

This transcript of the Advisory Board on Radiation and Worker Health, Teleconference Board Meeting, 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 Advisory Board for accuracy at this time. The reader should be cautioned that this transcript is for information only and is subject to change.

UNITED STATES OF AMERICA

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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

+ + + + +

93rd MEETING

+ + + + +

THURSDAY
SEPTEMBER 5, 2013

+ + + + +

The meeting convened telephonically
at 11:00 a.m., Eastern Daylight Time, James M.
Melius, Chairman, presiding.

PRESENT:

JAMES M. MELIUS, Chairman
HENRY ANDERSON, Member
JOSIE BEACH, Member
BRADLEY P. CLAWSON, Member
R. WILLIAM FIELD, Members
RICHARD LEMEN, Member
JAMES E. LOCKEY, Member
WANDA I. MUNN, Member
DAVID B. RICHARDSON, Member
GENEVIEVE S. ROESSLER, Member
PHILLIP SCHOFIELD, Member
LORETTA R. VALERIO, Member
PAUL L. ZIEMER, Member
TED KATZ, Designated Federal Official

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REGISTERED AND/OR PUBLIC COMMENT PARTICIPANTS

ADAMS, NANCY, NIOSH Contractor
AL-NABULSI, ISAF, DOE
BARRIE, TERRIE
BEHLING, HANS, SC&A
CARROLL, STEPHANIE
FITZGERALD, JOE, SC&A
HARTSFIELD, DEKEELY, HHS
HINNEFELD, STU, DCAS
KOTSCH, JEFF, DOL
LIN, JENNY, HHS
MAKHIJANI, ARJUN, SC&A
MARSCHKE, STEVE, SC&A
MAURO, JOHN, SC&A
NETON, JIM, DCAS
RUTHERFORD, LAVON, DCAS
STIVER, JOHN, SC&A

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P-R-O-C-E-E-D-I-N-G-S 4
(11:01 a.m.)

MR. KATZ: This is the Advisory Board on Radiation and Worker Health, it is the 93rd meeting, let's begin with roll call, and to deal with conflicts of interest. We have one item on the agenda for which conflicts are relevant.

And that is a new task, a possible tasking of SC&A of new procedure reviews. And one of those procedure reviews addresses X-10. And there are three Board Members who have conflicts with X-10. And that is Drs. Lockey, Poston and Ziemer.

So I will just say up front here. We have conflicts for that, and they will recuse themselves from discussion of the tasking of that item.

But otherwise we have no conflict issues. Now, let me run through roll call. And I already have Dr. Melius. Let me just go alphabetically for the rest.

(Roll Call)

1 MR. KATZ: Okay. At least we have
2 a quorum then if the others don't show. Let me
3 just go on then, roll call for the rest of the
4 groups.

5 (Roll Call)

6 MR. KATZ: Very good. And we now
7 have two more Board Members. So that was
8 Richardson and Anderson. And let me just check.
9 So, Dr. Poston, are you on the line now? Okay.
10 Very good.

11 The agenda for the meeting is posted
12 on the web site, under the Board section under
13 meetings page for today's date. So anyone who
14 wants to follow along with the agenda, that's
15 there. There are no materials posted
16 associated with that.

17 Well, actually, there might be.
18 There might be the procedures that we're
19 considering tasking today. Those may be posted
20 there. I haven't checked. And let me just,
21 before we go on and I turn it over to Dr. Melius,
22 Mr. Hinnefeld wants to make an introduction of

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1 new staff. 6

2 MR. HINNEFELD: Yes. Thanks, Ted.

3 If you were listening carefully you heard
4 probably a new name during the other federal
5 staff introductions.

6 That was from DeKeely Hartsfield,
7 who is beginning a one year detail with the
8 Office of General Counsel, and will be providing
9 legal assistance to the program during that
10 time.

11 This is in response to a detail that
12 Jenny Lin is embarking on, which I believe is
13 actually an active duty mobilization, so to
14 speak, or call up. And she'll be working at the
15 Pentagon for a year, starting October 1st.

16 And so, to provide us legal
17 assistance DeKeely has agreed, and has been
18 detailed to the Office of General Counsel to
19 perform service.

20 DeKeely came to NIOSH in 2004 as a
21 Presidential management fellow. And has worked
22 on a number of policy and budget issues for

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1 NIOSH, including served as the Special Assistant
2 to the Director in administering the World Trade
3 Center program.

4 She's fairly recently, not terribly
5 recently, completed law school. And during and
6 after law school she worked with the OGC on
7 things like FOIA, HIPAA, and several other
8 matters.

9 And most recently she completed a
10 detail in the Office of Management and Budget,
11 which is, of course, in the Executive Office of
12 the President, dealing with appropriations and
13 policy issues.

14 So she'll be supporting us from the
15 part of the NIOSH legal team, which is a part of,
16 of course, HHS OGC, for the coming year it looks.
17 And then who knows after that

18 I expect you'll all get a chance to
19 meet DeKeely at the Board Meetings during the
20 year. I think she'll probably attend most or
21 all of the Board Meetings, in person Board
22 Meetings during the year.

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1 And may likely attend some Work
2 Group meetings as well. So I want to thank
3 DeKeely for joining the team, and welcome her to
4 the program.

5 MS. HARTSFIELD: Okay. Thank you.

6 CHAIRMAN MELIUS: And this is Jim
7 Melius. I'll just add, I've worked with DeKeely
8 for a number of years on the World Trade Center.
9 So welcome. And I know she'll be a big help.

10 And I really thank Jenny for all of
11 her work with us, and wish her luck on her detail,
12 or whatever it's called, active duty or
13 whatever, or drafted, whatever's happened to
14 you.

15 MS. LIN: Yes, active duty is
16 deployment.

17 CHAIRMAN MELIUS: Oh, okay. Well
18 sound good. I think I know a little bit about
19 it. And it sounds exciting also, from what I
20 understand. So anyway, very good. Ted, I
21 think you're up for recording absent folks,
22 absent Member folks.

