

This transcript of the Advisory Board on Radiation and Worker Health, Uranium Refining Atomic Weapons Employers (URAWE) 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 URAWE Work Group for accuracy at this time. The reader should be cautioned that this transcript is for information only and is subject to change.

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ADVISORY BOARD ON RADIATION AND
WORKER HEALTH

+ + + + +

WORK GROUP ON URANIUM-REFINING AWE

+ + + + +

TUESDAY
FEBRUARY 14, 2012

+ + + + +

The Work Group convened via teleconference at 2:00 p.m. Eastern Standard Time, Henry Anderson, Chairman, presiding.

PRESENT:

HENRY ANDERSON, Chairman
WILLIAM FIELD, Member

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ALSO PRESENT:

2

TED KATZ, Designated Federal Official
DAVE ALLEN, DCAS
HANS BEHLING, SC&A
SAM GLOVER, DCAS
JENNY LIN, HHS
JOHN MAURO, SC&A
AMY MURAWSKI
JIM NETON, DCAS
ARIS PAPADOPOULOS, SC&A
LAVON RUTHERFORD, DCAS

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1 P-R-O-C-E-E-D-I-N-G-S 4

2 (2:01 p.m.)

3 MR. KATZ: Let me say for everyone
4 involved there's an agenda for this meeting,
5 and I hope some of you have received emails
6 about it, but it's on the NIOSH website under
7 the Board section -- under the meeting
8 section, not the Board section, so you're
9 welcome to that agenda. There are some
10 documents associated with this meeting, as
11 well. They should be there.

12 And let me just ask everyone
13 except for the people who are addressing the
14 Work Group to mute your phones. If you don't
15 have a mute button you can just press *6, and
16 that will mute your phone, *6 again will take
17 your phone off mute. So, please mute your
18 phones. And that's it. It's your agenda. Andy.

19 CHAIRMAN ANDERSON: Okay. The
20 first discussion is concerning Electro
21 Metallurgical, and a revised ER to add a Class

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1 to the -- or to create an SEC Class. So, who's
2 going to give us the update on that? I think
3 we got the written part of it.

4 DR. GLOVER: I'd be happy just to -
5 I think we've summarized it in our May 16th,
6 and also in an email on November 16th.

7 CHAIRMAN ANDERSON: Yes.

8 DR. GLOVER: But NIOSH carefully
9 reviewed the data and listened to SC&A, but
10 also internally we looked at all the data
11 that's been collected, as well as additional
12 information regarding changes in the program.

13 And as is summarized in our November 14th
14 email, that the air monitoring and bioassay
15 data collected in the early time frame do not
16 provide a bounding upper intake estimate for
17 internal dose of Electro Met. Bioassay data do
18 exist prior to 1948, the data do not provide a
19 bounding intake for all employees in the
20 earlier years because no worker job titles are
21 available. The highest exposed workers were

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1 monitored. And also the bioassay data prior to
2 1948 are from a single campaign and may not
3 represent overall facility operations.

4 Examination of air monitoring data
5 clearly shows that almost all data was
6 collected after 1948. Documentation has also
7 come to our attention that upgrades were made
8 to a safety program, extensive according to
9 the documentation in 1947, end of '47.
10 Because these upgrades likely reduced the
11 exposure after 1947, NIOSH no longer believes
12 the air monitoring data collected in 1948 and
13 '49 can be used to back-extrapolate exposures
14 from earlier years. So, I think we've
15 summarized -- we've tried to maintain and not
16 go into changes after 1948. We really focused
17 on making that discussion consistent with what
18 I've provided in this.

19 We realize that there are still
20 some elements before the Board. We believe
21 that those are -- SC&A, that we could work

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1 through those, but we thought that this was an
2 opportunity that we should take to --

3 CHAIRMAN ANDERSON: To approve that
4 as a --

5 DR. GLOVER: An SEC Class, yes,
6 sir.

7 CHAIRMAN ANDERSON: Okay. SC&A, do
8 you have any additional comments?

9 DR. MAURO: Yes, this is John
10 Mauro. We had a chance to review the
11 Evaluation Report over the past week or so.
12 Bill Thurber actually did the review, and he
13 called me this morning to let me know that he
14 has a medical situation that he had to deal
15 with, so he briefed me. And he also sent in a
16 preliminary report.

17 And what I could do is sort of
18 summarize it, as I understand it, best I can,
19 which is sort of interesting because what Bill
20 had to say was that after reviewing the
21 evaluation report -- and he's very familiar

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1 with the history of this because he's been
2 close to Electro Met for some time. He found a
3 couple of things that were interesting that
4 need to be, in his opinion, that is how he
5 explained to me, a little better developed.
6 I'll explain.

7 As Sam just mentioned, one of the
8 concerns we had from the very beginning was
9 that there was certainly quite a bit of data
10 in '48, '47 I believe time period, air
11 sampling data, but -- and it would be -- and
12 the original position that NIOSH had was that
13 it could be back-extrapolated to the early
14 '40s where there was little or no data
15 available. And, clearly, Sam concurs that
16 there were sufficient changes that occurred
17 between the early '40s and the late '40s that
18 make it difficult to extrapolate back.

19 However, Bill's review recently
20 revealed that there was some bioassay data in
21 the early years, and there was bioassay data

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1 in the later years. And his review of that
2 data seems to indicate that the data covers a
3 large number of the workers that were -- we
4 understand were actually there. And that when
5 you compare the bioassay data for the early
6 years and the later years, they're comparable;
7 that is, the distributions of the
8 concentrations seem comparable.

9 So, we're in the situation, we're
10 saying that it appears that there is
11 information in the Evaluation Report which
12 would -- and the work that was -- and the
13 reports that were reviewed by Bill that would
14 indicate that perhaps you can reconstruct the
15 doses in the early years. Not that we're
16 saying you can, we're saying that there is
17 enough information there that sort of like
18 cries out for some discussion of why that
19 might be a problem.

20 Now I just heard Sam, I think you
21 made a point here that might really put this

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1 to bed, in that you felt that it was difficult¹⁰
2 to tell whether you captured the high-end
3 people.

4 All I can say is that when Bill
5 looked at it, he felt that there was a lot of
6 information about who was monitored, the
7 people, their job descriptions by way of
8 bioassay early years/late years, that it
9 seemed that in his, like his initial
10 impressions from the review he was able to
11 accomplish to date, which he did not complete,
12 by the way, but he got pretty far down.

13 As you may know, he didn't
14 actually look at the ER until it became
15 available a week or so ago. In any event, so
16 we're in a strange position to say that there
17 seems to be some indication that perhaps you
18 could reconstruct the doses. So, that was the
19 first message he would like to sort of put on
20 the record, that it appears that a little bit
21 more needs to be said regarding why the

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1 existing data really -- that you do have,
2 namely, the bioassay data in the early years,
3 somehow is inadequate with respect to
4 capturing the high-end folks.

5 In his opinion, it seemed that it
6 might very well have done that. And that when
7 you look at it, it is -- it compares very
8 favorably with the later years where you have
9 both bioassay data and air sampling data. So,
10 it almost puts you in a position to say that
11 perhaps we can reconstruct doses. So, we're in
12 this unusual position of saying that maybe a
13 little bit more discussion on that matter is
14 needed.

