

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

U.S. DEPARTMENT OF HEALTH AND HUMAN SERVICES
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NATIONAL INSTITUTE FOR OCCUPATIONAL
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ADVISORY BOARD ON RADIATION AND
WORKER HEALTH

+ + + + +

WORK GROUP ON ROCKY FLATS

+ + + + +

THURSDAY
NOVEMBER 3, 2011

+ + + + +

The Work Group convened via teleconference at 2:00 p.m. Eastern Daylight Time, Mark Griffon, Chairman, presiding.

PRESENT:

MARK GRIFFON, Chairman
PHILLIP SCHOFIELD, Member

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ALSO PRESENT:

TED KATZ, Designated Federal Official
ISAF AL-NABULSI, DOE
TERRIE BARRIE, ANWAG
JOE FITZGERALD, SC&A
MARY GIRARDO
ADAM JONES, Senator Mark Udall's Office
JEFF KOTSCH, DOL
JENNY LIN, HHS
ARJUN MAKHIJANI, SC&A
JAMES NETON, NIOSH DCAS
CHARLES SAUNDERS
MUTTY SHARFI, NIOSH ORAU
GREG SMITH
JAMES TURNER, Beryllium Support Group
BRANT ULSH, NIOSH DCAS

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C-O-N-T-E-N-T-S

Welcome and roll call	3
Discussion of DOL Bulletin 11-08	8
Status of Site Profile issues	29
Former petitioner concern - Site Profile	36
Action items/path forward	38

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

2 2:00 p.m.

3 MR. KATZ: So, this is the
4 Advisory Board on Radiation and Worker Health,
5 Rocky Flats Work Group and it's convening
6 after quite a long time in passive mode.

7 So we will begin with a roll call.
8 And since we're speaking of a specific site
9 for all the Agency-related personnel please
10 speak to conflict of interest as well. And we
11 will begin with Board Members, with the Chair.

12 (Roll Call.)

13 MR. KATZ: Okay. Well, Mark, I
14 think you should just carry on. We don't have
15 any other Work Group Members on the line but--

16 CHAIRMAN GRIFFON: Yes. We don't
17 have a Work Group but I think it would be
18 important, you know, for the record, to start
19 this discussion, especially about the
20 bulletin.

21 MR. KATZ: Absolutely, right.

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1 CHAIRMAN GRIFFON: And then
2 outline--

3 MR. KATZ: Oh, and let me just --
4 oh yes, last mention, the agenda for the
5 meeting is on the NIOSH website. You can find
6 it under the Board Section. And the Board
7 Section with Work Groups meeting today, this
8 Work Group meeting today and it should be
9 there.

10 And there's also a matrix of
11 issues that were Site Profile, in effect,
12 issues that were addressed up till when the
13 SEC action was taken. That matrix is updated
14 and that got to us quite late but it may show
15 on the website now. I've sent it in there and
16 they post, you know, periodically during the
17 day. So you may be able to find that and
18 follow along with that when we get to that
19 portion of the agenda.

20 Okay, Mark, sorry about that.

21 CHAIRMAN GRIFFON: That's all

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1 right.

2 MR. MAKHIJANI: Hi. This is
3 Arjun. I've just joined.

4 MR. KATZ: Welcome, Arjun. And no
5 conflict, right?

6 MR. MAKHIJANI: No conflict.

7 CHAIRMAN GRIFFON: Okay. This is
8 Mark Griffon and I think for the Court
9 Reporter's sake on these kind of phone calls,
10 we should make sure we identify ourselves as
11 we speak.

12 As Ted said, the agenda: it's a
13 fairly brief agenda today. But I just wanted
14 to get back to not only the Site Profile
15 issues but also now that we have this last
16 bulletin from Labor on implementing the Class,
17 I think it's important that we at least, you
18 know, get a report and have an understanding
19 of what that means. And so that's the first
20 item is that discussion.

21 And then looking back at the

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1 matrix, I will say that I think that was the
2 last matrix I could find but also one of the
3 actions coming out of this meeting may be for
4 Joe Fitzgerald to recover the first matrix. I
5 think I found a date: 12/15/05.