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1 MR. KATZ: Right. Thank you,
2 Okay, so at our Idaho Falls meeting there were
3 a number of members who were absent for some of
4 the votes, Lemen, Griffon and Richardson. And
5 all of their votes came in by August 7th.

6 So let me just, I'm going to report
7 out the votes now. Several of the actions were
8 taken, and they remain unanimous. But for
9 several of these votes, three of them, the last
10 three, we didn't actually read into the record
11 the final recommendation.

12 So Dr. Melius will take care of that
13 after I cover how the votes went. So the first
14 two, which were read into the record, one was
15 Baker Brothers.

16 And that was, the Board already
17 voted. So unanimously 16 to zero in support of
18 the NIOSH recommendation to deny adding in
19 another Class at Baker Brothers for the
20 remaining period, which was 45 to 96.

21 And then Pantex, that was also, the
22 results on vote unanimous. One Member recused,

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1 Ms. Valerio. And that was to add a Class from
2 84 to 91. So that's done.

3 And those motions were read into the
4 record by Dr. Melius during the Board Meeting.
5 So the remaining three need to be read into. But
6 let me just cover them quickly.

7 The first is also a Pantex vote for
8 the early period. That's contract 51 to 57.
9 And the Board voted unanimously in support of the
10 NIOSH recommendation to not add a Class for that
11 period.

12 For Fernald there were two votes,
13 one also -- oh, and Pantex, Valerio recused,
14 right. So, Fernald two votes. These were
15 unanimous as well, with Lockey recused for both
16 of them.

17 The first Fernald was to add a Class
18 from 51 to 83. In effect, for subcontractors.
19 But Dr. Melius will explain that further, how
20 that recommendation is written.

21 And the second vote, also unanimous,
22 was to add a Class from 54 to 67, all employees.

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1 And Dr. Melius will read that too. So that
2 covers the votes for Idaho.

3 CHAIRMAN MELIUS: Okay. Thank
4 you, Ted. And I will now proceed with the three
5 letters. And I'll do, the one Fernald one is a
6 little more complicated. I'll save that for
7 last.

8 And we may want to have a little
9 explanation. And Stu may want to weigh in on
10 that also. So giving you a heads up, Stu. So
11 the first letter is the Pantex one.

12 The Advisory Board on Radiation and
13 Worker Health, the Board, has evaluated Special
14 Exposure Cohort, SEC petition 0068 concerning
15 workers at the Pantex Plant, in Amarillo, Texas,
16 under the statutory requirements established by
17 the Energy Employees Occupational Illness
18 Compensation Program Act of 2000, incorporated
19 to 42 CFR, Section 83.13.

20 The National Institute for
21 Occupational Safety and Health, NIOSH, has
22 recommended that individual dose

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1 reconstructions are feasible for all employees
2 of the Department of Energy, it's predecessor
3 agency, for their contractors and
4 subcontractors who worked at the Pantex Plant in
5 Amarillo, Texas, from January 1st 1951 through
6 December 31st 1957.

7 NIOSH found they had access to
8 adequate exposure monitoring, other information
9 necessary to do individual dose reconstruction,
10 with sufficient accuracy for members of this
11 group. And therefore, a Class covering this
12 group should not be added to the SEC.

13 The Board concurs with this
14 determination. Based on these considerations
15 and discussions at the July 16th and 17th, 2013
16 Board Meeting, held in Idaho Falls, Idaho. The
17 Board recommends that this Class not be added to
18 the SEC.

19 Enclosed is documentation of the
20 Board Meeting where this SEC Class was
21 discussed. Documentation includes copies of
22 the petition, the NIOSH review thereof, and

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1 related materials. If any of these items aren't
2 available at this time. They will follow
3 shortly.

4 So that was basically, completed our
5 work on Pantex SEC. So as you may recall, the
6 basis for that, at least as I recall was,
7 essentially there were very little exposures
8 during that early time period. And we completed
9 the other part to the SEC there.

10 The second letter is the letter on
11 Fernald, one of the two. It reads, the Advisory
12 Board on Radiation Worker Health, the Board, has
13 evaluated Special Exposure Cohort Petition 0046
14 concerning workers at the Feed Materials
15 Production Center, FMPC, in Fernald, Ohio, under
16 the statutory requirements established by the
17 Energy Employee Occupational Illness
18 Compensation Program Act of 2000, incorporated
19 into 42 CFR, Section 83.13.

20 The Board respectfully recommends
21 that SEC status be accorded to all employees of
22 the Department of Energy, it's predecessor

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1 agencies and their contractors and
2 subcontractors, who worked at the Feed Materials
3 Production Center in Fernald, Ohio, from January
4 1st 1954 through December 31st, 1967, or a number
5 of work days aggregating at least 250 work days
6 occurring solely under this employment, or in
7 combination with work days within the parameters
8 established for one or more other Classes of
9 employees included in the Special Exposure
10 Cohort.

11 This recommendation is based on the
12 following factors: Workers at this facility
13 during the time period in question were involved
14 in operations related to nuclear weapons
15 production.

16 The Board's review of available
17 monitoring data, as well as available process
18 and source term information for this facility,
19 found that NIOSH lacked the sufficient
20 information to allow it to estimate with
21 sufficient accuracy the potential internal
22 doses from exposures to thorium, which employees

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1 working at this facility may have been
2 subjected.

3 The Board determined that health may
4 have been endangered for these FMPC employees
5 during the time period in question. Based on
6 these considerations and discussion at the July
7 16th and 17, 2013 Board Meeting, held in Idaho
8 Falls, the Board recommends that this Class be
9 added to the SEC.

10 Enclosed is the documentation from
11 the Board Meetings where this SEC Class was
12 discussed. Documentation includes copies of
13 the petition, the NIOSH review thereof, and
14 related materials. So if any of these items are
15 unavailable at this time, they will follow
16 shortly.

17 So that's the first. The last
18 letter is the other part of the Fernald Class
19 that we added at the last meeting. And if you
20 recall, we circulated one letter.