15 The second point that Bill brought
16 up is, he took a careful look at I guess the
17 original petitions, and there were two,
18 related to -- let's assume for a second that
19 an SEC is warranted here. That's where this
20 all comes out. He felt that when looking at
21 the petitions, and looking at interview notes,

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1 and the site, and the data itself; namely, the¹²
2 film badge data, and the bioassay data, that
3 it seems that you could actually identify all
4 the workers that worked there in the -- I
5 guess there was an area. I forget the exact
6 name of this relatively small area where the
7 AW work was done.

8 So, again -- and he -- I have this
9 all written up in front of me in draft form,
10 and it's incomplete. But he points out a
11 number of reasons why it seems that you could
12 -- if you were to assign an SEC, that you
13 could limit it to this area where the actual
14 work, AW work was going on because of what he
15 felt was relatively complete documentation of
16 who was there, and that there were by way of
17 the film badge data, and by way of the
18 bioassay data, and also with regard to
19 indications of -- that there was access
20 controls, so the folks going in and out, there
21 seems to be pretty good information along

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1 those lines. 13

2 And he also pointed out that the
3 two I guess petitions that came in he felt
4 were a bit unusual. We're in a strange
5 position here, but a bit unusual in that in
6 one case he felt that I guess the first
7 petitioner actually did not work in the area
8 of interest, but worked in another area as a
9 furnace operator, which would really not place
10 him -- he wanted to just point that out to me.
11 And that the other petitioner, as best he can
12 tell, did not work at all at Electro Met. He
13 was in a physically different facility, and
14 there may be some confusion regarding what --
15 where that person actually worked.

16 Now, again, I qualify all of this
17 as being Bill's review, and as he communicated
18 to me, and as written up in the draft material
19 that he sent to me about two hours ago that I
20 just read. So, I think it's important that we
21 get this information, because this is the best

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1 we can do with what we have. Get this
2 information on the record to make sure that
3 some of these issues, perhaps they are
4 adequately covered, and if they're not,
5 perhaps they need to be a little more
6 thoroughly covered to make sure that the
7 documentation in the record is complete for
8 the purpose of making a -- for the Board to
9 make a judgment regarding this SEC petition.

10 CHAIRMAN ANDERSON: So, which
11 periods are you talking about?

12 DR. MAURO: This -- I think it's
13 the early -- I believe the SEC petition that's
14 before us goes up to what, '47 or '48, from
15 '42 to '48. Is that correct, Sam?

16 DR. GLOVER: It goes from '42
17 through December 31st, 1947.

18 DR. MAURO: '47, okay, there you
19 go. So, I was close. So, it's --

20 CHAIRMAN ANDERSON: So, '48 to '58
21 petition?

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1 DR. MAURO: The '48 through 1953,
2 they asked for it through '58, but the
3 facility ceases to be a DOE facility after
4 1953.

5 CHAIRMAN ANDERSON: Right.

6 DR. GLOVER: Which is why we
7 addressed from '48 to '53, is that we could do
8 it.

9 CHAIRMAN ANDERSON: Yes.

10 DR. MAURO: Yes, and the comments I
11 just mentioned really went toward this -- the
12 period that's covered by the Petition
13 Evaluation Report, where it's recommended that
14 from -- up to '47 be included as an SEC.
15 Well, we just have certain questions we raised
16 that seems to be the position as best we can
17 tell at this time. It's a little soft in the
18 areas that I just mentioned.

19 DR. GLOVER: If I could just
20 briefly, on -- in November of last year, we C-
21 - I believe that was the correct time, and we

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1 provided -- on May 16th, 2011 provided a NIOSH₁₆
2 update in which we detailed the bioassay data
3 that's available.

4 I went through every individual
5 name in the bioassay record to compare it with
6 the external dosimetry data set. There are
7 numerous names in there that are not -- that
8 are in the bioassay record and they're not in
9 the external dosimetry. We have no -- I tried
10 everything I could to obtain worker titles for
11 those. So, in that I actually detailed what
12 worker Classes we had occupations for, and
13 almost made graphs of what the -- how they
14 compare.

15 It is our strong conclusion that
16 we could not use this data. We had looked
17 carefully at it, and we provided the Board
18 with -- we did not try to bring that full
19 detail to the Evaluation Report, but it has
20 been provided in a previous communication
21 regarding our concerns over this data.

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1 DR. MAURO: Let me write that down
2 because I do want to communicate it to Bill so
3 he could just confirm that maybe he didn't
4 look at that in this round. I know he looked
5 at the Evaluation Report. What was the date
6 of that report that you're referring to?

7 DR. GLOVER: On May 16th of 2011 the
8 Advisory Board was provided an update, as well
9 as SC&A, of what our status points were.

10 DR. MAURO: Yes.

11 DR. GLOVER: There was an appendix
12 that summarized the data that was available
13 for Electro Met. So, like Figure 5 describes
14 the operational periods in bioassay so you can
15 kind of get a feel for the --

16 DR. MAURO: Okay.

17 DR. GLOVER: -- levels of data. It
18 also then breaks down the occupational
19 exposures, which I went through and tried as
20 best as we could, as you can see, almost 60 to
21 70 percent of them had unknown occupations.

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1 DR. MAURO: Okay. 18

2 DR. GLOVER: So, looking at that
3 data carefully and the types of changes that
4 occurred, and that it was a single campaign
5 does lend one to want to stand up and defend
6 the --

7 CHAIRMAN ANDERSON: Attribute it to
8 everyone.

9 DR. GLOVER: Yes. So, I --
10 certainly it's the Board's determination on
11 what they choose to move forward with or not,
12 but we have had significant discussions with
13 the Department of Labor about putting people
14 in places. The company absolutely will not
15 put people -- yes, there is some security, but
16 we certainly do not have what we consider a
17 roster. We do not believe we have the ability
18 to differentiate these people. Perhaps if it
19 comes in as an unknown, we can't, and the
20 company refuses to, and the Department of
21 Labor can't put them in places either.

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1 DR. MAURO: Sam, you know what I'll
2 do is, I'll just communicate that to Bill when
3 he's freed up. Unfortunately, like I said,
4 he's not available to us right now. He's got
5 these problems he's dealing with, but I'll
6 just check in with him, make sure he does take
7 a look at your May 16th report and factor that
8 into his consideration.

9 I don't know how best -- with
10 respect -- I mean, the best I'm doing right
11 now is to give you sort of a status of initial
12 impressions. Is there anything that in order
13 to -- in light of this conversation, Ted,
14 would you like us to put anything on the
15 record by way of a written paper? I think Bill
16 is pretty far along, but I can't speak to
17 whether or not -- how carefully he reviewed
18 the May 16th report and taking all this into
19 consideration.

20 MR. KATZ: John, this is Ted. I
21 certainly think that you folks, Bill, you,

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1 SC&A needs to complete the report. And by all
2 means, you know, whatever you learn from this
3 meeting today factor into how you complete
4 that report.

5 DR. MAURO: Very good.

6 MR. KATZ: Go into other
7 documentation or what have you.

8 DR. MAURO: Yes, I don't think
9 we're far away from being able to put
10 something in writing, but certainly I would
11 want to ask Bill to take a look at the May
12 report, which I didn't do in preparation for
13 this meeting and address it. It may turn out
14 that there are -- he did not look closely at
15 it and come to the same place you did, Sam, or
16 -- but he may actually have looked at it and
17 felt differently. So, it's best for us to get
18 this out and we'll get that out fairly
19 quickly. My guess is we're not more than a
20 week away.