6 SC&A submitted a report with an
7 initial matrix that was a Site Profile matrix
8 and then we evolved into SEC issues. So this
9 last one I'm not sure, you know, if -- I don't
10 want to miss some that early on we said were
11 Site Profile issues and therefore not relevant
12 to the SEC discussion. So anyway we that may
13 be one of the action items from this meeting.

14 But if we could start, I think
15 it'd be useful to -- I don't know if, Jeff, if
16 you're willing to give us an overview of this
17 last bulletin that came out so some of us can
18 digest and understand what it means. Could
19 you do that for us?

20 MR. KOTSCH: Yes. It's been a
21 while so let me just read through this --

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1 CHAIRMAN GRIFFON: You weren't
2 expected to be called on? I didn't put your
3 name on the agenda.

4 MR. KOTSCH: Yes. I just was
5 reminded that we had this call today.

6 CHAIRMAN GRIFFON: Yes.

7 MR. KOTSCH: Basically this
8 Bulletin has to do with, the Bulletin 11-08
9 has to do with the use of the Ruttenber
10 database as far as, you know, evidence to
11 basically implement the Class at Rocky Flats.

12 And just looking through it,
13 obviously if the conditions in the other
14 bulletins are met, you know, concerning the
15 250 days and the building and things, this
16 one basically supplements that by adding if
17 there's information contained in the database,
18 with respect to neutron dose of 100 millirem
19 or more in any particular year. That
20 basically fulfills the criterion of, you know,
21 whether there was neutron exposure, you know,

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1 which is one of the basic criteria of the
2 Class.

3 And I'm trying to see, I'm just
4 trying to remember if there was one other
5 thing in here or not.

6 CHAIRMAN GRIFFON: I think it's
7 the building listed too, right?

8 MR. KOTSCH: Yes. Yes. Let me
9 see. I'm trying to remember back how this
10 thing played out as far as buildings go.
11 Because we had a number of other bulletins
12 that --

13 CHAIRMAN GRIFFON: Yes. It shows
14 any buildings that matches one of the
15 locations identified in Bulletin 08-01 and
16 Circular 08-03, they'll use that as
17 confirmation that the person could have been
18 exposed to neutrons, basically.

19 MR. KOTSCH: Right. Okay, so --

20 COURT REPORTER: Excuse me, who is
21 this speaking? This is the Court Reporter.

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1 CHAIRMAN GRIFFON: Oh, that was
2 Mark Griffon. I'm sorry, I violated my own
3 rule.

4 COURT REPORTER: Thank you.

5 MR. KOTSCH: Right. Yes. This is
6 Jeff Kotsch here.

7 Yes. So it uses information from
8 the database as to both the building with it
9 matches against the other criteria and a
10 neutron value if it's greater than 100
11 millirem in any particular year. Then those
12 would be used to fulfill those other criteria
13 that's within, you know, implementation of the
14 Class.

15 CHAIRMAN GRIFFON: Okay. So this
16 is Mark Griffon.

17 I think the first question I have
18 is on the neutron, it says the field in the
19 database is called neu_recpen, neutron
20 something penetrating, I assume. But it says,
21 you know, that you only include them if it

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1 goes above 100 millirem in any one year. And
2 I understand the basis of the 100 millirem,
3 the question is what's the basis of this
4 number generated by the Ruttenber research?
5 Because if it's derived from the very same
6 data that we said we could not use for dose
7 reconstruction, I have some problems with this
8 approach.

9 MR. KOTSCH: Yes. And I think
10 it's been a while and I'm not familiar with
11 all the background of those. Obviously, they
12 just liked the Neutron Dose Reconstruction
13 Project, you know, imputed doses from
14 obviously from Rocky Flats basically raw data
15 or dosimetry data. And this was our
16 understanding after talking to Margaret
17 Ruttenber, of at least which value would be
18 perhaps representative of a neutron dose for
19 any particular individual.

