

UNITED STATES OF AMERICA  
CENTERS FOR DISEASE CONTROL

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NATIONAL INSTITUTE FOR OCCUPATIONAL  
SAFETY AND HEALTH

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ADVISORY BOARD ON RADIATION AND  
WORKER HEALTH

+ + + + +

109th MEETING

+ + + + +

WEDNESDAY  
JANUARY 20, 2016

+ + + + +

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

PRESENT:

JAMES M. MELIUS, Chairman  
JOSIE BEACH, Member  
BRADLEY P. CLAWSON, Member  
R. WILLIAM FIELD, Member  
DAVID KOTELCHUCK, Member  
JAMES E. LOCKEY, Member  
WANDA I. MUNN, Member  
JOHN W. POSTON, SR., Member  
GENEVIEVE S. ROESSLER, Member  
LORETTA R. VALERIO, Member  
PAUL L. ZIEMER, Member  
TED KATZ, Designated Federal Official

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BAGRIER, HARRY  
BAKER, STEVE  
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1 P-R-O-C-E-E-D-I-N-G-S

2 11:01 a.m.

3 MR. KATZ: Let us begin with roll call.

4 And, okay, a couple things to note before I get  
5 started with that. The agenda's online on the  
6 Advisory Board section of the NIOSH web site under  
7 today's meetings or meetings, today's date. So  
8 people who want to see the agenda can follow on  
9 there.

10 One sort of minor change to the agenda,  
11 we have the Idaho National Laboratory SEC petition  
12 on the agenda, and we noted this to petitioners in  
13 advance. How much discussion that was to get  
14 depended on our Work Group meeting which we just  
15 had, and the Work Group meeting -- there's more work  
16 to be done, to be short about it, and Josie, who  
17 chaired that meeting, will give everybody and  
18 update. And so we won't have an action on that SEC  
19 for this teleconference. I just want to make that  
20 clear up front.

21 **ROLL CALL**

22 And then let's get on with roll call.

1 And I'll just do it alphabetically because it's  
2 easiest. The only conflict of interest for the  
3 agenda is Brad Clawson for INL.

4 (Roll call.)

5 MR. KATZ: Okay. Very good. That  
6 takes care of roll call.

7 The other thing I'll just take care of  
8 before I hand it over to Dr. Melius, the Chair, is  
9 just registering the absentee votes from the  
10 November Board meeting.

11 In November the Board acted on two SEC  
12 petitions, one for Battelle Laboratory, King  
13 Avenue in Columbus, Ohio and one for Kansas City  
14 Plant, Kansas City, Missouri. And the final votes  
15 came in from absentee Members on January 5th. The  
16 absentee Members for part or both of those actions  
17 were Dr. Lockey, Dr. Lemen, Dr. Richardson, Dr.  
18 Poston and Dr. Roessler.

19 And the final vote tallies for those  
20 actions, for Battelle it was 15 to 0, in other words  
21 unanimous and complete for extending that SEC  
22 Class, which is all Atomic Weapons Employees who

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1 worked at the facility owned by Battelle  
2 Laboratories at the King Avenue site in Columbus,  
3 Ohio from '56 to '70. And there's more verbiage  
4 to go with that.

5 And the vote for Kansas City Plant was  
6 15 in favor of the action, 1 against, which was Dr.  
7 Lemen, one abstention, Dr. Richardson. And the  
8 action was in support of the NIOSH recommendation  
9 that dose reconstructions are feasible for all  
10 workers at this facility. So the Secretary is not  
11 recommended to designate an SEC Class for that  
12 facility.

13 And that completes those actions. And  
14 I'll turn this over to Dr. Melius.

15 **Idaho National Laboratory SEC**

16 CHAIRMAN MELIUS: Okay. Thanks, Ted.  
17 The first item on our agenda is an update on Idaho  
18 National Laboratory, and Josie Beach has been sort  
19 of the acting chair of that Work Group, so I'll turn  
20 over to Josie for a --

21 MEMBER BEACH: Okay, Jim.

22 CHAIRMAN MELIUS: Go ahead.

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1                   MEMBER BEACH:     Okay.     Thank you.  
2     Yes, I do have a summary progress update to give  
3     out, or give to you.

