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NATIONAL INSTITUTE FOR OCCUPATIONAL  
SAFETY AND HEALTH

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ADVISORY BOARD ON RADIATION AND  
WORKER HEALTH

+ + + + +

113th MEETING

+ + + + +

TUESDAY  
OCTOBER 4, 2016

+ + + + +

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

## PRESENT:

JAMES M. MELIUS, Chairman  
HENRY ANDERSON, Member  
JOSIE BEACH, Member  
BRADLEY P. CLAWSON, Member  
R. WILLIAM FIELD, Member  
DAVID KOTELCHUCK, Member  
RICHARD LEMEN, Member  
JAMES E. LOCKEY, Member  
WANDA I. MUNN, Member  
JOHN W. POSTON, SR., 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

## REGISTERED AND/OR PUBLIC COMMENT PARTICIPANTS

ADAMS, NANCY, NIOSH Contractor  
AL-NABULSI, ISAF, DOE  
BARRIE, TERRIE  
BARTON, BOB, SC&A  
FITZGERALD, JOE, SC&A  
HINNEFELD, STU, DCAS  
KINMAN, JOSH, DCAS  
KOTSCH, JEFF, DOL  
LIN, JENNY, HHS  
MCKEEL, DAN  
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

11:01 a.m.

MR. KATZ: So let's get started. This is the Advisory Board on Radiation and Worker Health, our teleconference between face-to-face meetings. The agenda for today is on the NIOSH website, not a lot of materials, although we're going to be discussing the dose reconstruction report at some point, and that is not yet posted but will get posted late to the website so people can, if you're interested, you can go look at that after our discussion.

**Roll Call**

Roll call, onto roll call. We don't have any conflict of interest actions, related actions today, any actions where a Board Member had a conflict, so I don't need to run through the Board Members conflicts for this call, but -- and I have Dr. Melius here.

I'm just going to run through the rest of -- I've also got Dr. Kotelchuck here and Ms. Munn. Dr. Poston notified me that he won't be able

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1 to make this meeting, and I'll run through the rest  
2 of roll.

3 (Roll call)

4 MR. KATZ: Let me remind everyone on  
5 the phone, please mute your phones except when  
6 you're addressing your group. If you don't have  
7 a mute button, press \*6 to mute your phone, and you  
8 press \*6 again to take yourself off mute. Dr.  
9 Melius?

10 **Welcome**

11 CHAIRMAN MELIUS: Okay, thank you.  
12 Welcome, everybody, and I'll start the agenda by  
13 turning it back over to Ted for the final tally from  
14 our August Board meeting vote.

15 **August Board Meeting Final Vote Tallies**

16 MR. KATZ: Right, thank you. So at the  
17 August Board meeting, we had two completed actions  
18 by the Board on SECs, one for Blockson Chemical  
19 Company. These are both for residual periods for  
20 Blockson Chemical Company and Westinghouse  
21 Electric Company.

22 And for both of these sites, we received

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1 the final votes from September 19, two absentee  
2 votes, Dr. Richardson and Dr. Lemen, and both of  
3 those votes were then unanimous concurring with  
4 NIOSH that for those residual periods, dose  
5 reconstruction is feasible.

6 And we read the letter written for  
7 Blockson at the August Board meeting. We have  
8 prepared the Westinghouse letter since then. Dr.  
9 Melius, do you want to read it in? Do you want me  
10 to read it in?

11 CHAIRMAN MELIUS: I can read it in.

12 MR. KATZ: Okay. Super.

13 CHAIRMAN MELIUS: You sent me the right  
14 copy here.

15 MR. KATZ: Right.

16 CHAIRMAN MELIUS: Okay, the Advisory  
17 Board on Radiation and Worker Health, the Board has  
18 completed its evaluation of Special Exposure  
19 Cohort Petition 00217 concerning workers at the  
20 Westinghouse Electric Corporation in Bloomfield,  
21 New Jersey under the statutory requirements  
22 established by the Energy Employees Occupational

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1       Illness Compensation Program Act of 2000,  
2       incorporated into 42 CFR 83.13.

3               The National Institute for  
4       Occupational Safety and Health, NIOSH, has  
5       recommended that individual dose reconstructions  
6       are feasible for all Atomic Weapons Employees who  
7       worked in any area of the Westinghouse Electric  
8       Corporation in Bloomfield, New Jersey during the  
9       time period from January 1, 1950 through January  
10      31, 1958; June 1, 1958 through May 31, 1959; and  
11      July 1, 1959 through April 30, 2000.

12              NIOSH found that it has access to  
13      adequate exposure monitoring and other information  
14      necessary to do individual dose reconstructions  
15      with sufficient accuracy for members of this group,  
16      and therefore a Class covering this group should  
17      not be added to the SEC. The Board concurs with  
18      this determination.