20 CHAIRMAN GRIFFON: Yes. Mark
21 Griffon again.

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1 I mean, do you see the obvious
2 dilemma I have here? How do we trust the 100
3 millirem value if it's derived from the very
4 data that we've said we can't use?

5 In other words if you take the
6 case of a non-listed cancer, someone has a
7 non-listed cancer from '52 through '66, I
8 assume NIOSH is not going to calculate neutron
9 doses. We basically said we can't calculate
10 neutron doses during that time period. But on
11 the other hand, in this case we're using, you
12 know, the neutron doses to make a
13 determination if -- you know, estimated values
14 to make a determination, rather than saying
15 anyone identified as potential neutron
16 exposure.

17 MR. KOTSCH: Again, we were just
18 applying this. This is just, you know, one of
19 the tools that we use to place individuals in
20 Classes, or into these two Classes essentially
21 and, you know, -- what do I want to say? It's

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1 just trying to fulfill the, you know, the one
2 criterion which we've established as being,
3 you know, 100 or greater millirem for any
4 particular year. So we were just trying to
5 quantitatively, you know, use a number from
6 this.

7 CHAIRMAN GRIFFON: Yes. And I
8 guess I'm questioning the ability to use
9 quantitative data when it's based on the very
10 data that we've challenged in the SEC as not
11 being useful or usable.

12 MR. KOTSCH: I mean, I understand
13 what you're saying. You know, this is just
14 the way the Bulletin was written. I
15 understand where you're coming from.

16 CHAIRMAN GRIFFON: Right. Okay.
17 Mark Griffon, again.

18 I just think -- well, it surprised
19 me a bit after two years that this is where it
20 came down.

21 But do others have thoughts on

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1 this? I know SC&A looked at this a little bit
2 or --

3 MR. MAKHIJANI: Yes. Mark this is
4 Arjun.

5 Actually, I think the initial
6 Bulletin of the Department of Labor did not
7 have a dose threshold with it when the SEC
8 first went into effect in 2007. And then a
9 subsequent Bulletin in 2008 amended that and
10 added 100-millirem threshold to all the other
11 criteria: buildings, NDRP and so on.

12 And the thing that surprised me in
13 that was in that Bulletin from 2008 was it
14 said that if in any year -- the dose
15 reconstruction said neutron dose not -- I
16 don't have my computer in front of me. I'm
17 not at home. But it said that if a dose
18 reconstruction shows 100 millirem or more
19 neutron dose in any year, then they would be
20 in the Class.

21 So I think the 100 millirem got

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1 carried over from that amendment, probably.
2 But I couldn't figure out where that amendment
3 came from or what the rationale for using the
4 dose-reconstructed figure was in an SEC for
5 the same thing when we said, you know, you've
6 extended what we said, or the Board has said
7 you don't have the data to do neutron/photon
8 ratios and so on for this period. And then
9 there's a fresh, sort of a bright line
10 threshold of 100 millirem for the same thing.

11 MR. KOTSCH: Well this is Jeff
12 Kotsch.

13 And somebody will have to remind
14 me, I thought the definition of the Class was
15 monitored or should have been monitored?

16 DR. ULSH: Yes. This is Brant
17 Ulsh.

18 I can perhaps answer a couple of
19 the questions that are being discussed.

20 First of all, what the Ruttenger
21 number how it was arrived upon. Basically if

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1 I recall correctly, I think there's a field in
2 there called total recorded penetrating, tot-
3 rec-pen, or something like that. And the way
4 it was split up into neutron and photon was by
5 job-category-based rules of thumb.

6 I don't remember what the ratios
7 were but it was some ratio that was applied to
8 split that number into neutron and photon
9 dose. So that's where that number comes from
10 in the Ruttenber database.

11 Now in terms of the genesis of the
12 100-millirem number, that is a result of the
13 interpretation of the phrase, should have been
14 monitored. You know, the Class definition
15 is, was or should have been monitored for
16 neutron. And the corollary onto that
17 definition is kind of, by today's standards.
18 And that's where that 100 millirem in any year
19 comes from.