4                   So the initial Class Definition for the  
5     chemical processing plant, CPP, at the Idaho  
6     National Laboratory, INL, for the period of 1963  
7     to 1974 was proposed by NIOSH to the Advisory Board  
8     on March 26th of 2015, and it read: "All employees  
9     of the Department of Energy, its predecessor  
10    agencies and their contractors and subcontractors  
11    who worked at the Idaho National Laboratory in  
12    Scoville, Idaho and were monitored for external  
13    radiation at the Idaho Chemical Processing Plant,  
14    CPP, e.g., had at least one film badge or TLD  
15    dosimeter from CPP between January 1st, 1963 and  
16    December 31st, 1974 for a number of work days  
17    aggregating at least 250 days occurring either  
18    solely under this employment or in combination with  
19    work days within the parameters established for one  
20    or more Classes of employees in the Special  
21    Exposure Cohort."

22                   During the review of that initial

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1 report both NIOSH and SC&A identified issues  
2 regarding the state of current claimant dosimetry  
3 records necessary to adjudicate the proposed  
4 Definition. To allow for further evaluation,  
5 additional data capture was undertaken to obtain  
6 necessary dosimetry files mainly related to the  
7 construction workers at CPP.

8 NIOSH modified the Class Definition in  
9 July of 2015 to effectively split the proposed  
10 Class into two separate periods with different  
11 dosimetry requirements, and that reads: "All  
12 employees of the Department of Energy, its  
13 predecessor agencies and their contractors and  
14 subcontractors who worked at the Idaho National  
15 Laboratory, INL, in Scoville, Idaho and (A) who  
16 were monitored for external radiation at Idaho  
17 Chemical Processing Plant, CPP, they had at least  
18 one badge or TLD dosimeter from CPP between January  
19 1st, 1963 and February 28th, 1970; or (B) who were  
20 monitored for external radiation at INL and with  
21 at least one film badge or TLD between March 1st,  
22 1970 and December 31st, 1974 for a number of work

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1 days aggregating at least 250 days occurring either  
2 solely under this employment or in combination with  
3 work days within the parameters established for one  
4 or more other Classes of employees in the Special  
5 Exposure Cohort."

6 Specifically, a single external  
7 monitoring result directly related to CPP was  
8 required for the period of 1963 through February  
9 1970 with the remaining period, March 1970 through  
10 1974, only requiring evidence of external  
11 dosimetry at the site.

12 NIOSH and SEC evaluated in tandem the  
13 revised Class Definition by reviewing the adequacy  
14 and completeness of badging records stipulating  
15 work locations for INL claimants in the NOCTS  
16 database with findings of these evaluations  
17 delivered to the INL Work Group in August and  
18 September 2015, respectively. As a result of both  
19 evaluations it was determined that there were 18  
20 claims that lacked a clear records basis requiring  
21 additional data capture at INL to provide  
22 sufficient evidence of work location in either CPP

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1 or not CPP.

2 These selected claims were discussed at  
3 both the Work Group and Full Advisory Board  
4 meetings in November of 2015. Additional  
5 supplemental records were received directly from  
6 INL throughout December of 2015 as they became  
7 available. The final supplemental data search was  
8 transmitted from the U.S. Department of Energy,  
9 DOE, and uploaded on December 30th, 2015.

10 At that time NIOSH determined that there were still  
11 three claimants warranting another search of  
12 available records at INL the week of January 4th,  
13 2016.

14 During that site visit NIOSH discovered  
15 that there were a set of visitor cards and temporary  
16 film badge reports that had not been catalogued and  
17 therefore were not recognized and compiled by DOE  
18 during the supplemental data request from the fall  
19 of 2015.

20 INL Work Group met via teleconference  
21 on January 15th, 2016 to discover the current  
22 status of the Special Exposure Cohort, SEC, Class

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1 Definition. At that meeting a number of issues  
2 were raised by the Work Group Members regarding the  
3 latest round of records evaluation in support of  
4 the proposed SEC Class Definition. The following  
5 I'll list:

6 The completeness and adequacy of the  
7 recently discovered records, the INL visitor cards  
8 and temporary film badges. NIOSH reported that it  
9 would be difficult to validate their completeness  
10 without a secondary index or database to which to  
11 compare.

12 Second, reliance on subjective  
13 judgments based on weight of evidence to determine  
14 worker location where definitive locations records  
15 are lacking. NIOSH indicated that it is difficult  
16 to prove a negative and that such judgments are  
17 common and supportable for dose reconstruction.

