

UNITED STATES OF AMERICA
CENTERS FOR DISEASE CONTROL

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NATIONAL INSTITUTE FOR OCCUPATIONAL
SAFETY AND HEALTH

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ADVISORY BOARD ON RADIATION AND
WORKER HEALTH

+ + + + +

84th MEETING

+ + + + +

THURSDAY
JUNE 21, 2012

+ + + + +

The meeting convened at 8:30 a.m.,
Mountain Daylight Time, in the Courtyard
Marriott, 3347 Cerrillos Road, Santa Fe, New
Mexico, James M. Melius, Chairman, presiding.

PRESENT:

JAMES M. MELIUS, Chairman
HENRY ANDERSON, Member
JOSIE BEACH, Member
BRADLEY P. CLAWSON, Member
R. WILLIAM FIELD, Member*
MARK GRIFFON, Member*
DAVID KOTELCHUCK, Member
JAMES E. LOCKEY, Member
WANDA I. MUNN, Member
JOHN W. POSTON, SR., Member
GENEVIEVE S. ROESSLER, Member
PHILLIP SCHOFIELD, Member

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PRESENT: (Continued)

LORETTA R. VALERIO, Member
TED KATZ, Designated Federal Official

REGISTERED AND/OR PUBLIC COMMENT PARTICIPANTS

ADAMS, NANCY, NIOSH Contractor
ALLEN, DAVE, DCAS
ANIGSTEIN, BOB, SC&A
BONSIGNORE, ANTOINETTE*
FITZGERALD, JOE, SC&A
GLOVER, SAM, DCAS
HINNEFELD, STU, DCAS
KINMAN, JOSH, DCAS Contractor
KOTSCH, JEFF, DOL
LEWIS, GREG, DOE
LIN, JENNY, HHS
MAES, GILBERT, JR.
MAKHIJANI, ARJUN, SC&A
MCFEE, MATT, ORAU Team
NETON, JIM, DCAS
RUTHERFORD, LAVON, DCAS
STIVER, JOHN, SC&A

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

2 (8:32 a.m.)

3 CHAIRMAN MELIUS: Good morning,
4 everybody. This is the final day of the 84th
5 meeting of the Advisory Board on Radiation
6 and Worker Health, and we have a relatively
7 short agenda. And Ted, do you want to --

8 MR. KATZ: Good morning, everyone,
9 too. And for people on the phone, let me you
10 let you know the agenda and documents being
11 discussed today are posted on the NIOSH
12 website under the Board section under the
13 meeting section. If you look for today's
14 date you'll find those materials.

15 Let's do Board roll call to begin
16 with. And there are no conflicts for
17 sessions today, so we'll just run down and
18 register your presence.

19 (Roll Call.)

20 MR. KATZ: Let me just also ask
21 for people on the line, please mute your
22 phones so that we don't have interference

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1 with the discussions. If you don't have a
2 mute button, press *6 to mute your phone, and
3 please don't put the call on hold at any
4 point but hang up and dial back in, if you
5 need to leave the call for a piece. Thank
6 you.

7 CHAIRMAN MELIUS: Okay, and the --

8 MS. LIN: I'm sorry for the
9 interruption. And also state for the record
10 that none of the Board Members present today
11 have any conflict with --

12 MR. KATZ: I did say that, yes.

13 MS. LIN: Okay, sorry about that.

14 MR. KATZ: Thank you.

15 CHAIRMAN MELIUS: Okay, our first
16 item of business today is the Medina
17 facility, SEC Petition 83.14, and Stu is
18 going to do it. I do note he brought his own
19 water up.

20 MR. HINNEFELD: Leadership
21 requires advance planning. It helps if the
22 computer works. Okay, here we are there.

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1 Okay, I think it was Yogi Berra said it feels
2 like deja vu all over again.

3 The Medina Modification Center is
4 a sister site to the Clarksville
5 Modification Center that we talked about
6 yesterday. We've treated these sort of as a
7 pair in the same fashion on the basis, you
8 know, I mean the initiator to really get us
9 moving on this was in the same, in both cases
10 to Pantex facility and decisions on the
11 Pantex facility.

12 In this case, when we reached the
13 termination, the dose reconstruction wasn't
14 feasible. We had a claim in-house. Sent
15 that claim and a "cannot reconstruct" letter
16 saying we cannot reconstruct your dose. Here
17 is a Petition Form A for an SEC Petition.
18 They returned the petition to us, which we
19 promptly qualified and then pretty much had
20 already written the Evaluation Report, so the
21 Evaluation Report was finished shortly
22 thereafter.

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1 Now this is a little puzzling to
2 me, but the covered period for Medina is from
3 1958 to 1966. We are providing some
4 information to the Department of Energy and
5 the Department of Labor to see if that is,
6 and if that's a conscious decision or if
7 they've overlooked something. Our
8 information is that based on the similarity
9 to the Clarksville description, and
10 Clarksville actually even has an earlier,
11 like in 1949, start date, we seem to have
12 information that certainly by 1955 weapons
13 were coming to Medina, and so we're checking
14 with DOE and DOL to see if this should be a
15 larger covered period or is there some aspect
16 of the decision that they made that's not
17 clear to us. You know, they may have based
18 it on something that we're not aware of. But
19 for what we can do today, the covered period
20 is '58 to '66, and so that's what we're
21 addressing today.

22 These places were of course, they

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1 were located on military bases. This one was
2 at Lackland Air Force Base in San Antonio,
3 fairly large size. And it was constructed by
4 the AEC as a nuclear weapons storage and
5 maintenance area. Remember, civilian control
6 of nuclear weapons was considered a pretty
7 important item, so the AEC would establish
8 these areas and place the weapons at these
9 military bases so that the civilian
10 government maintained control but they were
11 convenient to the military units that would
12 be using them.