19              Based on these considerations and the  
20      discussion at the August 9 and 10, 2016 Board  
21      meeting held in Idaho Falls, Idaho, the Board  
22      recommends that this Class not be added to the SEC.

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1 Enclosed is documentation of the Board meeting  
2 where this SEC Class was discussed.

3 This documentation includes copies of  
4 the petition, the NIOSH review thereof, and related  
5 materials. If any of these items are unavailable  
6 at this time, they will follow shortly.

7 **Bliss and Laughlin Steel SEC Petition**

8 Okay, so the next item on our agenda is  
9 the Bliss & Laughlin Steel for SEC petition, and  
10 this is the one we presented and talked about at  
11 the August Board meeting, but we had several Board  
12 Members that needed to leave during that time  
13 period, so by the time we got ready to take action,  
14 we did not have a quorum, so we postponed any  
15 further action on that until we got to this meeting.

16 And so we'll start first with Jim Neton  
17 who made his presentation at the August Board  
18 meeting. We'll give an update on that, and I think  
19 -- I'm not sure these are quite the same set of  
20 overheads or PowerPoints that Jim did there, but  
21 it's something similar, and he's going to sort of  
22 walk us through that and then summarize where we

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1 are. So, go ahead, Jim.

2 DR. NETON: Okay, thank you, Dr.  
3 Melius. This is a brief presentation. I want to  
4 try to go through it somewhat quickly, but I will  
5 certainly answer any questions that come up during  
6 the presentation.

7 This is SEC 230. It's the same  
8 presentation that I gave at the Board meeting in  
9 Idaho except for slides 11 and 12, which are the  
10 methodology for reconstructing internal/external  
11 dose.

12 They were changed slightly, although  
13 not really significantly as far as dose is  
14 concerned, and I'll talk about that when I get to  
15 those two slides. Otherwise, all of the slides are  
16 the same, and all of you should have a copy of this.  
17 I believe Ted distributed it about a week ago or  
18 so.

19 A little bit of -- I'll go on to the  
20 second slide, which is a background slide. Bliss  
21 & Laughlin is located in Lackawanna, New York.  
22 It's not a huge building, 129,000 square feet.

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1 That's essentially the size, length and width of  
2 a football field, a little bigger than that. So  
3 all of the work that was conducted at this facility  
4 was done in 3,230 square foot special finishing  
5 area, which is only about two-and-a-half percent  
6 of the total area of the building.

7 In 1992, a Residual Contamination  
8 Survey was done by ORISE, and they found  
9 contamination within the special finishing area,  
10 but nowhere else on the site. All of their  
11 buildings were not found to be contaminated. That  
12 caused the site to be added to the Formerly Utilized  
13 Sites Remedial Action Program, the so-called  
14 FUSRAP program, to put it on the list for  
15 remediation.

16 In 1995, another FUSRAP site survey was  
17 conducted by Bechtel. I think this was in  
18 preparation for doing the remediation, and they  
19 pretty much confirmed what ORISE discovered in  
20 1992, although the 1995 survey was much, much more  
21 detailed, and we'll talk about that a little later.

22 Going on to slide three, there was a

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1 Special Exposure Cohort petition evaluated for  
2 this site back in 2009. That was SEC 131. It  
3 covered the operational periods of 1951 and '52,  
4 and a residual contamination period of '53 to '98.  
5 I'll remind people the operational period was a  
6 pretty small scale project. It only involved five  
7 days of machining and straightening uranium rods,  
8 one day in April and four days in September-October  
9 of 1952.

10 The Evaluation Report looked at all  
11 workers, and NIOSH found that we could estimate  
12 dose with sufficient accuracy. The Board  
13 concurred with that recommendation and did  
14 recommend to the Secretary to add the Class, which  
15 was added in June of 2011.

16 Subsequent to that Evaluation Report,  
17 SEC 131, research showed the remediation  
18 activities actually occurred into 1999, so the site  
19 -- the residual period originally that was  
20 evaluated in SEC 131 ended in '98. There was an  
21 additional three months of remediation activity  
22 that occurred in 1999. That will be important when

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1 we talk about this next petition.

2 The petition SEC 230, moving on to slide  
3 four, was received in March of this year, and  
4 petitioned for all workers at Bliss & Laughlin from  
5 January 1, '51 through January 31, 1999. That  
6 included a piece of this new three month period that  
7 was not really discussed or voted on in the original  
8 SEC period, so that ended up qualifying the Class  
9 -- or not qualifying the Class, qualifying the  
10 petition for evaluation.

11 So we ended up evaluating, in SEC  
12 petition 230, all employees who worked from January  
13 1, 1999 through December 31, 1999. I said the work  
14 only occurred in three months of that first part  
15 of the year, but the way the residual contamination  
16 period was added was for the entire year, but really  
17 only three months of work were conducted in that  
18 one year.