18 And third, discrepancies in spelling of  
19 workers' names on temporary badge records and  
20 absence of other identifiers such as Social  
21 Security numbers. It is not clear if it would be  
22 feasible to correct or accredit erroneous name

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1 entries so that no badge records are missed.

2 The Work Group has scheduled a  
3 face-to-face meeting in Cincinnati for the INL Work  
4 Group; it's scheduled for March 1st, 2016, in  
5 advance of the Advisory Board meeting later in  
6 March to discuss these and other issues concerning  
7 the status of the proposed SEC Class Definition,  
8 as well as any additional results from ongoing  
9 evaluations of the most recent supplemental  
10 records data capture.

11 One comment I did get that I'm going to  
12 go ahead and read out is from Gen. And she thought  
13 that it would be important at that time during our  
14 March 1st meeting to discuss whether there is a  
15 level of completeness and adequacy in the records  
16 that can be accepted. This is something that the  
17 Work Group is going to have to discuss. The Board  
18 Members are going to have to think about that as  
19 well.

20 The Work Group, NIOSH and SC&A agreed  
21 during our discussions on Friday that 100 percent  
22 certainty in the records is not possible, so we're

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1 going to have to come to some decisions there.

2 And, Jim, that's my report.

3 CHAIRMAN MELIUS: Okay. Thank you,  
4 Josie.

5 MEMBER BEACH: Yes.

6 CHAIRMAN MELIUS: Any questions on  
7 Josie's report?

8 (No audible response)

9 CHAIRMAN MELIUS: I would just add that  
10 it is something that we're going to bring back to  
11 the Board at the March meeting and we'll schedule  
12 more extensive time and give people time to read  
13 the various background reports and so forth. It's  
14 a complicated situation to go through and we didn't  
15 feel it could be dealt with easily on the phone.  
16 And plus, the Work Group wasn't ready to really make  
17 a recommendation yet. In fact, we had just gotten  
18 some of the reports of information a couple of days  
19 before our Work Group meeting, not from lack of  
20 effort on the part of NIOSH and SC&A, but just  
21 timing issues and access issues there. So you will  
22 hear more about this at our March meeting.

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1                   MEMBER BEACH: So, Jim, I did forget to  
2 mention also; this would be part of the report, we  
3 are going back to Idaho next week. Most of us will  
4 be there bright and early Monday morning. Some of  
5 you from the East Coast might be a little late. But  
6 we are planning another round of interviews and  
7 data capture.

8                   CHAIRMAN MELIUS: Yes.

9                   MEMBER BEACH: So that is happening.

10                  MR. KATZ: Right. And this is Ted.  
11 Let me just also add that I'll get the court  
12 reporter, who's on the line, but the company to  
13 expedite the transcript from that March 1 Work  
14 Group meeting so that all the Board Members have  
15 that in hand as well. I think that would be  
16 helpful.

17                  MEMBER BEACH: Yes, I think it would be  
18 helpful, too. And it will be out, I'm sure, the  
19 Friday --

20                               (Simultaneous speaking)

21                  MR. KATZ: Oh, of course. I mean, that  
22 should be ready in any event.

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1 MEMBER BEACH: Yes.

2 MR. KATZ: But I mean, the March 1 is  
3 actually a shorter time frame than the contract for  
4 the transcripts.

5 MEMBER BEACH: Yes.

6 MR. KATZ: But they have a means of  
7 expediting these.

8 MEMBER BEACH: Yes, I just wanted to  
9 add that that would be an important one to review  
10 also.

11 MR. KATZ: Sure.

12 MEMBER BEACH: Thanks, Ted.

13 MEMBER ZIEMER: Josie, I have a  
14 question. This is Ziemer.

15 MEMBER BEACH: Okay.

16 MEMBER ZIEMER: I just wanted to follow  
17 up. Maybe this question should go to NIOSH, but  
18 I know that Tim Taulbee mentioned those 18 claims  
19 that they were going to follow up when he reported  
20 at the meeting in November. Now, what are the  
21 status -- did I miss -- what's the status of those  
22 18 claims that they were following up on?