13 So the AEC, the Air Force, Sandia
14 and Mason & Hanger all were involved in this,
15 and like I said this is the sister to
16 Clarksville Modification Facility.

17 I mentioned earlier we have a
18 reference that says storage operations began
19 in '55. The facilities are very similar to
20 what I described or even maybe identical to
21 what I described for Clarksville. The A
22 structure was the pit, nuclear components

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1 storage. C is where they did maintenance on
2 that, on the nuclear component, the C
3 structure. Remember the package, the capsule
4 what they call it at various times, they
5 usually called it the capsule in the early
6 weapons. It's the nuclear fissile component
7 of the weapon. There are radioactive
8 materials in the other portions of the weapon
9 as well though, we all know that from Pantex.

10 And so the AEC operations
11 transferred to Pantex in '65, and then there
12 was decommissioning activities going on in
13 1966. We don't have any clear date when we
14 would say everything was all done, so we've
15 included the entire 1966 covered period in
16 our proposed Class.

17 The numbers on the workforce that
18 we have here range, are gathered again from
19 summary, radiation exposure summary reports,
20 where they would list number of employees and
21 number of monitored employees. They usually
22 would have more employees than they had

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1 monitored employees. It certainly wouldn't
2 be the other way around. But these, they
3 would list the number of employees on that
4 report whether they were monitored or not.
5 So that's where we get our estimates for the
6 workforce.

7 Sources of available information,
8 we did research on these some time ago for
9 two development Site Profiles and gathered
10 some information at that time. We have our
11 own Site Research Database, of course, where
12 we've gathered a fair number of documents
13 related to the site, the claim files,
14 information from the Pantex SEC evaluation,
15 since the work at these sites was similar to
16 the work that was done at Pantex with respect
17 to the weapons maintenance, disassembly and
18 modification. And then we have done
19 some data captures, and we again as I said
20 with Clarksville, we have a couple of these
21 still going on that we think may be helpful
22 for nonpresumptive cancers. There's no

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1 indication that there's going to be anything
2 that talks about uranium intake, which is the
3 main basis for the Class recommendation.

4 From our standard list of data
5 searches as part of our due diligence, we
6 call it a due diligence checklist actually,
7 before we come forward with a recommendation
8 we want to make sure we have pursued
9 information in places where we know it might
10 be, including the state where the place is
11 located. And so we've pursued all that in
12 our efforts to get to this point.

13 Claim count for Medina, there are
14 46 claims in-house for us as of the date of
15 this slide, since we're recommending the
16 entire Class, a Class for the entire covered
17 period. All those claims in the Class years,
18 38 of those have had dose reconstructions.
19 Remember, just like Clarksville we prepared a
20 Site Profile some years ago. We used some
21 techniques that were deemed not suitably
22 accurate in the Pantex discussion, and so

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1 we've carried that decision over to these two
2 sites and that leaves us, for an equity
3 reason if no other, to bring these sites
4 here.

5 None of these claims had any
6 internal dosimetry information. Some of them
7 did have external dosimetry information, and
8 as I said we do have essentially a complete
9 list of dosimetry summary reports for the
10 years of operation.

11 Potential exposures are largely
12 the same essentially as they were at
13 Clarksville. We have high enriched uranium
14 and plutonium on the potential internal
15 exposures. In reality, there's not a whole
16 lot of potential for the fissile material
17 internal exposures, but there certainly is
18 for depleted uranium. There's some from
19 tritium. And we included radon
20 gas but we don't have any radon measurements
21 from Medina. But they did have gravel
22 gerties there. And so we've taken this

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1 position that if you have a structure that is
2 designed specifically for the nuclear weapons
3 program, like a gravel gertie, the naturally
4 occurring radon that would be elevated in a
5 structure like that since it's essentially a
6 cave, we will include in our dose
7 reconstructions. We don't have any data for
8 the radon at the gravel gerties at Medina.

9 External exposures are from the
10 uranium, plutonium. In 1955, if they were
11 storing in 1955, they probably had polonium-
12 beryllium initiators and so there would be
13 some external exposure from those. They also
14 had radiography sources. And there's
15 actually in the Evaluation Report, there's an
16 account of an incident that occurred with an
17 iridium source at the site at one time.

18 As is the case at Clarksville we
19 have seen reports or letters that would refer
20 to either intentions to take tritium
21 urinalysis or things like that but we've not
22 ever seen any tritium urinalysis results.

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1 We've not seen anything that would indicate
2 that they intended to or were taking uranium
3 or plutonium urinalysis.

4 For the external monitoring data
5 we do have like I said, we do have the
6 summary reports. And like Clarksville, NTA
7 film was added but the summary reports that
8 we have don't distinguish between neutron and
9 photon dose, and so we don't really know what
10 the neutron component is. Also as in
11 Clarksville, we think we can, from other work
12 arrive at a neutron/photon ratio but we
13 haven't convinced ourselves of that yet. The
14 presentation says we're going to do that but
15 I think we still have to convince ourselves
16 we have a reliable set of data. Either way
17 it would affect the dose in a non-SEC cancer.

18 It wouldn't affect the decision on the SEC.

19 We again have statements or
20 reports that talk about air monitoring. I
21 believe we've even seen a report that's
22 described as, or a title of a report, Air

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1 Monitor Incident. You know, something
2 happened to an air monitor so they must have
3 had air monitors. Again, we've not been able
4 to locate any of that data about the air
5 monitoring. We also don't have any
6 indication about placement. Recall that they
7 did have air monitoring at Pantex but it
8 wasn't breathing zone sampling, it was, you
9 know, a sampler on the wall. So it's very
10 difficult to draw conclusions about intake
11 from fixed-head samplers in most cases.

12 Source term data, we know what
13 their source terms were, but just because we
14 know that it doesn't really lend itself to a
15 source term model to be able to build a model
16 that would estimate these exposures.