21 And then based on some discussions
22 with NIOSH, and NIOSH's discussions with the

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1 Department of Labor, we made some changes to the
2 Class Definition.

3 I think these are, you know,
4 consistent with what we had voted for, and had
5 decided at the Board Meeting. It just made it
6 much more direct, and easier to administer this.

7 And I also circulated this modified
8 letter, or something pretty close to it, to
9 everyone about a week after the last letter. So
10 you all should have received this letter on time.
11 So let me read it into the record.

12 The Advisory Board on Radiation
13 Worker Health, the Board, has evaluated Special
14 Exposure Cohort Petition 0046 concerning
15 workers at the Feed Materials Production Center,
16 FMPC, in Fernald, Ohio, under the statutory
17 requirements established by the Energy Employee
18 Occupational Illness Compensation Program Act
19 of 2000, incorporated into 42 CFR, Section
20 83.13.

21 The Board respectfully recommends
22 that SEC status be accorded to all employees of

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1 the Feed Materials Production Center in Fernald,¹⁷
2 Ohio, who were not employed by National Lead of
3 Ohio, NLO, or the Department of Energy or its
4 predecessor agencies who worked at FMPC from
5 January 1st 1951 through December 31st, 1983, or
6 a number of work days aggregating at least 250
7 work days solely under this employment, or in
8 combination with work days when the parameters
9 established for one or more other Classes of
10 employees included in the Special Exposure
11 Cohort.

12 This recommendation is based on the
13 following factors: Workers at this facility
14 during the time period in question were involved
15 in operations related to nuclear weapons
16 production.

17 The Board's review of available
18 monitoring data, as well as available process
19 and source term information for this facility
20 found that NIOSH lacked the sufficient
21 information to allow it to estimate with
22 sufficient accuracy potential internal doses

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1 from exposure to uranium, which employees at
2 FMPC working at this facility may have been
3 subjected.

4 The Board also determined that
5 health may have been endangered for these FMPC
6 employees during the time period in question.
7 Based on these considerations and discussion at
8 the July 16th and 17th, 2013 Board Meeting held
9 in Idaho Falls, the Board recommends that this
10 Class be added to the SEC.

11 Enclosed is the documentation from
12 the Board Meetings where this SEC Class was
13 discussed. The documentation includes copies
14 of the petition, the NIOSH review thereof, and
15 related materials. If any of these items are
16 unavailable at this time, they will follow
17 shortly.

18 As you may remember, the initial
19 version of this letter was in our, in what we had
20 discussed and decided at the Board Meeting was,
21 it was for basically subcontractor employees.

22 So we're trying to capture where

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1 those that, particularly construction workers
2 that had come on to the facility and been
3 exposed, for which there was not adequate
4 monitoring information on them.

5 So the problem was that was, the way
6 it was worded was confusing, and could have been
7 difficult to administer. And there was a
8 changeover in terms of some of the contractors
9 involved also early on.

10 So basically did the definition by
11 exclusion, rather than, you know inclusion here.
12 And, I don't know, Stu, do you want to add
13 anything to that?

14 MR. HINNEFELD: Well I can usually
15 say something. During the, as Jim said, during
16 the discussion of Fernald we talked mainly about
17 subcontractors and their exposure potentials.

18 And how they may not be similar
19 enough to the prime contractors in order for the
20 co-worker data set, which is all prime
21 contractors, to be sufficiently accurate for the
22 subcontractors. So that was the nature of the

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1 discussion. 20

2 And we did look at a number of
3 claims. And we asked DOL to look at a number of
4 claims. And both DOL and we concluded that
5 certainly during the years that we're talking
6 about, it's pretty clear from the claim files
7 whether someone worked for NLO, the prime
8 contractor, or for some other employer.

9 It looks like, you can tell that.
10 So when we sent the Class Definition of
11 subcontractors to DOL, they responded that it
12 might be programmatic, because apparently they
13 have a defined set of companies that they know
14 had subcontracts with, at the Fernald Site.

15 And that apparently there is a
16 category of claimants who have verified
17 employment, in some fashion, who don't fall into
18 one of those subcontracts, or an employer of NLO.

19 And so they were afraid that there
20 might be some people who would not be swept in
21 to a subcontractor Class. So based on that we
22 proposed defining the Class by exclusion.

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1 And it also addresses another issue
2 that actually we didn't think about, I don't
3 think. Or I hadn't thought about it until we
4 started talking about it. Is that the original
5 constructor of the Fernald Plant was probably
6 not a subcontractor, it was probably a direct
7 contractor to the DOE.

8 And so even though they would have
9 been building, and they didn't just build a clean
10 building and then turn it over. It's pretty
11 clear that some of the building continued in some
12 buildings.

13 And when a portion of a building
14 would be built radiological activities would
15 start. And the constructor would still be
16 building another part of the building.

17 And it didn't seem to be a very, a
18 real clear exclusion of radiological materials
19 from places where there were builders. So based
20 on all those things we felt that the exclusion
21 definition would more likely capture everybody
22 we wanted to capture.

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1 CHAIRMAN MELIUS: Thank you, Stu₂
2 Anybody have any questions on that? I know,
3 Paul, you had -- Paul had questions initially.

4 MEMBER ZIEMER: Yes. I've been
5 trying to understand the sort of double negative
6 way of understanding this. And I'm just, I'm
7 okay with that. As long as DOL is okay with it.
8 And I assume they are now. I do have one other
9 question.

10 CHAIRMAN MELIUS: Yes.

11 MEMBER ZIEMER: And that is -- And
12 maybe you can just remind me why on this
13 particular one we mention only the uranium, and
14 not the thorium?

15 CHAIRMAN MELIUS: I believe --
16 Someone can correct me. But my recollection is
17 that it was, that was the co-worker model.

18 MR. HINNEFELD: Yes, this is Stu.
19 There were essentially two technical issues that
20 spanned different sets of years. And the
21 uranium co-worker model was the one that spanned
22 '51 to '83.

