matrices serve their purpose well. They keep
16 it organized and keep the work moving and the
17 team, everyone is involved, is tracking it,
18 and all the history of it is here. But I
19 could almost envision a person listening in
20 who may not have been tracking it. And
21 usually there is a story. As you go back to
22 the history, a very complex one, United

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

(202) 234-4433

www.nealrgross.com

1 Nuclear, for example, which has, I don't even
2 know how many meetings. But it turns out, the
3 way I always look at this is: it always
4 really boils down to a simple story. The way
5 we talked about Hooker. Well, when we're all
6 said and done, it's really, you've got some
7 data in the later years but you don't really
8 have too much data in the early years. And
9 now there is some question regarding whether
10 there was how much and whether or not there
11 was any ore. And all of a sudden it becomes a
12 very simple story. Rather than 25 different
13 issues that are cryptically identified in a
14 matrix which would make a person's head spin.

15 If we could start off, especially
16 a Work Group like this that really has its
17 work cut out, we're dealing with five or six
18 different sites. A little bit of, a few
19 minutes in the front end, to sort of regroup,
20 might be helpful as much to us as it is
21 certainly to any of the interested parties
22 that might be listening in.

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

(202) 234-4433

www.nealrgross.com

1 MR. KATZ: John, I couldn't
2 agree with you more. And I actually, this is
3 something you have a good talent for too, for
4 sort of just reminding everybody of the story
5 before we delve into it. And I think that is
6 something that might help at the head of
7 these meetings where when we begin to speak
8 about a site, to just have a brief recap
9 orienting the public. In some Work Group
10 meetings we do that. We think of that and
11 actually --

12 DR. MAURO: Right, right.

13 MR. KATZ: When we start to --
14 we did that, I think, yesterday, when we
15 starting marching into a detail and then we
16 step back and say, wait, let's just, for the
17 sake people listening, start at the beginning
18 of it. So I think that is a good suggestion.

19 DR. BEHLING: Ted and John, this
20 is Hans Behling. I do want to make a comment
21 exactly to this issue here because I've been
22 involved in so many instances with reviewing

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

(202) 234-4433

www.nealrgross.com

1 an AWE or a Site Profile or a PER and
2 initially we go to great lengths to explain
3 what our concerns may be. And then, of
4 course, a document that may be 10, 15, 20
5 pages get condensed to a handful of comments
6 that enter a matrix and oftentimes there will
7 be subsequent meetings that will occur months
8 or even years later, and no one remembers
9 exactly what the detailed information was
10 that was initial trigger for these comments
11 that ended up being reduced to a single
12 sentence or two in the matrix.

13 I think it would be very helpful
14 if in the matrix we identify the date and the
15 title of the document that preceded these
16 matrix comments so that somebody might could
17 go back and again refresh themselves as to
18 what the initial discussions were that gave
19 rise to the matrix. Because sometimes, after
20 months or years we somehow lose sight of the
21 complexity of some of the issues that are
22 overly simplified in the matrix and somehow

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

(202) 234-4433

www.nealrgross.com

1 lose their meaning.

2 MR. KATZ: Yes, Hans, I think
3 your case is particularly true in a site
4 that's gone through a lot of review and a lot
5 of White Papers and so on. Sometimes the
6 matrices all represent one review, in which
7 case it is not such a problem. But I agree
8 with what you are saying, Hans, with some of
9 these more complex, long reviews, it gets to
10 be labyrinthine and it's all, like you say,
11 condensed into a very brief sound bite in a
12 matrix.

13 Anyway, this is something worth
14 discussing offline. I don't know that we
15 need to do it all for this Work Group because
16 it's really a general issue, but a good one
17 for trying to make these Work Group meetings
18 as understandable as possible for people
19 listening.

20 CHAIRMAN ANDERSON: Now that we
21 have a much larger number of Work Groups, I
22 think to have some kind of systematic format

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

(202) 234-4433

www.nealrgross.com

1 would also help.

2 MR. KATZ: Yes.

3 DR. MAURO: Well, one of the
4 things -- not to prolong this. But one of
5 the things we often try to do, at one time we
6 had to, for example, when we were in the
7 midst of a number of really big ones, Nevada
8 Test Site, Rocky, Fernald, at least one of
9 the things we try to do to help the Board, is
10 -- so much work has gone in over years. And
11 to try to capture the essence of it for the
12 Board now in a two- or three-pager, which
13 says okay, listen, this is what transpired.

14 So that does, I can't tell you
15 how much it helps me, when I'm the one who,
16 for example, on Fernald on a couple of
17 occasions I found myself trying to write all
18 of this down, pull it all together and get it
19 into my head. That kind of thing every so
20 often is probably a really good idea to do
21 that. Because they can easily get away from
22 you and you lose sight of it. I'm thinking

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

(202) 234-4433

www.nealrgross.com

1 out loud now. I'm doing a little musing,
2 Ted. But I think a little bit more of that
3 goes into it, because the richness of this
4 program is off the charts, in terms of some
5 of these sites. And regrouping every so
6 often for everyone's purposes. I can almost
7 envision the Board Members listening in on a
8 vote where something that has a history that
9 goes back for five years. In any event, just
10 another thought.

11 MR. KATZ: Okay. Back to where
12 we are with this. Andy, I will be sending
13 then to the full Board the White Papers and
14 background so that they have more context for
15 your presentation as well. So you don't need
16 to worry about that. I will take care of
17 that just as I have earlier this week for
18 other sites that are going to be discussed at
19 the Board meeting.

20 CHAIRMAN ANDERSON: I've seen
21 those coming through.

22 MR. KATZ: They won't have your

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

(202) 234-4433

www.nealrgross.com

1 presentation. They will get your presentation
2 when it's done, but they will have these
3 background papers that will help them orient
4 themselves and have a deeper understanding.

5 CHAIRMAN ANDERSON: Send them
6 the matrix as well?

7 MR. KATZ: Yes. I will give
8 them the matrix but I will give them the
9 White Papers as well.

10 CHAIRMAN ANDERSON: White
11 Papers, I think are probably the most --

12 MR. KATZ: I will give them the
13 transcripts where we've discussed this.

14 CHAIRMAN ANDERSON: Okay.

15 MR. KATZ: So anyone who wants
16 to delve deeper can delve deeper.

17 CHAIRMAN ANDERSON: Yes. Any
18 other issues we have? Bill, do you have any
19 parting thoughts?

20 MEMBER FIELD: No, Andy, I think
21 everything is pretty much covered.

22 CHAIRMAN ANDERSON: Okay, with

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

(202) 234-4433

www.nealrgross.com

1 that I'll accept a motion to adjourn, if
2 there's no other comment. Or do we have
3 others on the phone that want to make a
4 comment? Okay, hearing none, if someone was
5 talking, we didn't hear you, so think about
6 mute. So with that, I'll adjourn the Work
7 Group meeting.

8 (Whereupon, the above-entitled
9 matter was concluded at 10:13 a.m.)

10

11

12

13

14

15

16

17

18

19

20

21

22

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

(202) 234-4433

www.nealrgross.com