17 So when we get to our feasibility
18 of dose reconstruction determination, we've
19 concluded that the available internal
20 monitoring records, process descriptions and
21 source term data don't provide us a method to
22 reconstruct doses with sufficient accuracy

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1 for the Class, which is the entire covered
2 period.

3 And these findings are consistent
4 with findings for similar, for sites that did
5 the same work, Pantex, and in Clarksville,
6 which we talked about, I guess it was
7 yesterday. It seems these weeks get a little
8 long.

9 We believe we can reconstruct
10 external doses from the summary reports in a
11 coworker kind of approach. This slide says
12 we expect to do neutron doses. In fact,
13 we're really just investigating whether we
14 can do that or not. There is a chance we'll
15 have a neutron component of the external
16 dose. And we will reconstruct X-ray, medical
17 X-rays based on our program documents.

18 Feasability determination, we
19 don't believe that there is an internal dose
20 that we can necessarily reconstruct. If we
21 have some internal data, if we find some
22 internal data we will use that data to the

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1 extent we can interpret it with our
2 procedures for that specific person's claim,
3 but we don't believe that in general internal
4 dose is reconstructable. We do believe
5 external dose can be reconstructed although,
6 remember, I have put a caveat on the neutron.

7 I'm not entirely sure we'll be able to do
8 the neutron but we believe we can.

9 From the health endangerment
10 decision we didn't find evidence of an event
11 like such as an uncontrolled criticality that
12 would cause a very large dose in a small
13 period of time, but we did find evidence that
14 workers could have been exposed to radiation
15 over a period of time that could have
16 endangered their health. So consequently
17 we're specifying that health could have been
18 endangered for workers who were employed
19 there for at least 250 days, and of course
20 that can be aggregated with other Classes.

21 So our proposed Class is all
22 employees of the Department of Energy,

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1 predecessor agencies, contractors and
2 subcontractors who worked at Medina during
3 the entire covered period from January of
4 1958 through December of 1966 for a period of
5 days aggregating 250. And our recommendation
6 is that it is not feasible to reconstruct
7 doses during that Class period, during the
8 covered period, and that the health was
9 endangered for the workers.

10 I'll be glad to answer any
11 questions if there are any. I didn't mention
12 in the presentation, it's not really relevant
13 to the decision here, but the Medina site was
14 a site where weapons that had been involved
15 in incidents came to be inspected. So there
16 is a potential, really, we haven't really
17 seen much about that, but there is a
18 potential for maybe HEU and plutonium
19 exposure in a situation like that, that we
20 would not normally have in a maintenance and
21 modification situation.

22 So there may be some potential

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1 intake there, but again whether there was or
2 not, it won't affect our decision today
3 because we're basing this largely on uranium
4 intakes. If we encounter in our coming
5 search, data from incidents like that that
6 may provide for individuals some dose we
7 could include in a partial dose
8 reconstruction if needed.

9 Since I had some people look this
10 up, I feel I also want to mention the iridium
11 incident that was mentioned in the Evaluation
12 Report. In the investigation report, there
13 are eight people mentioned in the
14 investigation report, the vendor's
15 representative and seven contractor, AEC
16 contractor employees. Of those seven, three
17 are claimants, two have SEC cancers, one has
18 a non-SEC cancer.

19 CHAIRMAN MELIUS: Thank you. As
20 to questions for -- yes?

21 MEMBER CLAWSON: I just wanted the
22 Board to realize, Stu and Sam Glover have

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1 been working with me on this one. We were in
2 Sandia. We found documentation, and it's
3 been now shifted to Germantown finally that
4 says that the years actually were '49. We
5 found a document that called out this exact
6 same one, but there was a correction to it by
7 the person that wrote the paper and said the
8 years were wrong and we're working on that.

9 Most of the people that worked at
10 Clarksville and Medina, well, we looked at
11 approximately 30 percent ended up at Pantex.

12 But after the explosion at Medina of the
13 high explosives, which was 120,000 pounds,
14 Medina stopped and all the work went to
15 Pantex. Mostly the equipment from
16 Clarksville and everything else actually went
17 to Pantex too. They still have most of that
18 equipment there. And we've got a data
19 capture next week that we're looking into
20 more of the dates and some earlier years that
21 we're working on too. But these were sister,
22 basically sister plants and went from there.

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1 CHAIRMAN MELIUS: And just to
2 clarify for the new Members, but until the
3 facility years are corrected we really can't
4 really take any action on those earlier
5 years, and I think what we would suspect
6 would happen was that they would, NIOSH would
7 come back with either an amended Evaluation
8 Report or a new Evaluation Report that would
9 cover those years if it was, once a facility
10 designation is changed and we can go through
11 this process again, but again just --

12 MEMBER CLAWSON: And that's what I
13 was wondering. Would we have to go through
14 this whole process again or would we just add
15 on to the, because what I was trying to do is
16 to make sure the Board Members knew that when
17 this did come up that they understood why.
18 It's like Stu says, you know, let's take care
19 of these years and let's work on the earlier
20 years. Let's get this taken care of. So
21 that's why we're proceeding this way.

22 MR. HINNEFELD: I'm not exactly

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1 sure what will be involved if the covered
2 period is changed. The answer might depend
3 on when the covered, you know, where we are
4 in the process when the covered period
5 changes. So I'm not sure what will happen.

6 CHAIRMAN MELIUS: And I'm a little
7 reluctant of something hinging on at this
8 point because I think it gets us, you know,
9 we really haven't seen the information right
10 now, and as we have in the past we may have
11 further questions about the covered period
12 and want to make at least something on the
13 record to that effect. So I think it's
14 better coming back to the Board and not
15 trying to change now. If that change takes
16 place next week or something that --

17 MR. HINNEFELD: That we could
18 probably adjust.

19 CHAIRMAN MELIUS: -- could, yes,
20 we might be able to hold up the process and
21 do something through our teleconference or
22 something or a teleconference. But again

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1 that's not like we can just schedule one.
2 That's got to be noticed and so forth, but
3 we'll just see what happens.