21 MR. RUTHERFORD: Okay, John. I just

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1 wanted to -- this is Bomber. I want to remind²¹
2 everyone this is on the Board's agenda for the
3 meeting in February, so as quick as we can get
4 it and we can --

5 DR. NETON: Well, I'm concerned.
6 This is Jim. I mean, we're two weeks away from
7 the meeting. If we get a report in a week or
8 so, that gives us enough time to incorporate
9 any revisions into this --

10 DR. MAURO: We'll move this as fast
11 as possible. As soon as I -- I hate to speak
12 for Bill, but from the way I spoke to him
13 earlier, the only thing I'm concerned about is
14 that perhaps he did not look that closely at
15 the May 16th work. I think he looked at the
16 Evaluation Report, and perhaps all this wasn't
17 -- well, all I can say is that I tried my best
18 to pass on to you some of the impressions he
19 left with me this morning. And we will try to
20 get something out really fast. We realize that
21 we're in a situation here, that is sort of a

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1 bit unusual. 22

2 CHAIRMAN ANDERSON: Yes, I mean, we
3 had hoped to move this --

4 DR. MAURO: I understand.

5 CHAIRMAN ANDERSON: -- with the
6 Committee here, and certainly what I've seen
7 from what NIOSH sent us, it seemed to be a
8 rational approach.

9 DR. MAURO: Yes.

10 CHAIRMAN ANDERSON: And my concern
11 is, I'm not sure we would -- NIOSH doesn't
12 believe they can do it.

13 DR. MAURO: I know.

14 CHAIRMAN ANDERSON: You're going to
15 provide documentation that they haven't
16 already considered to do it. I mean, you can
17 finish up your report but, I mean, my sense at
18 this point is what kind of overwhelming --
19 something that NIOSH has overlooked is going
20 to come out of yours. I mean, I suppose we
21 could take this to the Board and say the Work

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1 Group heard this and haven't been able to ²³
2 digest what you did, and circulate it to them
3 and see -- or I guess we could ask Bill how he
4 feels.

5 At this point with what we have in
6 writing endorse what NIOSH has done, and then
7 if what you have would convince the whole
8 Board differently, that can be a discussion at
9 that meeting.

10 DR. MAURO: I would -- I think a
11 better -- I'd like to say that the way it was
12 communicated to me, and the way I just heard
13 it from Sam, it certainly sounds like Sam did
14 look very carefully at the ability to -- at
15 the data and whether it met sufficient
16 accuracy in his May report, what we just
17 heard. But at the same time, of course, Bill
18 has been following this fairly closely, so I'd
19 like to try to get something together and get
20 it out to you guys fairly quickly.

21 We're in a very -- this is an

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1 unusual circumstance for us, but this is where²⁴
2 we came out at this point in time. And,
3 certainly, I don't want to be in a position to
4 slow things down, but Bill has been following
5 this, and I think it's important that we
6 communicate out material. And then, of course,
7 the Board could weigh the information as you
8 see fit.

9 We'll get something out quickly.
10 Hopefully, I'll be able to reach Bill later
11 today. He's at the hospital today, and just
12 let him know that we do need to put something
13 together. Certainly, we will need to make
14 sure we check the May 16th report. And Sam and
15 the folks on the Work Group, would there be
16 any problem with Bill talking directly to Sam
17 in the interim so that we could make sure we
18 take every -- make sure we have everything in
19 front of us that we need to be able to put
20 together something that might be useful to the
21 Work Group?

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1 DR. GLOVER: Just real briefly, 25
2 mean, in November we -- I sent an email out to
3 the Chair, and I guess I hadn't seen where
4 they tasked the response. I want to make sure
5 that I provide a response responsive to the
6 Working Group in this. So, we have provided
7 an official public document out there. It is
8 not trivial to make changes, obviously, to
9 that, so I want to make sure what mechanism
10 we're kind of working from, and what the
11 Working Group would like us to do. One, has
12 SC&A been asked how they're going to send
13 this, and what they want in the way of a
14 response, if anything?

15 DR. MAURO: Well, from my
16 perspective, my main interest is to make sure
17 that when we provide our commentary on the
18 Evaluation Report, that we make sure we take
19 everything into consideration that has been
20 put on the record and has been delivered. And
21 if there's any ambiguity or question that Bill

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1 might have after making sure he checks 26
2 reads all that material, which I believe he
3 probably already has, but if he has an
4 opportunity just to call you just to
5 clarification, not for new information. We
6 understand that it's not our place to call you
7 to get new information, but to make sure we
8 understand the information that we're looking
9 at. And then from there we could put
10 something out maybe within a matter of days.
11 You know, I hate to --

12 CHAIRMAN ANDERSON: I mean, the
13 reality is with notices and all there is no
14 time between the next -- to schedule a meeting
15 of our committee to look at something in
16 writing new, so I guess I want to ask Ted -- I
17 mean, as I said, one thing we can do is we can
18 put it on the overall -- if it is, it's
19 already on the meeting schedule and have a
20 discussion if we get the information early
21 enough.

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1 I mean, I don't recall in our²⁷
2 November meeting that when we heard that there
3 was going to be change and then it came out,
4 that we charged you to review that.

5 MR. KATZ: No. Andy, this is Ted.
6 I'm sorry. I think it was asked

7 MR. COLLINS:

8 CHAIRMAN ANDERSON: Okay, but --

9 MR. KATZ: -- what became
10 available. And really, I mean, just some
11 context here. They received the report very
12 recently, so they haven't had a lot of time
13 with it. I think it's perfectly understandable
14 what's happened here. They had very little
15 time so they did not have time to produce a
16 written report. But they were asked to review
17 it. The Work Group asked them to review it
18 when it became available.

19 And I think you want to do due
20 diligence here. I think we want to hear from
21 SC&A what they learned from their review. It

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1 is on the agenda for the February meeting. 2 I
3 don't consider that a problem. From what I
4 hear from John, it's likely we'll have the
5 report -- certainly we'll have it before the
6 Board meeting. And it sounds like we might
7 have it within a week.

8 The Work Group, of course, won't
9 have deliberated over the latest SC&A report,
10 but they can come to some judgment without
11 that report with reservations with respect to
12 that report which they want to see, I'm sure.
13 And then it can get discussed at the Board
14 level so it doesn't necessarily have to hold
15 anything up.

16 It could be discussed at the Board
17 level and resolved there. If the Board wants
18 you to bring this report back and go into it
19 more deeply, the Board can decide to do that.
20 But if the Board after reading the SC&A report
21 and the SEC Evaluation from DCAS, and the
Board decides we know enough and we can go

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1 forward, that's fine, too. 29

2 So, I don't think there's a great
3 problem really. It's just --

4 CHAIRMAN ANDERSON: Well, I just
5 wanted to be sure we were not going to run
6 afoul or have to delay the discussion at the
7 Board meeting.

8 MR. KATZ: I don't think so. And as
9 far as John's question about contacting -- it
10 makes a lot of sense --

11 CHAIRMAN ANDERSON: I would agree.

12 MR. KATZ: -- for Bill to get in
13 touch with DCAS if he has questions so that
14 his report be complete and take into
15 consideration as much as possible, because
16 that will be most helpful to the full Board in
17 February.