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1 MEMBER ZIEMER: Oh, thank you₃
2 That answered the question. I couldn't
3 remember the reason for it. Yes.

4 CHAIRMAN MELIUS: Anybody else with
5 questions? Okay, good. Next item on our
6 agenda is tasking SC&A procedure reviews. And
7 Ted circulated the three reviews. It came out
8 of the Procedures Subcommittee, and some
9 discussions.

10 There was originally a somewhat
11 longer list. And given the way the contract is
12 set up, the SC&A contract, and they're scheduled
13 to end at the end of December. And so trying to
14 task only items that would fit within that time
15 period.

16 So we have three items here that are
17 for discussion. The other two that dropped off
18 were related to the chronic lymphocytic leukemia
19 dose reconstruction issues.

20 And we will presume that we will
21 eventually get to those. But it just, for
22 administrative reasons it's difficult to do that

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1 now. So, I don't know, Wanda, do you have
2 anything to add to this?

3 MEMBER LEMEN: This is Dick Lemen,
4 joining your conference call.

5 CHAIRMAN MELIUS: Welcome, Dr.
6 Lemen.

7 MEMBER LEMEN: Thank you.

8 MEMBER MUNN: Can you hear me all
9 right?

10 CHAIRMAN MELIUS: Yes, we can.

11 MEMBER MUNN: All right. Sounded
12 strange to my ear. We did discuss these items
13 in the Subcommittee. And I can't imagine that
14 we had any additional information, unless
15 someone has some specific question.

16 We have vetted these, and we've
17 discussed them. And these are the three items
18 out of the slide that have shaken down to the
19 Board's decision making process. And we
20 recommend them to you. We've agreed with SC&A
21 that these are appropriate.

22 CHAIRMAN MELIUS: Yes. I think the

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1 one -- I sort of had a question. And then Stu
2 also raised an issue, which I agree with the
3 concern. That's on the internal dosimetry
4 co-worker for S-10.

5 One is, we have a Work Group that's
6 dealing with X-10. And I'm not sure where they
7 stand now, in terms -- certainly we need to
8 coordinate with them.

9 And then secondly, we also have
10 another -- the SEC evaluation Work Group that I
11 chair is working with NIOSH on those evaluations
12 of co-worker issue. And I'm not sure what our
13 schedule will be.

14 We have a meeting scheduled for the
15 end of this month. But it -- I'm not sure if SC&A
16 would be in sort of position to do much with the,
17 or do something appropriate with the co-worker,
18 evaluation of co-worker model until, for X-10,
19 until we've made some more progress on sort of
20 our overall approach to evaluating co-worker
21 models.

22 I'm going to hate to have them spend

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1 time doing the evaluation, and then sort of
2 change the parameters or focus. Now, it may not
3 do that, you know, it's hard to predict. But it
4 is an issue on that, that I think we need to keep
5 in mind.

6 MEMBER MUNN: Reasonable concern.

7 CHAIRMAN MELIUS: Yes.

8 MEMBER MUNN: When we have more than
9 one group working on material that overlaps on
10 issues. And we can get into that issue very
11 easily. I think it's amazing we've managed to
12 avoid it so far.

13 CHAIRMAN MELIUS: Oh, yes, we do
14 pretty well. You're right, Wanda.

15 MEMBER ROESSLER: Yes, this is Gen,
16 speaking for the Oak Ridge ORNL Work Group. But
17 certainly this needs to be tasked to SC&A. But
18 I agree with you, Jim. I think that would be --
19 we'd really need to get the general guidelines
20 on co-worker data.

21 CHAIRMAN MELIUS: Yes. So if we
22 didn't task that one at this point, and I'm not

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1 sure of all the details on this one. So whether
2 there are parts of that that could be started
3 beforehand or not. Or whether it's better to
4 wait. But I suspect it's better to wait. So
5 that would just leave the other two.

6 MR. STIVER: Jim, this is John
7 Stiver. If I can just weigh in for a minute?
8 There are, if I could just generally give you a
9 back story. We did review Revision 0 of the
10 TIB-34 several years ago. And there are still
11 a couple of open issues, open findings.

12 So that first round is still in play.
13 And looking at Revision 1 there were some
14 statistical manipulations that were done. But
15 so far as I can see, there's nothing in that, at
16 least in Revision 1, that relates back to Report
17 53, in terms of the open methodology or
18 stratification.

19 So it would probably be -- now, I
20 don't know, maybe Gen or Stu can weigh in on this.
21 But I don't know if there's another revision
22 planned, you know.

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1 I presume that once a Report 58
2 emerges in whatever form it does, and that would
3 be applicable to all co-worker models. So there
4 is that issue. But I think as far as Revision
5 1 goes, it doesn't really come into play much.

6 CHAIRMAN MELIUS: Yes, Stu, do you
7 have any, or Jim?

8 MR. HINNEFELD: Well I'll defer to
9 Jim on that one.

10 CHAIRMAN MELIUS: Okay.

11 DR. NETON: This is Jim. I just had
12 to get off mute.

13 CHAIRMAN MELIUS: Okay.

14 DR. NETON: You know, what John said
15 makes some sense to me I guess. I mean they
16 could do that without treading into the general
17 issues that we're talking about at the end of
18 September.

19 CHAIRMAN MELIUS: Okay. And I
20 think with, you know, sort of, you know, maybe
21 one way of handling it is, okay, do those issues.
22 Just sort of concentrate on those issues.

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1 And then once the Board has decided~~ed~~
2 on some, and NIOSH get on some guidelines on
3 co-worker models in general, and stratification
4 issues like that, then that, you know, continue
5 the review. Or, you know, take up that part of
6 the review with a separate task, if that's
7 appropriate. Does that make sense to --

8 DR. NETON: Sounds good to me. I
9 mean, they've done this before in like a focus
10 type review.

11 CHAIRMAN MELIUS: Yes.

12 MR. STIVER: That makes sense to me.
13 This is Stiver.

14 CHAIRMAN MELIUS: Okay. So in that
15 case we would be tasking SC&A to do a, sort of
16 a focused review on OTIB-34, as we've just
17 discussed, on the X-10. Plus a review on
18 Revision 1 of OTIB-12, which would be internal,
19 external dosimetry target organs for lymphatic
20 hematopoietic cancers.