20 CHAIRMAN GRIFFON: And Brant, this
21 is Mark Griffon again.

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1 Brant, can you refresh my memory
2 on the -- that is the correct description of
3 the monitored, should have been monitored, you
4 know, sort of under current standards.

5 DR. ULSH: Okay.

6 CHAIRMAN GRIFFON: Under current
7 standards the 100-millirem threshold is
8 derived how? I thought it was based on total
9 penetrating actually?

10 DR. NETON: No. No. Well, this
11 is Jim Neton.

12 CHAIRMAN GRIFFON: Yes.

13 DR. NETON: I haven't worked with
14 the 10 CFR 835 for a while but originally --

15 CHAIRMAN GRIFFON: Me neither.

16 DR. NETON: -- those were
17 independent source terms. Neutron, internal,
18 external, they were all independent source
19 terms.

20 MR. MAKHIJANI: Jim, are we
21 applying -- this is Arjun.

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1 Are we applying the 100 millirem
2 like at Y-12 thorium? You said you can't
3 reconstruct dose for Y-12 thorium. Is there
4 100-millirem threshold per organ for internal
5 dose, and what data are used for that?

6 DR. NETON: Y-12, I think we just
7 removed the should have been monitored. I
8 don't know they had that in there. And
9 really, it was Labor's determination as to
10 what should have been monitored means. I
11 mean, that's in the definition but it was 100
12 millirem for that particular source term. If
13 you take 100 millirem per internal dose, it
14 would have been 100 millirem internal exposure
15 not combined with external.

16 Again, I have not worked with 10
17 CFR 835 for some time, but the way it was
18 interpreted by the contractors at least was
19 that the 100-millirem monitored threshold
20 applied strictly to the internal dose.

21 Now it could be a combination of

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1 nuclides that would have to add up to 100
2 millirem, but you would not add the external
3 to that.

4 CHAIRMAN GRIFFON: I agree with
5 the non-external and internal. But I thought
6 the external was the limit. So it could be
7 gamma neutron, you know --

8 DR. NETON: My recollection was
9 that neutron was a separate source term.

10 CHAIRMAN GRIFFON: Really. I
11 don't remember it that way, but it's been a
12 while for me, as well.

13 DR. NETON: I wouldn't swear that
14 is true but I recall in dealing with neutrons
15 at another facility that I had worked that we
16 were treating it and it was -- I believe it
17 was correct as a separate source term. But
18 you know things could have changed in the last
19 -- it's been a while.

20 CHAIRMAN GRIFFON: Can somebody
21 check that while we're on the call? That

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1 should be an easy thing to resolve.

2 DR. NETON: I'm not sure --

3 CHAIRMAN GRIFFON: Yes. Okay.

4 DR. NETON: -- about certain
5 regulations.

6 CHAIRMAN GRIFFON: Well I don't
7 know. This is Mark Griffon again.

8 I'm not sure, you know, where to
9 move this. My concern is that, again, trying
10 to use that threshold value from -- which is
11 at least in part derived by the total recorded
12 dose. I believe Brandt is correct. But then
13 how that's fractioned out, I'm not -- that was
14 by job category but then the job categories --
15 well, I think they made some assumptions on
16 the neutron/photon split for different job
17 categories. Is that correct, Brant?

18 DR. ULSH: Yes, that is correct.

19 CHAIRMAN GRIFFON: So that split
20 would still be derived from the NDRP research,
21 I believe?

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1 DR. ULSH: Well, I don't know. I
2 guess we should be explicit when we're talking
3 about that. The job categories -- sorry, the
4 splits were recommended by Roger Falk to the
5 Rutenber team. Roger was concurrently
6 working on the NDRP but as you know at the
7 time of the Rutenber study, the NDRP was not
8 finished. So yes, I mean, the source is the
9 same.