18 MEMBER FIELD: Andy, this is Bill
19 Field. Listening to this, I think I agree with
20 what you first said. I haven't heard anything
21 today that would prevent the Class being added

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1 from '42 to '47. And there may not be in the ³⁰
2 report after they get together and discuss
3 this, so I think I'm on board with you that we
4 -- I'm in favor of taking NIOSH's reservation
5 unless something comes up in the review that
6 SC&A is going to perform that would indicate
7 we should look deeper into it so it may just
8 be as easy as you and I getting together and
9 just discussing the report before the Board
10 meeting, so we can maybe even talk to Mark and
11 come with some sort of Board recommendation,
12 or Work Group recommendation for the Board.

13 I hate unless we have to take
14 stuff to the Board and start fresh again
15 without a recommendation from the Working
16 Group.

17 CHAIRMAN ANDERSON: Right. Okay, I
18 think we've got our way forward. The other is
19 -- I'm just trying to look through my notes
20 here. Have all the issues related to denying
21 the '48 to '53 period been resolved with SC&A?

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1 DR. MAURO: Yes. When we originally³¹
2 reviewed it, we were in concurrence that post
3 '47 seemed to be in pretty good shape.

4 CHAIRMAN ANDERSON: Yes.

5 DR. MAURO: So, we're in the
6 unusual position, perhaps maybe the first time
7 where we just felt, as I tried to explain,
8 that there may be reasons why you could do
9 before it, and for the reasons I just
10 described. But clearly, Sam has explained that
11 perhaps we just need to look a little more
12 closely, and we'll come to the same place that
13 NIOSH did.

14 CHAIRMAN ANDERSON: Okay. I just
15 wanted to be sure, if we're going to move
16 forward to the Board with kind of a tentative
17 recommendation that we've resolved all -- I
18 mean, this has been on the agenda for a while.

19 DR. MAURO: This is a bit of a
20 reversal of our position.

21 CHAIRMAN ANDERSON: Well, no, I

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1 just wanted to be sure -- my notes here were³²
2 that we thought everything was fine that NIOSH
3 responds to the petition regarding '48 to '53
4 was appropriate. And I thought we were
5 supportive of --

6 DR. MAURO: Yes. And we are, also.

7 CHAIRMAN ANDERSON: Yes.

8 DR. MAURO: It's just this unusual
9 place where we might not -- we're finding a
10 little difficulty in granting the SEC before
11 '47.

12 CHAIRMAN ANDERSON: Right.

13 DR. MAURO: Which is, like I said,
14 an unusual position for us to be in.

15 CHAIRMAN ANDERSON: So, Bill Field,
16 do we have anything else on this before we
17 listen to the -- ask if there's public
18 comments?

19 MEMBER FIELD: No, I'm good with
20 this one.

21 CHAIRMAN ANDERSON: Okay. So, Ted,

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1 let's open it up if there's any public who
2 want to comment about this?

3 (No response.)

4 CHAIRMAN ANDERSON: If there is, if
5 you're trying to talk remember to take it off
6 mute.

7 MR. KATZ: Right. This is Ted. We
8 may not have any members of the public from
9 Electro Met on the phone. I don't recall that
10 anyone spoke up earlier.

11 CHAIRMAN ANDERSON: Okay.

12 MR. KATZ: I think you can -- we
13 haven't heard anything. I think you can carry
14 on to United Nuclear.

15 CHAIRMAN ANDERSON: Okay. So, Bill,
16 you want to make the motion that you already
17 sort of did?

18 MEMBER FIELD: You mean for the
19 Work Group to approve it?

20 CHAIRMAN ANDERSON: Yes,
21 provisionally.

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1 MEMBER FIELD: Okay, I'll do that,³⁴
2 I'll make a -- to recommend NIOSH's
3 recommendation that a Class be added from '42
4 to '47 and retain the existing recommendation
5 to deny the Class from '48 to '53, or '58,
6 however it should be --

7 CHAIRMAN ANDERSON: Yes, well they
8 asked, but it's -- yes. Okay, thank you. But
9 we're provisionally doing that, pending
10 further discussion.

11 Okay, with that since there's just
12 -- I don't -- Mark hasn't come on yet, has he?
13 So, I -- since you made it, I'll second it.
14 And I agree with you, so I would say the
15 motion passes.

16 So, let's -- with that, let's move
17 on to United Nuclear, and we'll -- John, we'll
18 look forward to working rapidly with --

19 DR. MAURO: Yes. No, we will move
20 very quickly on this. We understand the
21 situation we put you in, but at the same time

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1 we felt we were given a mandate to -- 35

2 CHAIRMAN ANDERSON: No, we --

3 that's why we wanted you to --

4 DR. MAURO: Yes.

5 CHAIRMAN ANDERSON: -- look at it,
6 so don't -- you don't need to be apologetic
7 for anything. I think we can move ahead on
8 this. We'll see how it works out, and we could
9 still take a recommendation to the Board. And
10 if you convince us otherwise, we can also take
11 that to the Board, as well.

12 So, let's move on to United
13 Nuclear.

14 MR. RUTHERFORD: Okay, this Bomber,
15 LaVon Rutherford. I can't help it, habit.

16 We left the last Work Group
17 meeting, there was a couple of action items
18 that we had been given after the Work Group
19 meeting. And one of the first ones focused
20 around how dose reconstructions would apply to
21 50th percentile versus the 95th percentile of

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1 the distribution for 1961-62. 36

2 Those -- everyone should recall
3 that during that period we have a gap of no
4 bioassay data. We had developed a
5 distribution that took data before the 1961
6 period, after the 1962 period, and we
7 basically worked through that gap period and
8 came up with a distribution. And we had
9 identified a 50th percentile.

10 The SC&A had felt that we should
11 be using the 95th percentile, and they brought
12 up some good points. The one good point is
13 that there is no bioassay data obviously
14 during that '61 to '62 period, and the
15 question came up then if you're applying the
16 50th percentile, is there a group of workers
17 that -- who maybe potentially worked during
18 that period didn't work on either side of the
19 '61 to '62 period that would be given the 50th
20 percentile, and they really should probably be
21 given the 95th percentile.

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1 We committed to going back and
2 looking at that. We are still looking at
3 that. We are going through each claim, one,
4 to see if we have any claims currently that
5 actually land in that where they only have
6 time within that gap period, or they don't
7 have any monitoring on either side. And we
8 anticipate completing that analysis probably -
9 - it's actually -- some of the information is
10 internal review now. We should have a good
11 answer by shortly after the Board meeting, and
12 we could support a Work Group to discuss I
13 believe all the remaining issues shortly after
14 the Board meeting in February.

15 CHAIRMAN ANDERSON: Just to refresh
16 my memory, is this also an SEC petition?

17 MR. RUTHERFORD: Yes, this is an
18 SEC petition, but I think that -- and there is
19 -- yes, we do need a Board recommendation one
20 way or the other, whether they agree with us
21 or not.

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1 I think we did leave the last Work
2 Group meeting with the position that at least
3 between NIOSH and SC&A, both groups felt that
4 this was not an SEC issue, that this was just
5 a determination of where -- what part of the
6 distribution we should be using for this
7 matter.