21 And a review on OTIB-83, dissolution
22 models for insoluble plutonium U-238. So that

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1 would be essentially, leave a recommendation
2 from the Procedures Work Group. Is this their
3 -- I don't know if you made this formally, or if
4 this was --

5 MEMBER MUNN: Yes, this was a
6 recommendation from --

7 CHAIRMAN MELIUS: Okay.

8 MEMBER MUNN: This was an agreement
9 from the Subcommittee. Yes, following
10 discussion. One correction, your oral
11 description of OTIB-83 said plutonium U-238.

12 CHAIRMAN MELIUS: Oh, okay.

13 MEMBER MUNN: It's plutonium 238,
14 specifically.

15 CHAIRMAN MELIUS: That U-238 neutron
16 just fired automatically.

17 MEMBER MUNN: Yes, I know. It has
18 a tendency to roll off the tongue.

19 CHAIRMAN MELIUS: Yes, just --

20 MEMBER MUNN: It's plutonium 238.
21 Dissolution models for insoluble plutonium 238.

22 CHAIRMAN MELIUS: Okay.

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1 DR. NETON: Dr. Melius? 31

2 CHAIRMAN MELIUS: Yes.

3 DR. NETON: This is Jim. I had one
4 question on the review of TIB-12. TIB-12 had
5 been reviewed as part of PER-009. We have one
6 in particular.

7 And I was wondering what the actual
8 difference there would be in this review of
9 TIB-12, versus what we've done in the review of
10 PER-009, which incorporated a review of TIB-12?
11 That question is for SC&A.

12 MR. STIVER: Yes. I was just
13 looking at the Board Review System. And it
14 helps to look through some of the previous
15 transcripts.

16 And Jim is right. The version of
17 TIB-12 that we would be tasked to review has, in
18 fact, been reviewed under the umbrella of
19 PER-009.

20 And there was, actually I believe in
21 April of 2008 almost an entire Procedures
22 Subcommittee meeting was dedicated to

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1 discussing the two issues, which were
2 subsequently closed in 2011, January of 2011
3 meeting.

4 So I don't, based on my review, I
5 don't see that there's really much to be gained
6 by doing a second review. But I'm not usually
7 in a position to turn down work. But I think in
8 this case, I don't think we really, it would be
9 in our interest to do that.

10 MEMBER MUNN: It's true. We've
11 spent a great deal of time already on these
12 issues.

13 DR. BEHLING: This is Hans Behling.
14 I kind of joined you late. And I just want to
15 make a comment here. I think the main issue on
16 the lymphoma PER-009 was one issue that we
17 decided we weren't going to address.

18 And that is the variability of
19 smoking, as it pertains to the lymphoma issue.
20 And I think it was, if I recall, decided that this
21 would require a new committee that would have to
22 obviously go through a lot of work to get to the

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1 point where they could offer a profound opinion
2 on the issue of how smoking would affect the
3 lymphoma issue.

4 And I think we dismissed it. And
5 then I think, as far as I'm concerned, all of the
6 other issues were resolved. And I'm not sure.
7 I agree with John Stiver that there's really
8 nothing for us to do at this point.

9 MEMBER MUNN: Well we were very
10 clear on the Subcommittee that taking up the
11 issue of smoking contributions to the health of
12 our workers and co-workers was far beyond the
13 purview of our Subcommittee.

14 CHAIRMAN MELIUS: So we're, if I
15 understand correctly, we're -- the motion would
16 now be for SC&A to review, a focused review on
17 internal dosimetry co-worker data for X-10, and
18 a review of OTIB-83, dissolution models for
19 insoluble plutonium 238. I controlled my
20 neuron there.

21 MEMBER MUNN: Very good.

22 CHAIRMAN MELIUS: Yes.

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1 MEMBER MUNN: That's ~~my~~

2 understanding of --

3 CHAIRMAN MELIUS: Okay.

4 MEMBER MUNN: -- the recommendation
5 so far.

6 CHAIRMAN MELIUS: That's a
7 recommendation/motion from the Subcommittee.

8 MEMBER MUNN: Yes.

9 CHAIRMAN MELIUS: And I guess, I
10 don't think we need to call. Everybody in
11 favor, say aye.

12 (Chorus of Ayes)

13 CHAIRMAN MELIUS: Anyone opposed?

14 MEMBER ZIEMER: Just for clarity,
15 you know, this is nay or aye. I vote in favor
16 of 083. But I have to abstain on the other one,
17 because I'm recused. I think some others may be
18 too.

19 CHAIRMAN MELIUS: Yes. Thanks for
20 -- we forgot, from the beginning of the meeting.
21 So I think we consider them as two separate
22 motions, with --

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1 MEMBER ZIEMER: With appropriate
2 recusals.

3 CHAIRMAN MELIUS: Yes, that would
4 be fine. Is that okay, Ted?

5 MR. KATZ: Yes. This is fine.
6 There are no dissenting votes, in any case.

7 CHAIRMAN MELIUS: Yes, very
8 straightforward, yes.

9 MR. KATZ: Right.

10 CHAIRMAN MELIUS: Okay, very good.
11 And it's LaVon Rutherford.

12 MR. RUTHERFORD: Thanks.

13 CHAIRMAN MELIUS: I hope everyone
14 has their coffee and a comfortable chair for this
15 presentation.

16 MR. RUTHERFORD: Actually, this is
17 going to be a pretty short presentation. I'm
18 going to give the SEC update, basically what we
19 plan to discuss at the October Board Meeting.

20 So for the October meeting we will
21 be presenting an 84.14 SEC evaluation for Sandia
22 National Lab. And that's Livermore. The

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1 evaluation is in internal review, and is on
2 schedule to be sent to the Advisory Board late
3 this month.