4 So yes, Josie and then John?

5 MEMBER BEACH: Can you describe a
6 little bit about the external? It looks like
7 in the early years, like '59, you only had
8 three badge records. And are you going to do
9 a coworker model or what are you --

10 MR. HINNEFELD: I'll have to see
11 what we're going to do. There were not very
12 many people monitored in some years and --

13 MEMBER BEACH: Yes, it seems like
14 the first three or four.

15 MR. HINNEFELD: Yes. We'll do
16 what we can. Chances are with very little
17 data we might assign the maximum just, you
18 know, to assign something, the highest of any
19 of the readings. We haven't really gone into
20 that. We just feel like with that summary
21 data there if you don't do that then you
22 don't have anything except medical on the

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1 partial.

2 CHAIRMAN MELIUS: John?

3 MEMBER POSTON: Stu, I just wanted
4 to clarify so I understand what you're
5 saying. When you said summary data, you mean
6 data that's reported in sort of a histogram
7 the way they used to do that?

8 MR. HINNEFELD: Right. It's the
9 old exposure history reports. This many
10 people were monitored and of that number this
11 many had zero to one rem. This may have one
12 to two.

13 MEMBER POSTON: I'm glad that Brad
14 mentioned the explosion, because that
15 certainly made, it's not classified
16 information. It was in the newspapers and
17 everybody knows a lot about it. But it seems
18 that everybody just blew that off. They said
19 it's dispersed, we don't know where it went.
20 And, you know, I'm concerned. There were
21 three workers involved in that explosion, and
22 are they in the --

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1 MR. HINNEFELD: Well, today I
2 don't know the names. I don't know who those
3 workers were. I'd have to see if I could
4 find out if they're claimants or not. I
5 thought about the iridium folks because
6 clearly that was investigated in their dose
7 numbers on the iridium. There aren't any
8 dose numbers associated with the explosion
9 because as you said they never found, there
10 was depleted uranium in that building that
11 blew up and they never found it. They
12 surveyed it including doing aerial surveys
13 and didn't find --

14 MEMBER POSTON: Even though it was
15 not a nuclear explosion there was a nice
16 mushroom cloud photo on the front page of the
17 San Antonio paper.

18 MR. HINNEFELD: It was a
19 conventional explosion.

20 MEMBER POSTON: Yes. The other
21 thing, have you looked at the radon? Because
22 there is some uranium in Texas, but in

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1 general the radon levels in Texas are very,
2 very low.

3 MR. HINNEFELD: No, we don't have
4 any radon data. We're not proposing to do
5 anything with radon. We don't know if it
6 was, we're not saying it was very high.

7 MEMBER POSTON: Well, you had it
8 listed and I was wondering.

9 MR. HINNEFELD: I put it in there
10 because we have it in the Clarksville
11 Evaluation Report. We talk about radon
12 because after the covered period there was
13 some radon measurements. There are no radon
14 measurements here, but since there were
15 gravel gerties chances are there was some
16 radon. It may not amount to anything but
17 either way it doesn't matter. We weren't
18 going to do anything. We're not going to
19 reconstruct any dose associated with it.

20 MEMBER POSTON: Right. Thank you.

21 MEMBER CLAWSON: And John, after
22 the explosion the gravel gerties weren't

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1 there anymore.

2 MEMBER POSTON: Yes, I know. I've
3 seen all the stuff.

4 CHAIRMAN MELIUS: Bill Field, do
5 you have any questions?

6 MEMBER FIELD: No, not at this
7 time.

8 CHAIRMAN MELIUS: Okay, thanks.
9 My understanding is that the petitioner is
10 not on the line and does not wish to make
11 comments, but if that's changed and they do,
12 please say something now. Okay. This is an
13 83.14 so it's not, I'm expected the
14 petitioner would not want to be on the line.

15 Do I hear any recommendation or
16 discussion here?

17 MEMBER CLAWSON: I recommend that
18 we accept NIOSH's evaluation of the Medina
19 plant.

20 MEMBER LOCKEY: I second it.

21 CHAIRMAN MELIUS: Wanda, I'm
22 disappointed.

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1 MEMBER POSTON: She's learning to
2 share.

3 CHAIRMAN MELIUS: Okay, any
4 further discussion in the proposal to accept
5 NIOSH in the proposed Class for this?

6 So Ted, do you want do a roll?

7 MR. KATZ: Thank you.

8 Anderson?

9 MEMBER ANDERSON: Yes.

10 MR. KATZ: Beach?

11 MEMBER BEACH: Yes.

12 MR. KATZ: Clawson?

13 MEMBER CLAWSON: Yes.

14 MR. KATZ: Field?

15 MEMBER FIELD: Yes.

16 MR. KATZ: Okay, Gibson, are you
17 on the line? Absent.

18 Griffon, are you on the line?

19 MEMBER GRIFFON: Yes and yes.

20 MR. KATZ: Oh, great, Mark.

21 Kotelchuck?

22 MEMBER KOTELCHUCK: Yes.

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1 MR. KATZ: Lemen, are you on the
2 line? Absent.

3 Lockey?

4 MEMBER LOCKEY: Yes.

5 MR. KATZ: Melius?

6 CHAIRMAN MELIUS: Yes.

7 MR. KATZ: Munn?

8 MEMBER MUNN: Yes.

9 MR. KATZ: Poston?

10 MEMBER POSTON: Yes.

11 MR. KATZ: Dr. Richardson is
12 absent.

13 Roessler?

14 MEMBER ROESSLER: Yes.

15 MR. KATZ: Schofield?

16 MEMBER SCHOFIELD: Yes.

17 MR. KATZ: Valerio?

18 MEMBER VALERIO: Yes.

19 MR. KATZ: And Ziemer is absent.

20 I'll collect the absent votes
21 afterwards, but the vote is unanimous and the
22 motion passes. Thank you.

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1 CHAIRMAN MELIUS: And I believe
2 this has been handed out, the letter.