8 DR. MAURO: And I agree. That's --
9 I read the transcript today, had a chance to
10 talk to Hans who was close to this, and yes.
11 So, we are in full agreement that this is not
12 an SEC issue. It's a matter of what protocol
13 would be used to in your coworker model, the
14 degree of conservatism that would be built
15 into it for the very reasons that Sam just
16 described. And I think everybody is on track
17 on this one.

18 DR. BEHLING: This is Hans Behling.
19 I just was going to ask Bomber a couple of
20 things. I think in the last meeting we agreed
21 that perhaps you would redo the numbers that I

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1 crunched when I wrote my initial Finding³⁹
2 Number Four, and I gave data in behalf of
3 Operator AAA and Operator BBB, and came to
4 some conclusions that the pre-June 13th, 1963
5 period, the numbers that are being proposed
6 for use are considerably lower than what you
7 would expect if you actually used the bioassay
8 data, and then backfitted the intake. And as
9 I've mentioned, in a couple of instances if
10 you use, for instance, Type M for the Operator
11 AAA, you would end up underestimating his
12 intake by approximately 15 fold. And I believe
13 Jim Neton had mentioned that they would
14 perhaps redo my numbers just to verify those
15 numbers to see if those numbers are, in fact,
16 numbers that they also came up independently
17 with. So, my question is did -- was anybody
18 there to look at those numbers to verify my
19 initial estimate as I identified in Table 4 of
20 my writeup.

21 MR. RUTHERFORD: Yes, Hans. I

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1 appreciate you bringing that up. We are⁴⁰
2 looking at that, and that will be -- again,
3 we'll be ready to address that, as well, when
4 we address this whole issue shortly after the
5 Board meeting in February.

6 DR. BEHLING: Yes. Also, the other
7 issue that I think was brought up at the very
8 terminal end of the last meeting was perhaps
9 for consistency only, is that in the thorium
10 assigned values as was defined in your White
11 Paper Number Three, you elected to go to the
12 95th percentile value as a default number. And
13 I guess our question, as raised by John and
14 myself during the meeting was how can we have
15 in the same paper two default values, one at
16 50, the other one is 95 percent. And should
17 there be some consistency?

18 MR. RUTHERFORD: Well, we want to
19 remind you, though, that the thorium was based
20 on air sampling data. And this was a --
21 uranium was based on bioassay, so there is a

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1 difference there. But we will address --₄^I
2 think when we address the 95th versus the 50th
3 percentile for the gap, I think that will
4 hopefully take care of that issue. Okay?

5 DR. MAURO: Okay.

6 MR. RUTHERFORD: Now, the second C-
7 - you want me to -- Henry, do you want me to
8 jump to the second issue on that?

9 CHAIRMAN ANDERSON: Yes, right.

10 MR. RUTHERFORD: Okay. The --

11 CHAIRMAN ANDERSON: It seems like
12 we're making headway and we're --

13 MR. RUTHERFORD: Yes, the second--

14 CHAIRMAN ANDERSON: -- at the '61-
15 '62 issue.

16 MR. RUTHERFORD: Yes.

17 CHAIRMAN ANDERSON: I just wanted
18 to be sure this was not something that we had
19 to reopen an SEC petition or something.

20 MR. RUTHERFORD: No.

21 CHAIRMAN ANDERSON: Good.

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1 MR. RUTHERFORD: The second issue⁴²
2 actually was brought up by Bill during our
3 discussion on the air data, actually 1962.
4 Further examination explanation of air
5 sampling frequency changes for specific
6 locations during the '61 to '62 period.

7 Bill had asked about the -- why
8 the change in frequency. I think the example
9 that was given to us was the green room. If
10 you looked at the green room in 1961, I think
11 there were 36 data points. You looked at the
12 green room in 1962 there were only four data
13 points. And I think we were just asked to look
14 back and see if we could understand why the
15 frequency change. And we are looking into
16 that.

17 The difficulty is that there's a
18 number of things that can drive that; one
19 being, you know, if the actual production work
20 that was going on during that period changed,
21 you know, in the green room, then the actual

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1 air monitoring data could be different from⁴³
2 one year to the next.

3 There's a number of issues. We are
4 looking at that to see if there's any
5 significance to that, and we will be able to
6 report on that again shortly after the Board
7 meeting.

8 MEMBER FIELD: I appreciate that,
9 Bomber.

10 MR. RUTHERFORD: All right. No
11 other questions on that. I've talked about --

12 CHAIRMAN ANDERSON: What's the
13 interviews?

14 MR. RUTHERFORD: Yes, I'm going to
15 talk on the -- yes, the classified interview.

16 That is really the big issue. Honestly, we
17 would have tied everything else up earlier if
18 it -- we could have gotten this thing
19 resolved.

20 We have worked for the last two
21 and a half months on this getting this

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1 interview scheduled. The initial difficulty⁴⁴
2 we were having was determining the proper
3 location to conduct the interview, and finding
4 something that really was amenable to this
5 individual getting there. Actually, we had
6 even worked out where we would possibly pay
7 him to get him to this location to cover some
8 of the expenses.

9 So, we were initially working on
10 that. We got that resolved. And then the
11 individual had to have some surgery, and has
12 been unavailable to us now for the last couple
13 of months. In fact, we've had extreme
14 difficulty contacting the individual. We've
15 left messages with -- well, we haven't left
16 messages with him because he doesn't have an
17 answering machine. We've left messages with
18 his representative, and we've also talked to
19 the petitioner who has been trying to contact,
20 to get in touch with him to see if we can get
21 this set up.

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1 So, right now -- we will even make⁴⁵
2 calls again today. We've made calls routinely
3 to try to get this thing set up to go through.
4 And I'll remind you, the discussion around the
5 interview is this individual worked at the
6 item plant. He felt there was not a lot of
7 discussion, and I tend to agree with him,
8 there wasn't a lot of discussion in the
9 Evaluation Report about the item plant. And he
10 was an item plant technician who he felt he
11 could give us some good information that he
12 was concerned may not have been covered. So,
13 we are continuing to work on that to get that
14 interview set up. And I can't tell you much
15 more than that.

16 CHAIRMAN ANDERSON: Okay. Any other
17 questions?

18 MR. RUTHERFORD: I have one more
19 thing I wanted to bring up.

20 CHAIRMAN ANDERSON: Okay, go ahead.
21 Go.

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1 MR. RUTHERFORD: We did receive⁴⁶
2 correspondence from a claimant concerning
3 their -- this claimant's husband who had
4 worked at United Nuclear, and some concerns by
5 that claimant on the -- at least the thorium
6 portion of our dose reconstruction process.

7 The claimant had indicated that
8 they felt that there was no monitoring, and
9 that because there -- and that we had used
10 actually air data for other radioactive
11 materials to reconstruct exposures.

12 I wish that individual was on line
13 right now, but I do want to get it on record
14 that -- and, of course, we do have air
15 monitoring data for the actual thorium work.
16 That included not only general area samples,
17 but a significant portion of the 210 samples
18 were breathing zone samples which are a direct
19 indication of worker exposures.

20 So, we did have that information.
21 I wanted to clarify that to them, and since

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1 she is not on the phone call now I will make⁴⁷
2 sure that I contact her and at least pass that
3 along to her and clarify these points during
4 the conversation.