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1                   MEMBER BEACH: I can answer that, but,  
2 Tim, did you want to just go ahead and summarize?  
3 And then Bob, if Bob's on the phone, he could  
4 summarize as well. Those have all been rectified.

5                   MEMBER ZIEMER: Oh, they have? Okay.  
6 That's what I wondered.

7                   CHAIRMAN MELIUS: Yes, that  
8 information was available for the worker, but there  
9 is a redacted report that is out. It actually came  
10 out last Friday, the day of our meeting, our Work  
11 Group meeting, that has some of this information.  
12 There's a lot of Privacy Act issues with giving some  
13 of the details in there, but there is a redacted  
14 report out that should be available on the web site  
15 now that has that information.

16                  MR. KATZ: Yes, I can circulate that to  
17 the rest of the Board. I can do that now after the  
18 meeting.

19                  MEMBER ZIEMER: Yes, that's fine. I  
20 just wondered what the status was. I didn't need  
21 the specifics right now.

22                  CHAIRMAN MELIUS: Yes, and there's

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1 also a non-redacted report that I assume will still  
2 be available on --

3 MEMBER BEACH: K: drive.

4 CHAIRMAN MELIUS: Yes, on the K: drive.  
5 Yes. Try and remember my alphabet.

6 (Laughter)

7 CHAIRMAN MELIUS: So, but thank you.

8 Okay. Next item on our agenda is the  
9 highlight of our meeting, as always. LaVon  
10 Rutherford.

11 **SEC Petition Status Update**

12 MR. RUTHERFORD: Thank you, Dr.  
13 Melius. This is LaVon Rutherford. I will give a  
14 brief update on what we've got planned for March.

15 We only have a couple of new Evaluation  
16 Reports to present at the March Advisory Board  
17 meeting. We'll be presenting Argonne National Lab  
18 West. That's a Class that's evaluated from 1951  
19 to 1979, all workers. That Evaluation Report is  
20 in internal review and on schedule to be released  
21 to the Board about a month before the scheduled  
22 meeting.

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1           The other report is Lawrence Livermore  
2 National Lab, and that Class is all employees from  
3 1974 to 1995. And that report is scheduled to go  
4 through internal review later this week, but we  
5 expect to have that report to the Board sometime  
6 about a month before the March meeting.

7           But those are the only two reports that  
8 we plan to present for the March meeting. And no  
9 addenda, no other reports are planned. Any  
10 questions?

11           CHAIRMAN MELIUS: LaVon, we did hear  
12 you say 30 days, correct?

13           MR. RUTHERFORD: Excuse me? Yes,  
14 about --

15           CHAIRMAN MELIUS: Yes.

16           MR. RUTHERFORD: Each report will be  
17 out about a month before, or 30 days before the  
18 March meeting. So both the Lawrence Livermore  
19 National Lab and the Argonne National Lab West  
20 reports will be out about 30 days prior to the  
21 meeting.

22           CHAIRMAN MELIUS: Okay. Any

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1 questions for LaVon?

2 (No audible response)

3 CHAIRMAN MELIUS: If not, we'll move on  
4 to Subcommittee and Work Group reports. And we do  
5 this by volunteer. Why don't we start with  
6 Subcommittee? Wanda?

7 **Update from Workgroups and Subcommittees**

8 MEMBER MUNN: Okay. This is Wanda.  
9 Our Procedures Subcommittee has not met for several  
10 months. We are scheduled to meet on February the  
11 24th. That's a Wednesday. So at the end of next  
12 months.

13 We have a number of carryover items from  
14 our last meeting. And Kathy has provided us with  
15 a list of active findings which shows that we have  
16 total active findings right of about 50. We will  
17 be addressing some of those, but only those that  
18 we have already addressed in one way or another.  
19 So we'll have a better report for you when we meet  
20 in March.

21 CHAIRMAN MELIUS: Okay. Thank you.  
22 Dave Kotelchuck?

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1       **Dose Reconstruction Committee**

2                           MEMBER       KOTELCHUCK:                   Dose  
3       Reconstruction Review?

4                           CHAIRMAN MELIUS:    Yes.

5                           MEMBER KOTELCHUCK:    We last met on  
6       December 1st and we discussed the blind reviews in  
7       more and in great detail, the draft report to the  
8       HHS Secretary.    That took most of the meeting.  
9       There were a number of pieces of data that we wanted  
10      to gather, for example, on female employment and  
11      female claims in the report.    That has been put  
12      together by various folks in NIOSH and SC&A and  
13      ORAU.