10 MR. MAKHIJANI: This is Arjun.

11 Also in the 1950s, you know, we
12 discussed -- this is from memory now, most
13 people like in the 700 building were not
14 monitored for neutrons, at least in a part of
15 the 1950s, up to '57, I think. And in all
16 those cases the attributed doses, now this
17 goes beyond the Rutenber database. The
18 attributed doses would be from neutron to
19 photon ratios in that case, by building, which
20 was done in the NDRP, but it's still the same
21 thing. I mean, the dose wouldn't be

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1 attributed for a non-SEC cancer.

2 And also the SEC said that -- I
3 mean, I'm very confused as to how you can do
4 two different things for the same dose. In
5 one case say we're not going to attribute it
6 because we can't calculate it. The other
7 case, use a 100-millirem threshold because it
8 does go back to 2008.

9 As I read the Circular, the
10 amendment came out of a discussion with NIOSH.
11 At least that's what the Circular says.

12 CHAIRMAN GRIFFON: Yes. And I
13 don't know who's on the line for NIOSH, but
14 you might want to look at 835-402, Section A.

15 You know, I still stand by the way
16 I read this is it says, it should be monitored
17 if they have an effective dose equivalent to
18 the whole body of .1 rem. That's just for
19 external radiation; that doesn't say, you
20 know, by source or anything like that.

21 DR. NETON: Right. I think that

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1 is true but I recall there was guidance -- I
2 recall -- this is Jim Neton. I recall and
3 again, this was years ago --

4 CHAIRMAN GRIFFON: Yes.

5 DR. NETON: -- there was guidance
6 that broke that out. But again you could be
7 totally right. I don't know. I guess I
8 shouldn't comment anymore because my
9 information is somewhat dated. But I do agree
10 that it says for external in the regulation,
11 but there may be further guidance in that as
12 to source terms.

13 CHAIRMAN GRIFFON: Well, obviously
14 we -- this is Mark Griffon, again. I'm sorry.

15 Obviously, I don't think we can
16 resolve anything today. What I offer is that
17 I want to bring this back to the Board in my
18 Work Group Report at the next full Board
19 meeting. And maybe NIOSH and SC&A can just be
20 prepared to answer some of these questions a
21 little further. You know, especially the one

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1 on the threshold amount but also the way that
2 Ruttenber value -- I think Brant described it
3 pretty well, but maybe just make sure of how
4 that value is derived and what the different
5 fields. I think it is total recorded versus --
6 total recorded penetrating versus neutron
7 recorded penetrating. But I would just ask if
8 you could be prepared for maybe a little, some
9 questions from the full Board.

10 But I want to bring the issue to
11 the full Board of, you know, whether -- if
12 there's any concerns from the Board as far as
13 this threshold quantity. And in part, I will
14 say this is one of our early SEC rulings and
15 maybe, you know, the monitor should have been
16 monitored. We've struggled with this on some
17 of these issues. So maybe in part, it's our -
18 - the way we defined this was a problem.

19 DR. NETON: Mark, this is Jim.

20 I think the central issue really
21 doesn't seem to be whether -- I mean, there is

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1 an issue as to whether it's neutrons or
2 combined or not. But it really seems to me
3 that your central issue is any dose that one
4 would impute might be questioned, and that's a
5 different issue that we don't really have any
6 stake in. I mean --

7 CHAIRMAN GRIFFON: Yes, I know.
8 Right. Right. Right.

9 DR. NETON: Whether it's a 100
10 millirem combined or not I think is probably
11 not going to address your central concern, is
12 my point.

13 CHAIRMAN GRIFFON: Yes. This is
14 Mark again.

15 That is probably true, yes. If
16 there was some middle ground, I would be
17 interested, you know, in that, possibly.

18 And I don't even know, you know,
19 I'm sure that Labor looked at the full
20 Rutenber database, but I don't know how they
21 laid it out. If they identified people that

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1 had potential neutron exposure, you know, is
2 there a 90 percent of them that fall under
3 this 100 millirem thing or is there -- you
4 know, I don't have a sense of what impact it
5 would have as far as inclusion or exclusion.
6 But, you know, I think when we're trying to
7 use that line to distinguish, I've got
8 concerns on that because of the underlying
9 data. So I guess we'll leave it at that
10 unless SC&A, Joe or Arjun, do you have
11 anything to add?