4 We will also be presenting a revised
5 Rocky Flats Evaluation Report and
6 recommendation. The report will include our
7 evaluation of neptunium and uranium 238. The
8 report will not be out until about two weeks
9 prior to the October meeting.

10 But we will be presenting a summary
11 of the Evaluation Report, basically what the
12 Evaluation Report will say and why, to the Work
13 Group next week at the Rocky Flats Work Group
14 meeting.

15 We had hoped to have the Oak Ridge
16 National Lab addendum ready for the meeting.
17 But just due to this, so many radionuclides
18 involved with this evaluation, we just couldn't
19 quite get through it all.

20 And so the addendum is not going to
21 ready until later on this year. But it will be
22 ready for the January meeting. We will also be

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1 presenting at the January meeting the Kansas
2 City Plant Evaluation Report. And that's an
3 83.13.

4 In addition we have a, we should have
5 the Nuclear Metals Incorporated addendum
6 completed for that Board Meeting as well. So
7 again, the October meeting, we'll just be
8 presenting the Sandia National Lab, Livermore
9 83.14 and the revised Rocky Flats evaluation.
10 That's about it.

11 CHAIRMAN MELIUS: Okay. Any
12 questions for LaVon? Okay. Updates from Work
13 Groups and Subcommittees. No need to go through
14 all of them. But if anybody has updates they'd
15 like to present? Maybe I'll start the --

16 MEMBER ANDERSON: Hi, this is Andy.
17 The AWE, I'm looking at calendars. We're hoping
18 to finalize one of our reviews before the next
19 meeting. I'll be getting back with calendar
20 schedules pretty soon.

21 CHAIRMAN MELIUS: Okay. And we
22 have that tentatively scheduled for the next

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1 meeting. 38

2 MEMBER ANDERSON: Yes.

3 CHAIRMAN MELIUS: Good. Paul,
4 TBD-6000?

5 MEMBER ZIEMER: Yes. TBD-6000.

6 We've scheduled a meeting for Friday. In fact,
7 we have two NIOSH White Papers to review, where
8 we're getting the reviews of those from SC&A.

9 We also have some recent input from
10 the co-petitioner that we'd be looking at as
11 well. So our focus on, you know, for TBD-6000
12 Work Group, beyond the, you know, General Steel
13 Industries, Appendix B issues.

14 CHAIRMAN MELIUS: Joe Fitzgerald, I
15 don't know if you're on the line?

16 MR. FITZGERALD: Yes, I am.

17 CHAIRMAN MELIUS: Okay. Mark
18 volunteered you.

19 MR. FITZGERALD: Yes. He warned me
20 ahead of time though.

21 CHAIRMAN MELIUS: Okay. For both,
22 I guess, Rocky Flats and Savannah River.

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1 MR. FITZGERALD: Yes, I mean, with
2 respect to, let's take Rocky first. We do have
3 two issues that we were to get back to the Work
4 Group on. And the piece on allegations I think
5 went to the Work Group yesterday.

6 And we have some lengthy analysis on
7 tritium, which is actually at DOE right now for
8 declassification review. And we're hoping to
9 have that ready for the Work Group next week.

10 But in any case, we're certainly
11 prepared to, you know, go through our review, and
12 support the Work Group's discussion next week on
13 Rocky. Also a company, LaVon, to Hanford on the
14 neptunium issue. And spent a good amount of
15 time looking at that issue.

16 So I think we're in a good place, as
17 far as having, you know, certainly having a
18 position on some of those issues. On Savannah
19 River, we had I thought a fairly successful on
20 site visit.

21 Pretty good interviews addressing
22 neptunium and thorium issues at Savannah River.

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1 And that was done in conjunction with NIOSH, Tim
2 Taulbee and one of his support staff attended.

3 So we're already scheduling a return
4 visit for the very first part of November to nail
5 down some remaining issues. So that's moving
6 ahead pretty well, which is good news. It's taken
7 a fair amount of time to get to this point. But
8 we are making progress now.

9 CHAIRMAN MELIUS: Great.

10 DR. MAKHIJANI: Dr. Melius, this is
11 Arjun Makhijani. Since Savannah River came up,
12 I just wanted to give a little update on that,
13 if I might.

14 CHAIRMAN MELIUS: Okay.

15 DR. MAKHIJANI: Since Mr. Griffon
16 is not there. The neptunium report had gone out
17 some time back, review of the co-worker model.
18 And yesterday our review of Addendum 3 of the
19 Evaluation Report went out to the Work Group.
20 And so we are prepared for a Work Group meeting,
21 should the Work Group decide it wants one.

22 CHAIRMAN MELIUS: Okay. Yes, I'll

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1 remind Mark on that. Any questions or other
2 Board Members about either of those two sites?

3 MR. KATZ: Hi, this is Ted. I just
4 have a little question about the last bit.
5 Because I guess I'm confused over what Joe just
6 reported, and then what you just said. Because
7 I thought what Joe was saying was that neptunium
8 is in review at DOE. So it's not released yet.
9 Is that right?

10 MR. FITZGERALD: This is Joe. That
11 -- no, no. What is at DOE is tritium.

12 MR. KATZ: Oh, tritium.

13 MR. FITZGERALD: For Rocky Flats.
14 That's the one that's --

15 MR. KATZ: Oh, okay, okay. But
16 then you're going back in November to the site.
17 Is that still on issues of neptunium and --

18 MR. FITZGERALD: You know, they
19 have -- as you may recall, they were pulling
20 documents. And they pulled a fair number of
21 documents, which Tim and I reviewed when we were
22 there a week ago.

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1 And made some adjustments as far as
2 which ones we want to spend some more time with.
3 And that's what the purpose of the November --
4 because it would be to do, at least in part, to
5 finish up that review.

6 DR. MAKHIJANI: And, Ted, just to
7 clarify. As you remember, you know, we've been
8 having a great deal of difficulty, for budgetary
9 and other reasons, with site access.