3 Okay, and so let me do that while
4 it's all fresh in mind and just sort of take
5 out Medina and think of Clarksville. This
6 will sound very familiar.

7 The Advisory Board on Radiation
8 and Worker Health, the Board has evaluated
9 Special Exposure Cohort SEC Petition 00203
10 concerning workers of the Medina Modification
11 Center in San Antonio, Texas, under the
12 statutory requirements established by the
13 Energy Employees Occupational Illness
14 Compensation Program Act of 2000, EEOICPA,
15 incorporated in 42 CFR Section 83.13.

16 Board respectfully recommends that
17 SEC status be accorded to all employees of
18 the Department of Energy, its predecessor
19 agencies and their contractors and
20 subcontractors who worked at the Medina
21 Modification Center in San Antonio, Texas,
22 from January 1st, 1958 through December 31st,

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1 1966, for a number of workdays aggregating at
2 least 250 workdays occurring either solely
3 under this employment or in combination of
4 workdays within the parameters established
5 for one or more other Classes of employees
6 included in this Special Exposure Cohort.

7 Recommendations based on the
8 following factors. Individuals employed at
9 Medina Modification Center in San Antonio,
10 Texas, during the time period in question,
11 worked on technical tasks related to
12 production of nuclear weapons. The National
13 Institute for Occupational Safety and Health,
14 NIOSH, review of available monitoring data as
15 well as available process and source term
16 information for this facility found that
17 NIOSH lacked the sufficient information
18 necessary to complete individual dose
19 reconstruction with sufficient accuracy for
20 internal radiological exposures to uranium,
21 plutonium and tritium, which employees at
22 this facility may have been subjected during

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1 the time period in question. The Board
2 concurs with this determination.

3 NIOSH determined that health may have
4 been endangered for employees at the Medina
5 Modification Center in San Antonio, Texas,
6 during the time period in question. The
7 Board also concurs with this determination.

8 Based on these considerations and
9 the discussion of at the June 19-21, 2012,
10 Board meeting held in Santa Fe, New Mexico,
11 the Board recommends that this Class be added
12 to the SEC. Enclosed is the documentation
13 from the Board meeting where this SEC was
14 discussed. Documentation includes copies of
15 the petition, the NIOSH review thereof and
16 related materials. If any of these items are
17 unavailable at this time, they will follow
18 shortly.

19 Comments, changes? Okay, good.

20 MR. KATZ: Antoinette, are you on
21 the line? Antoinette Bonsignore?

22 MS. BONSIGNORE: Yes, I am.

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1 MR. KATZ: Oh, great, because we
2 finished the SEC discussion early.

3 MS. BONSIGNORE: Right. I figured
4 you might.

5 MR. KATZ: Right, great.

6 CHAIRMAN MELIUS: Good. We will
7 then move on to the Linde Ceramics Work Group
8 Site Profile review presentation, and Gen
9 Roessler, chair of that Work Group, will be
10 making the presentation.

11 MEMBER ROESSLER: Okay, while the
12 slides are coming up, I'll comment that it's
13 fun to be the last presentation on the last
14 day of a meeting. But for me there's an
15 advantage, because when the meeting started
16 on Tuesday I couldn't talk. I'm not sounding
17 very good right now, but at least I can talk.

18 It's kind of slow, isn't it?
19 While it's coming up I'll remind you that in
20 your packet you have a copy of the
21 PowerPoint, and as you see coming up here.
22 You also have a copy of minutes that we had

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1 taken at an information meeting with some
2 Linde workers, and I hope you've had a chance
3 to look at them.

4 Also we invited you to look at
5 something that was very important to the Work
6 Group, it helped us confirm our decision on
7 what we're presenting to you today. And
8 those are, we call them maps or diagrams or
9 drawings of utility tunnels. They're
10 preconstruction drawings and they have been
11 on the back table. I think they're still
12 there back there, Jim, if you do want to look
13 at them.

14 MR. KATZ: While Gen's getting
15 ready, let me just also note for the record
16 that Antoinette sent in a formal statement
17 which we've distributed to all the Board
18 Members.

19 MEMBER ROESSLER: Right. And that
20 was from her comments yesterday.

21 So we've talked to you about Linde
22 for a long time but just as a reminder, SECs

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1 have been granted for Linde from 1942 through
2 1969. What we're talking about today are
3 some Site Profile issues. We resolved
4 everything through the Work Group in the
5 Board except for two issues which we'll
6 mention. Since SECs have been granted and
7 workers who qualify for any one of the 22
8 specified cancers or worked at least 250 days
9 at the site, they would not be affected by
10 what we're talking about today. It would
11 only be those with nonpresumptive cancers and
12 who worked for less than 250 days. We don't
13 think that this affects many people, but we
14 want to bring this to a close.

15 We've been talking to you about
16 Linde for some time. We started our Site
17 Profile review in March 2007. As I mentioned
18 we completed the SEC evaluations. The two
19 Site Profile issues that exist, existed or
20 exist at this point relate to the utility
21 tunnels, and it relates to how dose
22 reconstruction is done for the workers who do

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1 not qualify for compensation under SECs.

2 The two questions are, when were
3 certain sections of the tunnel built, and how
4 much time did workers spend in the tunnels or
5 what is the occupancy factor? We know that
6 there were a number of different times when
7 tunnels were built, and that's the main thing
8 we're going to address today.