12 MR. FITZGERALD: On that issue, I
13 don't. Certainly, I think those are the two
14 issues.

15 MR. MAKHIJANI: No. No I don't
16 have any desire to --

17 CHAIRMAN GRIFFON: Okay. I mean
18 I'll just describe the issue and, you know,
19 Jim Neton and Brant, you know, certainly at
20 the full Board discussion, I want you to --
21 you know, if I mischaracterize anything,

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1 certainly be there prepared to discuss this.
2 But I think I'd just rather bring it back to
3 the full Board and see, you know, what if
4 anything -- how we want to weigh in.

5 DR. ULSH: So the issues you want
6 us to be prepared to talk about, Mark, are 10
7 CFR 835 and whether it's total external dose
8 or whether it's neutrons that are supposed to
9 be 100 millirem a year, that kind of an issue,
10 and then also the issue of how the Ruttenber
11 team partitioned the total penetrating dose
12 into neutron and gamma. Is that correct?

13 CHAIRMAN GRIFFON: That's correct.
14 That's the two fundamental ones I can think
15 of, yes.

16 DR. ULSH: All right.

17 CHAIRMAN GRIFFON: I mean I can't
18 anticipate what other questions the Board
19 Members might have, but yes.

20 MR. FITZGERALD: Joe Fitzgerald.

21 Mark, you just mentioned something

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1 that I think we had kicked around a little
2 bit. We really don't have a good feel for
3 what the implication of applying any threshold
4 is to the database in terms of what impact
5 that would have in terms of workers included
6 or excluded.

7 I'm not sure how hard that would
8 be just to give the Board some sense of how
9 significant a 100-millirem threshold is. I
10 certainly don't have any feel for what that
11 would do.

12 CHAIRMAN GRIFFON: Perhaps, Jeff,
13 you know, I don't know if you can be prepared
14 to answer that question. I don't know who
15 that question could go to.

16 MR. FITZGERALD: I'm just guessing
17 that, you know, that might be a question from
18 the Board. You know, how significant is that,
19 I mean quite apart from the conceptual issue
20 is okay, you know, what impact would that
21 have. I think Jim's quite right. Certainly

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1 the issue is not so much what the particular
2 threshold is; any threshold's going to have
3 the same issue. But I'm not sure what the
4 impact would be.

5 CHAIRMAN GRIFFON: Yes. I agree.
6 Jeff, is that something -- this is Mark
7 Griffon.

8 Jeff, is that something you could
9 be prepared to address if called on at the
10 meeting?

11 MR. KOTSCH: Yes, we can look into
12 it.

13 CHAIRMAN GRIFFON: Okay. At least
14 generally numbers, you know. Okay. Is there
15 anything else on that issue?

16 All right. Having heard nothing,
17 I think we'll move on. And two items really
18 remaining and the one is the existing issues
19 on the Site Profile. And I did circulate a
20 matrix, and as I said in the introduction, it
21 was an early -- or it was the last version of

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1 the matrix that I could find. But I also
2 noticed that, even when you look down the
3 numbering, it starts with number two and it
4 goes like two, four, eight, something like
5 that. So I don't know if we combined, I do
6 have sort of a memory that we combined some
7 issues and folded them into one broader issue.

8 But I'm not sure that I'm ready to try to
9 make a distinction of the remaining Site
10 Profile issues on that matrix today.

11 I would ask at least that SC&A go
12 back and try to pull out the original. Joe, I
13 mean, you should probably have this somewhere.

14 The date I find is December 15, 2005 that you
15 submitted your Site Profile Review Report to
16 the Board. So that predated the SEC
17 qualification and the SEC discussion.