5 She also had provided us a copy of
6 an article -- actually, it was a study on
7 thorium exposure to the liver. And I'm going
8 to pass on to somebody a little smarter than
9 me when it comes to this to discuss this. I'll
10 pass this on to Jim Neton.

11 DR. NETON: Okay. Yes, this Jim.
12 She attached -- the person attached a copy of
13 a review article from the *Journal of Medicine*
14 that was printed or issued September 2007. The
15 title is "Thorium dioxide-related
16 haemangiosarcoma of the liver." And I'm not
17 exactly clear why it was included other than
18 to point out that thorium does cause -- has
19 been demonstrated to cause cancer in the
20 liver. And we certainly don't have any issue
21 with that.

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1 It was actually a very interesting⁴⁸
2 article. It was a person who had died of liver
3 cancer, haemangiosarcoma of the liver, and
4 upon autopsy they realized that the person had
5 a thorotrast injection which was fairly
6 commonly used years ago to try to help in
7 imaging certain organs, particularly the liver
8 and bone. And the point of the article was
9 these liver cancers are rare, but they do
10 occur because of this thorotrast injection.
11 And we note that that is true, so there's
12 nothing more to say on that other than our
13 risk models do account for the fact that liver
14 cancer is a possible outcome of thorium
15 exposure. That's all I have to say about
16 unless there's any questions.

17 CHAIRMAN ANDERSON: No, I don't
18 have any.

19 MR. RUTHERFORD: Well, I think
20 that's it for United Nuclear for us. Again, we
21 should be able to address the technical issues

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1 shortly after the Board meeting. Hopefully, ~~we~~^{we}
2 can get some kind of information from this
3 person to interview that I can give you -- at
4 least give you a better feel for when this
5 interview will be conducted. I know that SC&A
6 is standing by to support us with it. And as
7 soon as we get some more information, we'll
8 get to it.

9 CHAIRMAN ANDERSON: Okay, thank
10 you. So, we should be able to wrap that up
11 fairly soon. Okay. I don't -- are there any
12 public comments on United Nuclear? I don't
13 think anyone signed up, but now is your chance
14 if you want to comment on any of these issues.

15 Okay. With that, let's move on to
16 Baker-Perkins.

17 MR. ALLEN: Who do you want to take
18 this? This is Dave Allen. I can discuss the
19 White Paper I sent since our last meeting.

20 CHAIRMAN ANDERSON: That's a good
21 idea.

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1 MR. ALLEN: And SC&A has responded⁵⁰
2 to that. And, John, you can correct me if I'm
3 wrong, I think that was Bill Thurber.

4 DR. MAURO: No, that was actually a
5 team of us. I was very much involved, and Aris
6 Papadopoulos is on the line. Bill is also
7 involved to a certain extent, because he's
8 involved with a lot of AWE work. But, yes,
9 we're in a position where we could discuss
10 with you our review of your paper.

11 Our review actually came out on
12 January 17th, about a month ago, and it was
13 very favorable. Basically, we completely
14 support -- we reviewed your White Paper. And
15 this might be an easy one, and for the reasons
16 described in our report we concur completely
17 with your position on all matters.

18 MR. ALLEN: Okay. I don't want to
19 belabor it any more unless Dr. Anderson wants
20 to hear any briefing on the White Paper.

21 DR. NETON: Maybe Dave could

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1 summarize what the crux of the White Paper⁵¹
2 issue was.

3 CHAIRMAN ANDERSON: Yes, since we
4 do have some public comment it might be
5 helpful to get on the record just a quick
6 summary of it.

7 MR. ALLEN: Okay. A real short
8 brief summary --

9 CHAIRMAN ANDERSON: Real short.

10 MR. ALLEN: We at one point had an
11 appendix to TBD-6001 for Baker-Perkins. We
12 cancelled TBD-6001 I believe last year and
13 rewrote a standalone Technical Basis Document
14 for Baker-Perkins. Before we could do that,
15 SC&A did a review of the appendix.

16 After that, I suggested that they
17 review the new TBD because we did have to make
18 some changes, and SC&A did do that. And I
19 don't recall the date that that was done.
20 Actually, I believe that was November,
21 submitted their review of this TBD.

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1 We discussed it in our last Work⁵²
2 Group meeting which was towards the end of
3 November of last year, and during that, they
4 had a few findings or questions. And it was
5 agreed during the Work Group meeting that I
6 would put together between the air sample data
7 and a log of the testing that was actually
8 done at Baker-Perkins, we could put together
9 a time line of the short five-day operation
10 that occurred there.

11 I did that in a White Paper, sent
12 it to the Work Group, and SC&A reviewed that
13 White Paper, as John just mentioned, and sent
14 the review to the Working Group last month.

15 And, in short, it was like I said
16 approximately a five-day operation to test a
17 Ko-Kneader that they wanted to mix uranium
18 trioxide with a water and ammonia mixture.
19 They tested it on a P-type Ko-Kneader and a K-
20 type Ko-Kneader. Neither was apparently
21 successful for -- I think it was the heating

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1 is where they had a problem. The material kept⁵³
2 heating up and they couldn't do it on a
3 continuous basis.

4 But, in any case, we had air
5 samples for the setup, for the testing itself,
6 and then for the decontamination of the
7 equipment. And with the test -- the log of
8 the test itself, it included flow rates of dry
9 material going into and out of -- or dry
10 material and wet material coming in and out of
11 the machine, and the times for all the flow
12 rates. And the White Paper puts together all
13 of that to come up with a total amount of
14 material that went through the machine, which
15 was equivalent to approximately a 55-gallon
16 drum of UO₃, uranium trioxide, which was one
17 of the questions SC&A had. And as John said,
18 in their report they seem to be satisfied with
19 the answer we came up with.

20 The last thing we should mention
21 is part of that White Paper, they were

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1 somewhat critical of the intake estimates in ⁵⁴
2 our TBD. And we agreed that there was some
3 issues with that intake estimate, and
4 definitely something that could be
5 misinterpreted.

6 The White Paper redid that
7 estimate to make it more -- I can't think of
8 the word I'm looking for, but it was more
9 based on the physical aspects of the test
10 versus just the mathematics of the air samples
11 themselves. And some difference, not a
12 substantial difference, but there is some
13 differences in the intake estimate. And that
14 then has to go into a revision for the TBD.

15 Since we're in the position we're
16 in, we felt it was worth SC&A and the Work
17 Group weighing in on the White Paper to decide
18 if there's any more issues, or if that's it,
19 and then we'll revise the TBD. How is that for
20 short?

21 CHAIRMAN ANDERSON: That sounds

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1 good. Thank you. Bill Field, do you have any
2 questions?

3 MEMBER FIELD: No, but thanks for
4 the good summary.

5 CHAIRMAN ANDERSON: Yes, I think
6 that's always helpful to have that, especially
7 to have it in the written record, because most
8 people only look back at the most recent
9 minutes.

10 Okay. If there's no other
11 comments, I'd like to open it up to the public
12 if you have comments. Ted, do you have
13 specific names of people who are interested?

14 MR. KATZ: I thought I heard -- I
15 thought someone from Baker-Perkins did join us
16 from the public at the outset of this meeting.