14                          So I am working on that report now and  
15      I hope to finish the revisions by this weekend.    So  
16      I'm hoping that we can get this out to the Board  
17      within the week and folks will have plenty of time  
18      to look it over and make suggestions on that draft  
19      at the March meeting.

20                          CHAIRMAN MELIUS:    And we will schedule  
21      time for doing that, but if people could try to get  
22      any comments into Dave beforehand also --

23                          MEMBER KOTELCHUCK:    Very good.

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1 CHAIRMAN MELIUS: -- and share them I  
2 think with the rest of the Board so we understand  
3 the significant concerns people may have about the  
4 report.

5 MEMBER KOTELCHUCK: Right.

6 CHAIRMAN MELIUS: The draft. Good.

7 MEMBER KOTELCHUCK: Good.

8 CHAIRMAN MELIUS: Thank you, Dave.

9 MEMBER KOTELCHUCK: Yes. We are  
10 meeting also on -- just to say our next meeting is  
11 February 10th.

12 CHAIRMAN MELIUS: Okay.

13 **Rocky Flats Work Group**

14 MEMBER KOTELCHUCK: That's Rocky  
15 Flats. Pardon me. Pardon me. We have our  
16 meeting scheduled for -- our next meeting  
17 scheduled. Let me look it up.

18 MEMBER BEACH: It's February 10th,  
19 Dave.

20 MEMBER KOTELCHUCK: It is February  
21 10th?

22 MEMBER BEACH: Yes.

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1                   MEMBER KOTELCHUCK: Okay. I thought I  
2 had confused it with the Rocky Flats meeting.  
3 Okay.

4                   CHAIRMAN MELIUS: Good. Thanks.

5                   MEMBER KOTELCHUCK: Yes.

6                   CHAIRMAN MELIUS: Any Work Group  
7 chairs wish to make reports?

8                   MEMBER KOTELCHUCK: Well, Dave again.  
9 Maybe on Rocky Flats. We do not have a meeting of  
10 the Work Group scheduled. LaVon and NIOSH folks  
11 have done an updated report on tritium. They have  
12 written a draft of a response letter to the  
13 claimants, and we are fundamentally waiting for  
14 data on the critical mass lab. LaVon and we had  
15 hoped that he would be able to go over the data in  
16 January, but unfortunately it will not be available  
17 until February. So that is delaying our final  
18 decision on Rocky Flats. As soon as we get the  
19 critical mass lab data and have an update on that,  
20 we will schedule a Rocky Flats meeting.

21                   CHAIRMAN MELIUS: Thanks, Dave.

22                   LaVon, do you have anything to add?

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1                   MR. RUTHERFORD: Yes, I would like to  
2                   add that the February trip is actually just a data  
3                   capture trip itself. It was originally scheduled  
4                   for January. The site was unable to support us  
5                   until February. So we'll go through the documents  
6                   in February. I think Ron Buchanan with SC&A is  
7                   planning on attending. And we'll go through that  
8                   data, pick what we want. And then it will be up  
9                   to get the site to release that information. So  
10                  I wouldn't expect that information to be released  
11                  until February, but I do expect that we will be able  
12                  to get the report updated and have a Work Group  
13                  meeting prior to the following Board meeting in  
14                  August.

15                  CHAIRMAN MELIUS: Okay. Good. Yes,  
16                  no, I also read it. Ted and I were corresponding  
17                  yesterday and I sort had heard some of that. So  
18                  we'll not be able to talk about Rocky Flats in the  
19                  March meeting.

20                  MEMBER KOTELCHUCK: No.

21                  CHAIRMAN MELIUS: Any other Work Group  
22                  chairs with updates?

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1 (No audible response)

2 CHAIRMAN MELIUS: Between the holidays  
3 and -- the last meeting wasn't that long ago, so  
4 I don't think we've had that many meetings or  
5 anything to update.

6 **Plans for the March 2016 Board Meeting**

7 So, okay. If not, then the next item  
8 on our agenda is the next meeting. So, Ted, do you  
9 want to --

10 (Simultaneous speaking)

11 MR. KATZ: Sure. Let me just update  
12 you all on where and how things like for that. It's  
13 a little bit out still.