9 Up until as recently as a few
10 months ago, NIOSH and the Work Group and SC&A
11 had agreement on these questions, but there
12 were some worker statements that we felt
13 needed clarification and we wanted to take
14 this one step further and see if we could
15 resolve that. So we asked to have an
16 information meeting in Buffalo near where
17 some of the Linde workers could be asked to
18 come to the meeting. And we appreciate the
19 efforts of ATL and Mark Lewis and Mary
20 Elliott for arranging this. So we held that
21 meeting, it was an information meeting,
22 collected the information and then set up a

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1 teleconference call for the Work Group to
2 formalize this on May 30th.

3 At the Buffalo meeting we had five
4 Linde workers, three Work Group Members, Jim
5 Neton from NIOSH and as important, a huge
6 table full of what we are calling these very
7 important diagrams for everybody to look at
8 all together. We had Steve Ostrow who
9 represented Linde from SC&A, and we had the
10 two ATL members, and one took notes, and
11 those notes are available to you. And of
12 course we had Ted Katz. Sorry about my
13 voice.

14 At the meeting I gave an
15 introductory or background statement because
16 we wanted to make it clear to the workers
17 that we've needed some specific information.

18 We clarified the fact that there are SECs
19 and also pointed out the two issues that we
20 wanted their input on. That it was important
21 for them to tell us about these things so we
22 could come up with a conclusion.

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1 As I said, we also had these maps
2 or diagrams there. The two of most interest
3 are the ones that are preconstruction
4 diagrams. This is what the company laid out
5 saying, this is what we're going to build in
6 1957 for tunnels, and also some
7 preconstruction diagrams for the tunnels to
8 be built in 1961. At that point people
9 gathered around the table and we had a lot of
10 one-on-one discussions. This made it
11 difficult I'm sure for people on the phone
12 and people taking notes.

13 But I think that was very
14 productive because we were able to talk
15 directly with the workers. I know Josie was
16 talking to one and I was talking to one and
17 Jim Lockey was talking to another one and Jim
18 Neton was explaining these diagrams.

19 And I think it helped for the
20 workers, you know, this was almost 60 years
21 ago, the period under discussion, for them to
22 actually look at something on paper. And try

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1 and look at points on the diagrams,
2 especially the 1957 preconstruction diagrams,
3 which there are two of them that in
4 particular show the tunnels that are to be
5 built and in our view the language says these
6 are to built.

7 There are other things on these
8 diagrams that show, well, for example, a
9 drawing of a 57-inch tunnel to be built, and
10 then there are other points on it, junction
11 boxes and other identifying things that
12 relate to the area, the particular location
13 at Linde. So we had all this
14 discussion, and then at a point when I
15 thought we had resolved some of the issues I
16 asked the group to come back together and
17 tried to again bring out the information that
18 we needed and to try and come up with a
19 consensus among the people there. And then
20 the plan forward was to have an official Work
21 Group meeting.

22 And this is what we came up with

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1 at the information meeting and then we tried
2 to formalize that at our teleconference call
3 in May. The number one thing is when the
4 tunnels were built. This is very important
5 because there are different exposure
6 potentials in different areas of Linde, in
7 particular if you look at this diagram. And
8 I borrowed this from SC&A. Steve Ostrow put
9 this together because it in a rather simple
10 manner shows the three different periods of
11 tunnel construction.

12 The green line are tunnels that
13 were built in 1936. There's really no
14 dispute about when they were built or
15 anything about them. The other two areas are
16 tunnels, and these are shown in red, which we
17 believe were built in 1961. And then the
18 tunnels in blue built in 1957. These are the
19 ones primarily under discussion because they
20 are in the area of highest exposure
21 potential. These tunnels, 1957 tunnels, ran
22 between buildings 31 and 30. And the

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1 important point here is that NIOSH will use
2 this information, this dose information,
3 during these time periods.

4 The other thing that we spent a
5 lot of time with, with the workers, is trying
6 to find out what they thought was the time
7 that workers might have spent in the tunnels.

8 We came up with two numbers that all crafts
9 workers perhaps could have spent as much as
10 50 percent of their time in the tunnels.
11 That may seem like a very large number to you
12 and it did to all of us, but we agreed it was
13 extremely claimant friendly. All other
14 workers, we came up with five percent, and
15 again there we had consensus from the workers
16 that this was a very claimant friendly
17 decision.

18 So after this meeting, and I guess
19 I would say at this point that the Work
20 Group, SC&A, NIOSH, we all are in agreement
21 about the times the tunnels were built. You
22 have a statement from Antoinette. There is

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1 some dispute there. I wish that Antoinette
2 had been able to be at the information
3 meeting with us in Buffalo. Because it
4 seemed to me anyway, and other Work Group
5 Members, I think, will concur that it was
6 important to be there, look at the diagrams,
7 see what they really meant to come to this
8 conclusion.

9 So that's the end of my report.
10 Dr. Lockey probably is going to dash out of
11 here pretty soon, and I'd like to ask if Work
12 Group Members have anything to add to this.

13 CHAIRMAN MELIUS: Go ahead, Jim.

14 MEMBER LOCKEY: Well, I find the
15 meeting in New York to be very, very helpful.

16 And we spent a lot of time with the workers
17 who were there, reviewing the maps,
18 discussing job histories, how much time the
19 craft people spent in the tunnels versus the
20 noncraft workers. And I think based on that
21 meeting, we did have a broad consensus that
22 based on the objective data that had

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1 construction maps present where there were
2 construction stamps on the maps, and that we
3 were talking about 50 or 60 years prior to
4 the current date, that the evidence was quite
5 firm that these tunnels were built during the
6 time frame that we were suggesting. And we
7 did have pretty much of a consensus on that
8 when we left that meeting.

9 And we also talked at length about
10 how much time they would spend in the
11 tunnels, and we again had a consensus on that
12 that we think was a very claimant friendly
13 percentage in relationship to the craft
14 workers spending up to 50 percent of the time
15 in the tunnel. So I'm very satisfied that
16 the data we're presenting to you is true
17 objective data.