17 MS. MURAWSKI: Yes, I did.

18 CHAIRMAN ANDERSON: Go ahead.

19 MS. MURAWSKI: Is Dr. Anderson
20 available?

21 CHAIRMAN ANDERSON: Yes, I'm here.

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1 MS. MURAWSKI: Okay. Dr. Anderson,⁵⁸
2 you did receive my letter, I had some concerns
3 for that with your Work Group.

4 CHAIRMAN ANDERSON: Yes.

5 MS. MURAWSKI: Yes? Okay.

6 CHAIRMAN ANDERSON: And we shared
7 that with the Work Group and the Board.

8 MS. MURAWSKI: Oh, you did?

9 CHAIRMAN ANDERSON: Yes.

10 MS. MURAWSKI: We haven't been
11 notified of any meeting. If I didn't check the
12 website I wouldn't have known even about this
13 one. I mean, you're doing White Papers and
14 dose reconstructions and no one is being
15 notified of anything.

16 CHAIRMAN ANDERSON: Ted, do you
17 want to comment?

18 MR. KATZ: Well, I'm not sure where
19 the ball is falling through, because when we
20 received your email, I'm certain that I
21 forwarded that to Josh Kinman at NIOSH, who

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1 would have given you information about this⁵⁷
2 meeting come up, and so on. But Josh doesn't
3 work for me. I don't -- I can't verify
4 anything, but I do know that we've been
5 communicating about this. We shared your
6 letter with Josh and others, so I'm not sure
7 where the ball could have fallen through.

8 MS. MURAWSKI: Okay. I kind of have
9 a question. I know any time you can screw with
10 the data any way you want. There was one paid
11 claim to Baker-Perkins, so why does this claim
12 make a difference from the other claims that
13 have been filed?

14 CHAIRMAN ANDERSON: That wouldn't
15 be something that the Board would have
16 information on. I don't know if NIOSH does.

17 MS. MURAWSKI: Okay. So, who would
18 I contact at the Board?

19 CHAIRMAN ANDERSON: I mean, the
20 Board doesn't look at individual, or approve
21 the individual claims. That's all handled

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1 through NIOSH and Department of Labor. 58

2 MS. MURAWSKI: Do you have a point
3 of contact there that I could contact?

4 MR. KATZ: Yes. This is Ted Katz
5 again. Again, Josh Kinman is normally the
6 person who interacts, I believe, on the -- so,
7 in your case with claimants, this is -- are
8 you speaking with respect to a claim -- your
9 claim?

10 MS. MURAWSKI: My claim, any of the
11 other claims that have been filed with Baker-
12 Perkins.

13 MR. KATZ: Right. But, I mean, you
14 wouldn't have a right to information about
15 other people's claims, only about your own.

16 MS. MURAWSKI: It appears it's just
17 different dose reconstructions for different
18 claims that are made.

19 MR. KATZ: I guess -- I think the
20 right point of contact if you have questions
21 in general about how dose reconstructions are

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1 being done for Baker-Perkins, again would be
2 Josh Kinman. And someone at DCAS can give you
3 a number to call to get a hold of Josh.

4 MS. MURAWSKI: That's K-I-D-M-A-N?

5 MR. KATZ: Kinman, K-I-N-M-A-N.

6 MS. MURAWSKI: Okay.

7 MR. KATZ: But someone on the phone
8 from DCAS please speak up and let her know who
9 to contact.

10 MR. ALLEN: We'll get Josh to
11 contact her. I thought he -- we thought he had
12 contacted her about this meeting, too, but
13 we'll double check on that, and we'll let Josh
14 contact her to find out specifically what
15 information she wants there. But we cannot,
16 as you said, discuss other people's claims
17 with her. I'm not sure if Josh will be the one
18 that will be able to answer your question
19 specifically, but he can hopefully narrow it
20 down and get you to the -- then transfer you
21 to the right person.

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1 MS. MURAWSKI: Okay. 60

2 MR. KATZ: Right.

3 CHAIRMAN ANDERSON: Right.

4 MR. KATZ: Thank you, David.

5 CHAIRMAN ANDERSON: Any other
6 comments people have? Hopefully, we can get
7 this communication worked out better. You just
8 -- you need to know all of the -- that the
9 Board does not communicate in writing and
10 things directly to individuals, so like your
11 letter would be shared with everyone. It may
12 get discussed at our larger Board meeting, but
13 typically we would -- most of these questions
14 would be -- that you had are ones that would
15 be addressed by NIOSH, not by the Board. So,
16 it was forwarded to NIOSH. I don't know if
17 there's anyone from NIOSH that can -- wants to
18 comment on some of her points? Most of these
19 are related to dose reconstructions.

20 MR. ALLEN: Yes, this is Dave
21 Allen. I can try to go through some of the

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1 points in this letter, but I mean most of them⁶¹
2 actually weren't so much related to dose
3 reconstruction in the form of what the value
4 should be. It seemed to be many of them were
5 related to the idea that whether or not we
6 could accurately do any kind of a dose
7 reconstruction.

8 And, Ms. Murawski, you can correct
9 me if I'm wrong, that was the impression I got
10 from -- as the general overview of the letter.
11 But, in any case, that is kind of the opposite
12 of where we're usually at. That's an SEC-type
13 of issue, and I believe there was an SEC
14 petition filed for this site at one point.
15 And that one had been decided already to deny
16 the SEC, I believe largely because of the
17 five-day operation.

18 MS. MURAWSKI: What do you mean a
19 five-day operation? I was told when I worked
20 with Laurie Breyer to put a full year in
21 there.

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1 MR. ALLEN: I think at the time 62
2 the Department of Labor often will just put
3 down the years of operation. And at the time
4 they had to cover a year of the -- or they
5 just put down 1956 as the covered period.

6 After that time, the more specific
7 information came out and they revised that to
8 May 14th through May -- I'll get the right
9 date here.

10 MS. MURAWSKI: 19th or something
11 like that, I think.

12 MR. ALLEN: Yes. Essentially, it
13 was the one particular week in May of 1956, is
14 what they revised the covered period for. But,
15 in any case, as far as the TBD goes, the
16 Technical Basis Document, the issues of
17 concern for the Technical Basis Document is
18 what values we're using, and whether we're
19 correctly analyzing the data, should we use a
20 different value or analyze it differently.

21 It separates somewhat from the

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1 issue of whether or not it can even be done,⁶³
2 Whether or not it can be done is an SEC issue,
3 and they would require a petition for an SEC,
4 et cetera.

5 And, honestly, I think all the
6 issues with Baker and Perkins have been
7 addressed by the Board, and a decision has
8 been made on that. If you feel there is
9 something that was not addressed in that
10 Evaluation Report and that whole SEC
11 evaluation, you can file another petition. If
12 we find that it's something that was addressed
13 then the petition wouldn't qualify for
14 evaluation. But you can -- you are free to do
15 that with some sort of issue that you feel
16 wasn't addressed, or with new information if
17 you have that at any time.

18 Other than that, as far as this
19 particular Work Group and working on the
20 Technical Basis Document issues themselves, I
21 can't say I could pick out a part of your

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1 letter where you were disagreeing with the
2 number and felt it should be a different kind
3 of number.

4 MS. MURAWSKI: I guess I'm looking
5 at the claim that was paid. I have a copy of
6 it, which you have in the letter. Why were
7 there different values based on that claim
8 versus my claim?