18 MR. FITZGERALD: Yes. This is Joe
19 Fitzgerald.

20 CHAIRMAN GRIFFON: But I think we
21 started from that matrix.

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1 MR. FITZGERALD: Right. I think
2 that would probably be very useful. This is,
3 as I recall, a very dynamic situation with the
4 matrices and I think we went through probably
5 nine or ten. So I think the first order of
6 business is to try to go back and at least go
7 back to the original and sort of make sure
8 that we've captured all the Site Profile
9 issues as well as what may have been left or
10 determined to be a Site Profile from the later
11 SEC list, and just make sure we have a
12 complete treatment of that.

13 CHAIRMAN GRIFFON: Yes. That
14 sounds like the best path forward right now is
15 to use the first one and look at the last one.

16 And if I can task SC&A with modifying that
17 matrix to bring back to us with the remaining
18 Site Profile matrix issues, I think that would
19 be the best path forward. And the next
20 meeting --

21 MR. KATZ: Mark?

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1 CHAIRMAN GRIFFON: Yes.

2 MR. KATZ: It's Ted. I was just
3 thinking, if you just go from the first to the
4 last, though, you may miss issues that got
5 closed. So I think Joe will want to look and
6 see if he can find records on what might have
7 been closed as well.

8 MR. FITZGERALD: This is Joe.

9 Ted, you're right. I think this
10 is going to be a bit of an archeological dig.
11 And I will go through transcripts as well
12 because I think things were moving fairly
13 fast. And I think just ascertaining what got
14 closed, what got pushed from SEC to Site
15 Profile, what may have been left behind as a
16 Site Profile in the beginning. I mean, I
17 think all of the above would be necessary to
18 come up with an updated list.

19 MR. MAKHIJANI: This is Arjun.

20 I think there are also issues that
21 came up during the SEC discussion where we

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1 said, that issue is resolved for SEC purposes
2 but it's a Site Profile issue. And I'm not
3 sure that all of the issues that came up
4 during that hectic period in the first half of
5 2007 are in the original. So I think Joe's
6 plan to go through the transcripts is a good
7 plan because we need really to develop a new
8 matrix starting with the old one and saying
9 which issues are closed and which new issues
10 came up and so on.

11 CHAIRMAN GRIFFON: Okay.

12 MR. MAKHIJANI: That's what I
13 would suggest.

14 CHAIRMAN GRIFFON: This is Mark
15 Griffon again.

16 That's fine. I just thought that
17 the last matrix, at least the last one that we
18 find, you know, I did look through and a lot
19 of them say, this issue closed.

20 I don't usually see the
21 terminology this issue closed, but remains a

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1 Site Profile issue. So that's a valid point.

2 I don't know, but it may happen, I mean, I
3 was thinking the in-between ones, I tended to
4 carry these matrices through but I may have
5 inadvertently dropped Site Profile issues
6 along the way since we were focused on the
7 SEC, so --

8 MR. MAKHIJANI: Yes. It was
9 moving awfully fast, Mark, and I don't know
10 whether Joe was doing that or Ron or me, but I
11 think we were really focused on which issues
12 were open for the SEC or closed for the SEC.
13 But I might be mistaken.

14 MR. FITZGERALD: This is Joe.

15 I think you're right. I think the
16 last four or five months it was SEC-focused in
17 order to deliver something to the Board. And
18 so certainly, we need to go back and just
19 make sure -- QA the record and just make sure
20 nothing slipped through. But I agree with
21 you, Mark. I mean, a lot of these look like

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1 they were closed out without an issue being --
2 a Site Profile issue. So I think the
3 transcripts might help us make sure that
4 nothing got parked as a Site Profile issue in
5 the discussion.

6 CHAIRMAN GRIFFON: Okay. And what
7 I'll do, I think tasking SC&A to do that and,
8 you know, I'll just keep track of that with
9 you, Joe. And when it makes sense to schedule
10 a face-to-face Work Group, I think that should
11 be our next goal is a face-to-face Work Group
12 to go through that matrix. But I think that
13 might take a little time for you to sort
14 through that.