18 CHAIRMAN MELIUS: Josie?

19 MEMBER BEACH: Yes, and a nice
20 presentation, Gen, and I agree with Dr.
21 Lockey. The only thing when we left the
22 meeting I thought was in dispute was the 1961

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1 tunnels. And I understand now that that's
2 not the case, so I'm very comfortable with
3 the decision we came to on the dates of all
4 the tunnels at this point.

5 CHAIRMAN MELIUS: I have sort of
6 one question I think is maybe to help the new
7 Members and is sort of clarifying sort of
8 what exposures are we talking about and sort
9 of levels of exposure? Because I think we
10 dealt with that issue, I think, in earlier
11 meetings in terms of, but I think that's
12 important sort of context for this whole
13 discussion also.

14 MEMBER ROESSLER: Call on Jim
15 Neton to answer that.

16 DR. NETON: The main difference in
17 exposures among the various tunnels would be
18 to radon. The one set of tunnels that were
19 constructed in 1957 and part of the 1961
20 tunnels happen to be sitting underneath some
21 radium contamination, so there would be
22 infiltration of radon gas into the tunnels

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1 and we would assign the radon exposures.

2 But one needs to also remember
3 that the site is an SEC all the way through
4 1969, and radon primarily affects lung
5 cancers, so the majority if not all of the
6 lung cancer cases would have been compensated
7 through the Special Exposure Cohort, although
8 one can't say with any certainty there
9 wouldn't be someone affected. But it would
10 have minimal impact.

11 CHAIRMAN MELIUS: And can you sort
12 of quantify the given estimate of what levels
13 of radon exposure are we talking about
14 assigning people?

15 DR. NETON: Oh, I think it's
16 around a hundred picocuries per liter. It's
17 not trivial. About a hundred picocuries per
18 liter, almost, yes, half of a working level
19 maybe, something like that. It's only
20 particularly in that one section of tunnels
21 where there was some very heavy radium
22 contamination where they had processed the

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1 Belgian Congo ore. It seems like it kind of
2 got dumped there at one point and had not yet
3 been cleaned up.

4 CHAIRMAN MELIUS: So I think it
5 just helps to understand why this was an
6 issue that needed to be addressed and sort of
7 what that, and we at previous meetings had
8 spent a fair amount of time both the Work
9 Group and at the Board level to think about
10 how to potentially model and what the radon
11 levels were and would be used for this part
12 of the dose reconstruction. Again as Jim
13 said, it's almost all SEC so to the extent
14 that it was needed.

15 Other Board Members have
16 questions? Bill Field, do you have any
17 questions or anything to add?

18 MEMBER FIELD: No. No questions.
19 It's good to hear though that there was at
20 least some consensus of the dates the tunnels
21 were built.

22 CHAIRMAN MELIUS: NIOSH do you

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1 have anything, Jim, to add to the, want to
2 say about it? Okay.

3 I think we have essentially a
4 recommendation from the Work Group of that,
5 and I think given that, I think, take that as
6 a motion to the Board that this would be what
7 would be used in the Site Profile. So
8 further discussion on that?

9 And I think we can do a voice
10 vote. All in favor of accepting the Work
11 Group's recommendation say aye.

12 (Chorus of ayes.)

13 Opposed? Abstain? Okay.

14 CHAIRMAN MELIUS: Good. We have
15 completed that.

16 Now we have a few more items to
17 address, mainly Board Work Group and there
18 are not a lot. I'm not sure, Ted, can you
19 check on the Titanium letter?

20 MR. KATZ: Yes.

21 CHAIRMAN MELIUS: The status of
22 it? We have a short letter on the Titanium

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1 Alloys facility. We have some Board
2 correspondence, which what we'll do is we'll,
3 two letters, one isn't complete yet.
4 Representative Lujan gave us a letter Tuesday
5 night when we were here, and they're actually
6 going to do a followup on that letter. So
7 when we get that we'll draft a reply and
8 circulate that to the Board Members for any
9 input.

10 We also have a letter that we
11 talked about briefly on Tuesday when Mark was
12 here that again was circulated to the Board
13 earlier on the Savannah River site, and again
14 we'll draft up a reply. It was basically
15 asking for an update on where we were with
16 the site. It was from the petitioner on the
17 SRS site.

18 And I think those are the only two
19 outstanding items in terms of Board letters,
20 letters to the Board.

21 I am going to read off a draft.
22 And what we do just again for new Board

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1 Members, when we have a site that we've
2 rejected, not approved the SEC petition, or
3 essentially agreeing with NIOSH evaluation or
4 different circumstances there, then we just
5 do a short letter that just gets that on the
6 record.

7 The Advisory Board on Radiation
8 Worker Health, the Board has evaluated
9 Special Exposure Cohort SEC Petition 00190
10 concerning workers at Titanium Alloys
11 Manufacturing in Niagara Falls, New York,
12 under the statutory requirements established
13 by the Energy Employees Occupational Illness
14 Compensation Program Act of 2000, EEOICPA,
15 incorporated into 42 CFR 83.13.

16 The National Institute for
17 Occupational Safety and Health, NIOSH, has
18 recommended that individual dose
19 reconstructions are feasible for all
20 employees who work in any area or building at
21 Titanium Alloys Manufacturing from January
22 1st, 1955 through December 31st, 1956. NIOSH

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1 found that it has access to adequate exposure
2 monitoring and other information necessary to
3 do individual dose reconstructions with
4 sufficient accuracy for Members of this
5 group, and therefore a Class covering this
6 group should not be added to the SEC. The
7 Board concurs with this determination.