10 And it was decided quite some time
11 back, I think late last year, that we should
12 proceed to review the methodological issues that
13 were not dependent on these things. And at
14 least give that to the Working Group, so that we
15 could make some progress on the review of the
16 issues, which had already been much delayed,
17 which is why it's a little bit in pieces.

18 But neptunium and thorium reports
19 that have gone out have all been cleared by the
20 DOE for clarification purposes. And gone out to
21 the Work Group. Neptunium some time back, and
22 thorium yesterday. And they involved

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1 essentially methodological issues, and review
2 of the materials put forward by NIOSH.

3 MR. KATZ: Okay, good. Thank you,
4 Arjun.

5 DR. MAKHIJANI: Sure.

6 CHAIRMAN MELIUS: Okay. Any other
7 Work Group updates?

8 MEMBER MUNN: This is Wanda. I can
9 say a few words about procedure. We had a rather
10 extensive meeting, maybe at least following the
11 Idaho Falls meeting in July. And we're
12 beginning to look at a significant number of PERs
13 now. And more apparently coming down the pike.

14 So at this juncture, what we're
15 looking at in terms of statistics for our total
16 overview remains pretty good. Our total number
17 of findings that we've dealt with in the
18 Subcommittee are in excess of 600 now.

19 And of those, 80 percent are
20 complete for all intents as purposes, as far as
21 the Subcommittee is concerned. That does
22 include something like 84 findings, which will

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1 be eliminated when new revisions of upcoming
2 procedures are actually released.

3 So we're working on a large number
4 of PERs, and doing a good job, I believe, on the
5 outstanding issues that are before us. We'll be
6 loading all of the PERs on our database for our
7 next time out.

8 And again, to address, in small
9 quantity, many of the overarching issues, which
10 of course have to come back to many of the Work
11 Groups that are working on those things
12 themselves. So we're moving along.

13 CHAIRMAN MELIUS: Good. Any
14 questions? Any other Work Group updates?
15 Okay. Next item on our agenda is Board
16 Correspondence. And I have one item, which Ted
17 has circulated to the Board.

18 As you recall, at the last meeting
19 we had discussed, due to some of the delays in
20 getting access to records and information at
21 Savannah River, we had talked about doing a
22 letter to Department of Energy regarding our

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1 concern about those delays. 45

2 I guess, just talking about the
3 letter got it resolved, I know. Maybe they were
4 already working on it. So that got resolved.
5 But after the, as we're finishing up our meeting
6 I was talking to Joe Fitzgerald.

7 And I also thought, you know, he and
8 I talked, and thought it would be, given that we
9 had essentially finished up our work with
10 Pantex, and had gotten a lot of support from
11 people at that site.

12 And given some of the, you know,
13 security concerns there, and so forth, that it
14 was important that we do, that we thought it
15 would be nice and appropriate for us to write a
16 letter to the site thanking them for their, you
17 know, cooperation and assistance during our work
18 there.

19 So Joe Fitzgerald drafted a letter,
20 and made a few minor changes in it. And let me
21 read into the record and ask for comments. So
22 it's to John Woolery, General Manager at Pantex.

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1 Dear Mr. Woolery: On behalf of the Advisory
2 Board on Radiation and Worker Health, I want to
3 express our appreciation for the considerable
4 support that you and your staff have provided to
5 the Board and its support personnel over the past
6 six years.

7 In particular, we appreciate the
8 assistance given by Robin McLaurin and Michelle
9 Stoddard who, in conjunction with Greg Lewis of
10 DOE - HSS and the resources provided by his
11 office, facilitated our onsite visits and
12 various document searches and retrievals. In a
13 time of constrained resources, they found ways
14 to be responsive to our information needs and
15 were a pleasure to work with.

16 We also want to recognize the
17 following Pantex employees who all have played
18 an integral role in supporting and advancing the
19 Board's work at Pantex:

20 Tony McCreary, Karin Goodfellow,
21 Frank Skrabits, Bob Barr, Don Gerber, Opal
22 Taylor, Stan Stambaugh, Julie Maggi, Colleen

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1 Walerczyk, Monica Graham, Scott Wilson, Gary
2 Britten, David Pompa, Sophie DeLosSantos,
3 Mark Prather, Bill Hayes, John E. Cartwright
4 former employee - still at Pantex), and Tom
5 Jones (former employee - still at Pantex).
6 Please extend our thanks to them.

7 The bulk of our site research is now
8 completed with the Board's recommendation and
9 HHS Secretary Sebelius approvals of a Special
10 Exposure Cohort classes for Pantex workers for
11 1958-1991.

12 Given the number of years and
13 records involved, it has been a challenge, but
14 one that proved successful with the support that
15 everyone has provided us.

16 As we have grown familiar with the
17 operational history of Pantex, we understand the
18 pride that all of you have in what has been
19 accomplished over the years and the continuing
20 importance of your national security mission for
21 our Nation. Thank you from all of us. Signed,
22 myself, the Chairman.

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1 I don't know if anyone has any
2 comments or questions about that. But again,
3 it's not something we've commonly done. But I
4 thought given those circumstances. And Joe and
5 I talked. I thought it was something, we should
6 be doing it at Pantex.

7 MEMBER MUNN: Well, I guess I have
8 a question here. And that is, certainly the
9 letter is appropriate. If we are going to do
10 that, I guess the question that came to my mind
11 when we received the draft was whether we are,
12 whether it's the Board's intention to establish
13 a precedent here.

14 I know this has been a very, very
15 tough site to get through. And I understand
16 that these folks have been extremely helpful.
17 But that's, it's not limited to that site.

18 And I am wondering whether it's the
19 intent for us to undertake this type of
20 appreciation, which of course is felt many
21 times, under many circumstances, but has not
22 been formally expressed in the past. So I guess

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1 the question from here is, is this the intent ~~of~~
2 the Board to establish a precedent by doing that?

3 MEMBER CLAWSON: Wanda, this is
4 Brad. I don't think that that would be a bad
5 idea at all. Because, you know, seeing what a
6 lot of these sites go through, and especially
7 these bigger ones.