14 But we're planning to meet. They're  
15 pinning down a hotel. CDC's pinning down a hotel  
16 right around now, actually, for the Tampa area. So  
17 it will be there. And to remind everyone, the  
18 dates we're looking at are March 23rd-24th.

19 The agenda as it looks right now is  
20 about a day-and-a-half, depending on how things  
21 hold up. We have all the usual business.

22 We'll have a session on NIOSH dose

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1 reconstruction reviews, the methods issue. And  
2 then we'll need to add to that some time also to  
3 discuss the report to the Secretary on dose  
4 reconstructions. So those two go nicely together.

5 As LaVon mentioned, we have Lawrence  
6 Livermore SEC and Argonne National Laboratory  
7 West. Those are new presentations from NIOSH for  
8 the Board.

9 And then we expect, I think, the  
10 Pinellas Site Profile review to be completed then.  
11 We hope for it to be so we have some time for that.

12 Idaho National Laboratory, of course,  
13 which we've discussed today. That will be on the  
14 agenda.

15 And then one that is a little bit more  
16 uncertain at this point because we don't yet have  
17 the SC&A report in hand to know what kind of slog  
18 that will be for the Work Group, but as you recall  
19 we've had a Carborundum SEC. The Board acted on  
20 part of it and there's a piece remaining, I think  
21 the residual period. And SC&A is doing a review.  
22 It's just about finished with that. So that should

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1 be coming to the Board soon and the Work Group, but  
2 then the Work Group will have to work through  
3 whatever material is there, issues to resolve for  
4 that.

5 So at this point have that scratched in  
6 tentatively on the agenda. Whether it survives or  
7 not depends on how much work there is for the Work  
8 Group to do, and how quickly they can get it done.

9 And that covers what I expect for Tampa.

10 CHAIRMAN MELIUS: Which is probably  
11 more important for the Board Members is that we're  
12 estimating that to be about a day-and-a-half  
13 meeting.

14 MR. KATZ: Right.

15 CHAIRMAN MELIUS: So all day on the  
16 23rd and half a day on the 24th.

17 MR. KATZ: Right. Correct.

18 CHAIRMAN MELIUS: If that helps people  
19 in terms of the planning and so forth.

20 Any questions on that or anything to add  
21 or subtract from the agenda?

22 (No audible response)

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1 CHAIRMAN MELIUS: Okay. If not, I  
2 don't think we have any further business today.  
3 Thank you, everybody, for --

4 (Simultaneous speaking)

5 MEMBER CLAWSON: Hey, Jim?

6 CHAIRMAN MELIUS: Yes.

7 MEMBER CLAWSON: This is Brad. I was  
8 just wondering from the NIOSH standpoint of Sam  
9 Glover's sites, I was wondering who's kind of  
10 replacing him on some of these sites.

11 MR. HINNEFELD: This is Stu. I'll see  
12 if I can remember. Lawrence Livermore is going to  
13 be Mark Rolfes. Hanford is going to be Chuck  
14 Nelson. Let's see, where else do we have him  
15 involved?

16 MR. RUTHERFORD: Sandia National Labs  
17 are both Chuck Nelson.

18 MR. HINNEFELD: Okay.

19 MEMBER CLAWSON: Who's got Los Alamos  
20 and Sandia?

21 MR. RUTHERFORD: Yes, Los Alamos  
22 National Lab is Greg Macievic.

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1 MEMBER CLAWSON: Okay.

2 MR. RUTHERFORD: Yes, the Sandias are  
3 Chuck Nelson.

4 MEMBER CLAWSON: Okay. So that will  
5 be Chuck Nelson? Okay. Yes, I just wanted to know  
6 who the point of contact kind of was.

7 CHAIRMAN MELIUS: Thanks, Brad.  
8 Anything else from -- again, if not, we'll see  
9 everybody in the Tampa area in March or at Work  
10 Group or Subcommittee meetings in between.

11 MEMBER BEACH: Sounds good.

12 CHAIRMAN MELIUS: Thank you, all, and  
13 enjoy the rest of the winter.

14 MR. KATZ: Thanks, everybody.

15 CHAIRMAN MELIUS: Okay.

16 (Whereupon, the above-entitled matter  
17 went off the record at 11:32 a.m.)

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