9 MR. ALLEN: I can't really discuss
10 the individual claim, but in general I can say
11 that when the program was starting out we did
12 claims with some information, and then as new
13 information came to light, we revised our
14 methodology. And any time we did claims with
15 some gaps in information we tried to fill
16 those gaps with favorable assumptions. So,
17 it's fairly often that when we get enough
18 information to fill those gaps adequately,
19 it's not unusual for the estimates to be
20 reduced to -- based on a more robust analysis,
21 or better information. I don't know if that

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1 satisfies you or not. 65

2 MS. MURAWSKI: Well, I'll look at
3 it through more -- and when is the next Board
4 meeting then?

5 DR. NETON: It's at the end of
6 February.

7 CHAIRMAN ANDERSON: The 28th and --

8 DR. NETON: The 29th.

9 CHAIRMAN ANDERSON: The 29th in
10 Oakland, California.

11 MS. MURAWSKI: Okay.

12 CHAIRMAN ANDERSON: And I think
13 there will be opportunity to call in there,
14 won't there?

15 MR. KATZ: Yes, there will be
16 public comment on the first evening, if you
17 want to do that. The Board isn't taking up
18 Baker-Perkins at the February Board meeting,
19 but that doesn't mean that you can't comment
20 on Baker-Perkins even though it's not on the
21 agenda to be discussed by the full Board.

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1 I mean, one thing that will happen
2 probably is, Dr. Anderson -- he'll report on
3 the Work Group activities including this, let
4 the Board know where things stand.

5 CHAIRMAN ANDERSON: Just to
6 summarize, as far as our Work Group
7 activities, it seems to me all of the TBD
8 issues are now closed. Bill Field, do you
9 agree with that?

10 MEMBER FIELD: As far as I can
11 tell.

12 CHAIRMAN ANDERSON: Yes. So, it
13 seems to me as it relates to the TBD, our --
14 and since this isn't going to be until the
15 June meeting formally, we can check with
16 others to see if they disagree, but I guess I
17 would -- I'm prepared to say from the
18 Committee standpoint and the review process as
19 it relates to the TBD and the conversion from
20 an appendix at 6001 to a standalone, we're
21 satisfied that's been completed, and

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1 descriptive terms and all is sufficient and
2 adequate. So, Bill Field do you agree with
3 that, I think we can make that a motion.

4 MEMBER FIELD: Yes, I agree.

5 CHAIRMAN ANDERSON: And then that
6 will be ready to put on the agenda in June.
7 And I'll report on that out in Oakland. So,
8 I'll second that and we're all in agreement,
9 so basically -- not basically, but the TBD is
10 now complete, as long as the issues we've all
11 discussed, we haven't seen a revised TBD but
12 that will be the last thing that we will want
13 to keep on a tickler file to be sure that the
14 written document is finalized.

15 So, are there any other issues?
16 And a question for you, Ted. Do we have any
17 other sites on the 6001 that we need to --
18 these three are pretty well completed, so I
19 just don't remember what else we have that we
20 need to -- we may just want to alert those
21 public that are on the phone what one may be

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1 coming up. 68

2 MR. KATZ: Sure, Andy, this is Ted.
3 So, we do have -- we've actually made great
4 progress with this Work Group. We also have
5 DuPont Deepwater.

6 CHAIRMAN ANDERSON: Okay, that's
7 right. Yes.

8 MR. KATZ: We haven't discussed
9 that yet, but that would come next.

10 CHAIRMAN ANDERSON: Yes.

11 DR. MAURO: And, Ted, just to point
12 out, SC&A has reviewed that Site Profile and
13 we did file our findings and a report to the
14 full Board, so it's really -- I guess the ball
15 is in NIOSH's court to take a look at those
16 findings.

17 MR. KATZ: Right. And we want to
18 have an initial response through DCAS in
19 advance of whatever we need to discuss.

20 CHAIRMAN ANDERSON: Is this a TBD
21 or a SEC?

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1 DR. MAURO: TBD. 69

2 CHAIRMAN ANDERSON: Yes. Do we have
3 any other SEC --

4 MR. KATZ: I think that's it for
5 this Work Group.

6 CHAIRMAN ANDERSON: Okay.

7 MR. KATZ: So, do you want to try
8 to schedule for a Work Group meeting that
9 would perhaps take up DuPont, and put to bed
10 the last issues with United Nuclear?

11 CHAIRMAN ANDERSON: I would say
12 let's try to do that probably without -- I
13 don't know the DuPont issues. Is that
14 something we ought to have a face-to-face?

15 MR. KATZ: That's a good question
16 for John, I think, Mauro.

17 DR. MAURO: You know, I haven't
18 looked at it in a while because it wasn't on
19 the agenda. But I do remember we did -- it was
20 not -- it wasn't something -- it was something
21 of significance. We did have a number of

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1 comments. 70

2 I could take a look at it. I
3 haven't looked at it since we prepared it a
4 while back, so I don't know if we have any
5 comments there that are going to require a
6 face-to-face.

7 CHAIRMAN ANDERSON: We can have a
8 spreadsheet with all sorts of comments and
9 listings. It's hard to do that.

10 DR. MAURO: I could probably look
11 it up real quickly while we're --

12 CHAIRMAN ANDERSON: No, we aren't
13 going to schedule anything until after the
14 Board meeting.

15 DR. MAURO: Yes, okay. I was just
16 going to go look it up under my -- I'm
17 actually in front of my computer right now,
18 and in about one minute I could probably check
19 to see if there's anything of great -- okay.
20 I'm having a little trouble tracking it down.
21 I wish I could give you -- I can't give you an

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1 answer right now. 71

2 CHAIRMAN ANDERSON: Let's send out
3 an email. You sort of know when the other Work
4 Groups are meeting, and when NIOSH folks are
5 available, so let's look for probably March-
6 April.

7 MR. KATZ: Right. I'll take care of
8 that once John looks into this question, and
9 we have a sense from DCAS that -- well, we
10 already know that they'll be ready by some
11 time in March for United Nuclear.

12 CHAIRMAN ANDERSON: Yes.

13 MR. KATZ: That sounds good. We'll
14 take care of that.

15 CHAIRMAN ANDERSON: Good. Are there
16 any other issues people have? And, Ted, I'm
17 not asking our group to take on anything more.
18 Okay. We'll try to touch base with Mark on
19 this, as well, probably before the meeting so
20 that he -- you can kind of bring him up to
21 speed.

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1 MR. KATZ: That would be great,⁷²
2 Thank you, Andy.

3 CHAIRMAN ANDERSON: So, with that
4 if there's no other issues, I think we can
5 adjourn. Anyone else on the phone have any
6 last comments?

7 DR. NETON: None here.

8 CHAIRMAN ANDERSON: Okay. So, with
9 that we'll adjourn, and appreciate everybody
10 calling in, and I think we're making great
11 progress. And we'll look forward to the
12 writeup prior to the meeting.

13 DR. MAURO: Yes, we'll get
14 something -- I know that this is a hot potato.
15 We'll get something --

16 CHAIRMAN ANDERSON: Yes.

17 DR. MAURO: Yes, Electro Met
18 quickly as possible.

19 CHAIRMAN ANDERSON: That's great.
20 That's really our only major pressing issue
21 right now. Thanks a lot, John.

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1 DR. MAURO: Bye-bye. 73
2 (Whereupon, the above-entitled
3 matter went off the record at 3:10 p.m.)

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