15 In addition, I've had some
16 additional information from the petitioner and
17 there's -- I summarized them down to -- I
18 guess I get them down to about nine issues in
19 addition to what hadn't been put on the table
20 before that I think we should add to the
21 matrix. And some of them are more significant

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1 than others but I think -- and I have a
2 document that Terrie Barrie actually provided
3 us, and I have it in a Word document so I can
4 forward that to everyone but also forward it
5 to Joe for inclusion in the modified matrix,
6 if that makes sense.

7 MR. FITZGERALD: Yes. And what we
8 would do is just pretty standard practice.
9 We'll do a first draft and make sure that we
10 circulate this to the Work Group and NIOSH --

11 CHAIRMAN GRIFFON: Yes.

12 MR. FITZGERALD: -- and elicit
13 any input, validation so that everybody's on
14 the same page by the time we go to issue it.

15 CHAIRMAN GRIFFON: Yes.
16 Absolutely, I certainly want, you know, Brant
17 will probably have to look back at some of the
18 old matrices too and try to remember what we
19 closed and didn't close and things like that
20 so that makes sense to circulate a draft
21 first. And I will forward these issues. You

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1 know, several of them are building-specific
2 issues but there are some broader issues such
3 as thorium on the list that Terrie Barrie
4 provided. So I will circulate the document to
5 everyone and ask Joe to add it onto the
6 matrix. And you can identify them as
7 petitioner issues.

8 MR. FITZGERALD: Yes. As
9 petitioner-originated. We actually do have --

10 CHAIRMAN GRIFFON: Yes.

11 MR. FITZGERALD: -- a category for
12 that in the matrix.

13 CHAIRMAN GRIFFON: Okay. Right.
14 All right. I think that's as far as we can go
15 with this today. I just wanted mainly to have
16 this call to get a path forward on this and
17 make sure we keep moving. So just for Terrie
18 Barrie and others in the public that are on
19 the phone, others from the site, you know,
20 we'll have this on the agenda at the next
21 Board meeting.

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1 As far as the Bulletin goes, I
2 will raise this question and ask for input
3 from the Board on it. So we certainly will
4 have some dialogue about that. And then we
5 will keep you informed on the next scheduled
6 meeting where we'll get more into the meat of
7 the matrix and these additional Site Profile
8 issues.

9 We don't normally do formal public
10 comments at the Work Group meetings, but I
11 would offer any comments from the petitioners
12 on what we went over today.

13 Anyone have any comments or we'll
14 certainly have time at the main Board meeting
15 if you want to make --

16 MS. BARRIE: Mark, this is Terrie
17 Barrie.

18 And first, I just want to thank
19 everyone for holding this meeting and
20 progressing with the issues with the Rocky
21 Flats facility.

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1 I would just like to emphasize
2 that it's been four or five years now since
3 these issues have been kind of put by the side
4 and I realize everyone is busy. But there's
5 people whose claims are affected by this and I
6 would encourage a swift but thorough
7 investigation to all of these issues. And
8 again, I thank everyone.

9 CHAIRMAN GRIFFON: Thank you,
10 Terrie. And we appreciate your continued
11 involvement with this and appreciate your
12 raising issues that we hadn't thought of. And
13 thanks for your effort.

14 MS. BARRIE: It's for the Rocky
15 Flats workers. Thank you.

16 CHAIRMAN GRIFFON: Anyone else?

17 MR. SAUNDERS: This is Charles
18 Saunders.

19 You made a mistake, I think. I'm
20 not Jerry Saunders. I am Charles Saunders and
21 I'd appreciate if that's corrected, please.

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1 CHAIRMAN GRIFFON: Oh, sure.

2 Thank you. Thank you.

3 And if that's it I think we can
4 close for today.

5 We have those actions, and I'll
6 work closely with Ted Katz to keep this Work
7 Group moving and schedule our one face-to-face
8 where we can get into the specifics of the
9 remaining issues.

10 So anything else before I close?
11 Board Members? NIOSH, Ted, anything?

12 Okay. Meeting is adjourned.

13 (Whereupon, the above-entitled
14 matter went off the record at 2:39 p.m.)

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