8 You know, we get done with it, and
9 we basically walk away. But there's a lot that
10 we don't see. And a lot of pressures that these
11 people go through.

12 I think it's just a good, I think it
13 would be very good for the Board to be able to
14 thank these sites, you know. It's a difficult
15 thing. And I think, I wouldn't have a problem
16 with it being a precedent.

17 CHAIRMAN MELIUS: Anybody else,
18 comments?

19 MEMBER SCHOFIELD: This is Phil. I
20 kind of back Brad on that. Because, I mean, a
21 lot of times we couldn't get any work done
22 without the coordination and the help from

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1 people at these different facilities. And many
2 times it takes a lot of their time and effort to
3 assist us.

4 MEMBER MUNN: I don't think anyone
5 would argue with that. And it's certainly
6 appreciated. My point is, it is anticipated
7 that this would be a requirement each and every
8 organization that assists us.

9 We really do have to rely on people
10 to do their jobs well, in order to fulfill our
11 responsibilities. And I'm not questioning the
12 appropriateness of thanking people. I'm
13 questioning whether it is appropriate in
14 professional situations of this sort for us to
15 establish this as a precedent.

16 And my question was, is it a
17 precedent? Or is this a one off situation? And
18 I can see arguments on both sides of that coin.
19 Just wanted clarification as to whether or not
20 we intend to do this as a regular thing.

21 CHAIRMAN MELIUS: Well, when I
22 suggested, this is the first time we've done

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1 this. So why don't we consider it on a, for now,¹
2 time being, on a case by case basis, and see where
3 it comes up again?

4 And then we can decide whether we do
5 it routinely, or whatever. I don't think we
6 need to spend a lot of time worrying about it.

7 MEMBER MUNN: No, I don't either.

8 CHAIRMAN MELIUS: And then, and do
9 that. So let's do it on a case by case basis,
10 and see if -- there are a lot of other sites we've
11 worked at, and have been helpful, and so forth.

12 But I think we've finished up at
13 other sites where there's been as much, you know,
14 I won't say difficulty, but challenges in terms
15 of access, and so forth. And there may be others
16 that are coming up. And let's deal with it on
17 a case by case basis --

18 MEMBER MUNN: Right.

19 CHAIRMAN MELIUS: -- for now. Is
20 that fair for everybody?

21 MEMBER MUNN: Fine for me.

22 CHAIRMAN MELIUS: Okay.

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1 MEMBER CLAWSON: Sure. 52

2 CHAIRMAN MELIUS: Good. On that,
3 plans for October 13th Board meeting. Ted ran
4 a, sort of a quick mock agenda, trying to figure
5 out what was on the, would be on the agenda. And
6 I think you've already heard from LaVon on one
7 83.14.

8 And it looks, appears as if NIOSH
9 will also be presenting a report on the Rocky
10 Flats SEC petition at our meeting in Denver next
11 month. So those are on. We'll also have an
12 update on the co-worker sufficient accuracy
13 issues.

14 So it will be part -- and that, from
15 looking at what, you know, on the, you know,
16 potentially on the agenda, and so forth, it
17 appears as if our meeting would be at most a day
18 and a half. I'm not sure we're going to be able
19 to, or it would be appropriate to try to fit it
20 into one day.

21 But it certainly looks as if, at this
22 point, that we would be doing approximately a day

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1 and a half for the Denver meeting. So that would
2 be on the, starting on the 16th, and going a half
3 day on October 17th. Ted, do you think that
4 still holds?

5 MR. KATZ: Yes. I don't think I can
6 really do better in predicting right now, on the
7 items that are somewhat uncertain, in terms of
8 how much time they'll take, or whether they'll
9 happen at all. So, yes, that's my best guess for
10 now.

11 CHAIRMAN MELIUS: Okay. And so,
12 unless, you know, LaVon has been, you know,
13 misleading us, or something, and reports get
14 delayed, we'll, I think we should all plan on,
15 you know, in terms of your calendar, a day and
16 a half.

17 And as we get a little bit closer we
18 will -- or, in fact, if we have indications
19 that's changing, we'll let everybody know. And
20 we'll finalize it at some point as we're making
21 arrangements, and so forth. Any questions --

22 MEMBER MUNN: Jim, I have one

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1 question for you with respect to the agenda 54

2 CHAIRMAN MELIUS: Yes.

3 MEMBER MUNN: A couple of weeks ago
4 I sent you a list of proposed presentations from
5 the Procedures Subcommittee, and have not had
6 any information back. Is it your intent to
7 continue to have those presentations made? And
8 if so, are we going to select two or more for the
9 Denver meeting?

10 CHAIRMAN MELIUS: And the answer is
11 that the Procedure Reviews update is on the
12 agenda, or this mock agenda, draft agenda,
13 whatever you want to call it. And so you should
14 plan on presenting two.

15 MEMBER MUNN: Very good. Will we
16 have information about which two will be chose?

17 CHAIRMAN MELIUS: Yes, I'll get
18 back to you on that.

19 MEMBER MUNN: Okay. I think it --

20 CHAIRMAN MELIUS: Yes, I was
21 actually waiting. I wanted to see what this
22 agenda looked like, and where we were, in terms

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1 of, you know, timing, and so forth. But we have
2 that listed on the agenda now.

3 MEMBER MUNN: Yes, that's good.
4 Because it is helpful for SC&A to be able to start
5 putting together those presentations well in
6 advance, so that the Board Members can have them
7 also a couple of weeks in advance, and take a look
8 at them.

9 CHAIRMAN MELIUS: Good.

10 MEMBER MUNN: Thank you.

11 CHAIRMAN MELIUS: Any other
12 questions? Okay, everybody, thank you all.
13 And we will see you in October, in Denver.

14 MEMBER MUNN: Good.

15 CHAIRMAN MELIUS: Okay, thanks.
16 Bye.

17 (Whereupon, the meeting was
18 concluded at 12:03 p.m.)

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