8 Based on these considerations and
9 discussions at the June 19-21, 2012, Board
10 meeting held in Santa Fe, New Mexico, the
11 Board recommends that this Class not be added
12 to the SEC. Enclosed is the supporting
13 documentation from the Board meeting where
14 this SEC Class was discussed. The
15 documentation includes copies of the
16 petition, the NIOSH review thereof and
17 related materials. If any of these items are
18 unavailable at this time they will follow
19 shortly.

20 Okay, any comments, questions?

21 MEMBER MUNN: Just a question,
22 that I didn't catch the number of the SEC

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1 that you read. What was it?

2 CHAIRMAN MELIUS: 00190.

3 MEMBER MUNN: Yes, that's correct.

4 CHAIRMAN MELIUS: Yes, I might
5 have either done it too fast or skipped over
6 it.

7 In terms of Board Work Groups,
8 we've been slowly getting new Members of the
9 Board into Work Groups and Subcommittees. I
10 think we also have enough Members now, and I
11 wanted to get some input on this.

12 But we have a number of three-
13 member Work Groups that we did when we were
14 having lots of meetings and it was becoming
15 difficult to schedule meetings because
16 everyone was so busy and thought that these
17 Work Groups could get by with three Members.

18 So I think there's enough willingness on the
19 part of Board Members to participate in Work
20 Groups that I will start adding people to
21 those Work Groups.

22 That would include the, I was

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1 going through them earlier. There's the
2 Lawrence Berkeley one that Paul chairs that
3 only has three Members. Pinellas only has
4 three. The Portsmouth, Paducah, K-25 only
5 has three Members, and so Santa Susana is the
6 same.

7 And also Mike Gibson at this point
8 doesn't have really enough time or
9 availability to be able to participate in
10 Work Groups, so we've been moving him out.
11 So over the next month I will do that. I
12 will correspond with you individually by
13 email about your interest and making sure of
14 your interest, and then we'll deal with
15 conflicts and things like that. So by our
16 August Board call I think we should be pretty
17 much settled on that. We haven't had any new
18 Work Groups come out of this meeting or
19 really the past few meetings, so I think
20 we'll be pretty well set there. So does that
21 sound agreeable to people? Okay.

22 Ted, is there anything more on

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1 scheduling?

2 MR. KATZ: I don't think so.

3 CHAIRMAN MELIUS: Did you follow
4 up or are you going to follow up with the
5 absent --

6 MR. KATZ: Oh no, I'm going to do
7 that.

8 CHAIRMAN MELIUS: Okay.

9 MR. KATZ: I haven't gotten any
10 feedback from them. I haven't sent them out,
11 so I haven't done that yet.

12 CHAIRMAN MELIUS: Okay, so if you
13 could get that out to us so we --

14 MR. KATZ: I will.

15 CHAIRMAN MELIUS: -- document
16 that. And I can't remember the date now.

17 MR. KATZ: For the teleconference?

18 CHAIRMAN MELIUS: Teleconference.

19 MR. KATZ: It's August 15th.

20 CHAIRMAN MELIUS: August 15th
21 we'll do the Board teleconference, and the
22 September meeting in Denver.

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1 MR. KATZ: The September meeting's
2 in Denver, and we'll make a determination a
3 little closer as to whether we actually need
4 the full two and a half days or whether we
5 can do it in two days.

6 CHAIRMAN MELIUS: Yes. My guess
7 is given that we're carrying over GSI, we may
8 have significant action on Mound. I would
9 sort of expect to have two and a half days,
10 but again you can't, and then LaVon seemed to
11 be working on a lot of work for us, and
12 those, even the 83.14s take a significant
13 amount of Board time to process and work
14 through.

15 But as we've talked earlier,
16 thinking up the exact schedule is difficult
17 and predicting what will take time is
18 difficult because we often don't know until
19 the Work Group has its last meeting
20 beforehand.

21 Any other Board business people
22 want to bring up or --

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1 MR. STIVER: Yes, this is John
2 Stiver. I just wanted to mention in regards
3 to new workgroups that you might be
4 considering. In California if there was some
5 interest expressed about Simonds Saw and
6 Steel that it was contingent upon getting the
7 Site Profile review completed, and that is
8 indeed done and has been delivered. So that
9 might be something to put on the agenda --

10 CHAIRMAN MELIUS: Okay.

11 MR. STIVER: -- for the
12 teleconference.

13 CHAIRMAN MELIUS: Refresh me, what
14 do they do there?

15 MR. STIVER: Simonds Saw was a
16 uranium rolling, actually it was a steel
17 rolling mill up in Upstate New York, and they
18 had an AEC contract to roll uranium rods is
19 basically what they --

20 CHAIRMAN MELIUS: So that would
21 fit into one of our current, wouldn't it?

22 MR. STIVER: Yes, there's an SEC.

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1 There's a residual period. Does this go to
2 Paul or you?

3 MEMBER ANDERSON: Paul.

4 MR. STIVER: Yes, when he's not
5 here it would be under the umbrella, I guess.

6 MR. KATZ: Jim, which of these
7 does this fit?

8 (Simultaneous speaking.)

9 MR. KATZ: 6000, okay. That's
10 6000.

11 CHAIRMAN MELIUS: Yes, that's what
12 I thought. Can you make sure that Paul knows
13 that?

14 MR. KATZ: Absolutely.

15 CHAIRMAN MELIUS: Yes, I mean for
16 both 6000 and 6001, if those get Work Group
17 and Paul's not here, and I'll follow up by
18 email with him, but if you feel that the
19 workload is too great, you know, or we're
20 getting backed up for some reason then let us
21 know. I don't think that's the case so far.

22 Okay, any other business? Okay,

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1 we'll see you all in Denver.

2 MR. KATZ: Thank you, all of you
3 Board Members for, this was a lot of work
4 preparing for this meeting and think
5 everybody did a great job. Thank you.

6 (Whereupon, the above-entitled
7 matter went off the record at 9:29 a.m.)
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