19 Moving on to slide five, it's our  
20 standard slide about the number of workers involved  
21 here. There were 54 total claims for Bliss &  
22 Laughlin as of June. Ten had employment during

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1       this January 1, 1999 through December 31, 1999  
2       period, and the slide said nine dose  
3       reconstructions have been done. I checked the  
4       record this morning, and all ten of those have now  
5       been completed. And as usual with most residual  
6       contamination periods, we don't have any dosimetry  
7       records.

8                Okay, a little bit about the FUSRAP  
9       remediation that occurred in those three months in  
10      1999, it was done by the U.S. Army Corps of  
11      Engineers, scheduled on weekends. It started  
12      December 19 of 1998, just towards the end of '98,  
13      and was completed in March of 1999.

14               They remediated the Special Finishing  
15      Area I talked about, that little two-and-a-half  
16      percent area that's in the middle of the plant, and  
17      they remediated the floors, the trusses, and  
18      utility trench.

19               They did air monitoring throughout this  
20      entire operation prior to, during, and after the  
21      work activities, and there were samplers adjacent  
22      to the Special Finishing Area to make sure to

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1 monitor plant worker exposures. The FUSRAP  
2 closure report said no exposures occurred for plant  
3 workers.

4           Going on to slide seven, remediation  
5 activities, the overhead trusses were done on the  
6 weekend of December 18-19. The nearby equipment  
7 was covered. The trusses were vacuumed, and a  
8 Confirmation Survey was done in March of 1999.

9           On slide eight, the remediation  
10 activities for the floor in the Special Finishing  
11 Area occurred on the weekend of January 9 and 10.  
12 They did all of the work inside an enclosure with  
13 HEPA filtration. The floor was scabbled using a  
14 HEPA vacuum to remove the dust and debris, and it  
15 was resurveyed in March.

16           The trench in the floor began  
17 remediation on January 2. It was completed March  
18 13. And again, the work was performed inside an  
19 enclosure with HEPA filters. The trench was  
20 scabbled and jackhammered, and again using a HEPA  
21 vacuum. The confirmation surveys were also done  
22 in March. That remediation activity resulted in

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1 about 60 cubic yards of presumed contaminated  
2 material shipped offsite.

3 The feasibility determination, based  
4 on the information we have that the covered  
5 employees were not present for the remediation  
6 activities, and operations were conducted in hoods  
7 with HEPA filtration, and air sampling performed  
8 that showed no elevated readings, we concluded that  
9 exposure for this period would not be any higher  
10 than what we had previously evaluated during the  
11 previous annual residual contamination period, so  
12 we believe that dose reconstruction is feasible.

13 Slide 10 talks about how we're going to  
14 do that. The inhalation exposures between 1953  
15 and 1990 in the original Appendix D of the TBD talks  
16 about basing the estimated work contamination  
17 using the work contamination of '53 and the highest  
18 removal alpha activity found in 1992, which was 430  
19 dpm per 100 square centimeters.

20 That derives a contamination depletion  
21 factor of  $1.88E-4$  per day. So we can assume that  
22 that 430 -- we assume that that 430 dpm per 100

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1 square centimeters that was surveyed in 1992 was  
2 also there in 1999 during the remediation period.

3 So onto slide 11, it essentially says  
4 that, that the entire area was considered to be 430  
5 dpm removable, this was not -- 430 was not measured  
6 throughout the entire special area, but only in  
7 certain spots, but we'll assume that that was  
8 present throughout that entire area.

9 Using a standard resuspension factor of  
10  $1E-6$  in an eight-hour workday, we will assume that  
11 -- not assume but determine that there was an  
12 inhalation potential in 1999 of 2.88 dpm per day.  
13 That would correspond to an ingestion impact intake  
14 of 1.1 dpm per day. That number is slightly  
15 different than the one that was presented at the  
16 Board meeting.

17 That was because this is sort of a  
18 legacy issue with the application of TIB-9, as  
19 we've seen at other sites. I went back and checked  
20 the calculation and modified it to be in compliance  
21 with the correct usage of TIB-9, so that number is  
22 a little -- it's higher, but it's still a fairly

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1 small ingestion rate of 1.1 dpm per day.

2 Moving onto slide 12, which is the  
3 bounding method for external exposures, the  
4 beta/gamma survey that was done in 1995 was a pretty  
5 detailed survey by Bechtel. They did what they  
6 call a five point survey.

7 They did every corner of a square meter  
8 and then a point in between, which ended up with  
9 733 contamination measurements taken in that  
10 little small area. The 50th percentile of those  
11 measurements was 489 dpm per 100 square centimeters  
12 with the 95th percentile at 1731 dpm per 100 square  
13 centimeters.

14 They did detect some hot spots. The  
15 highest hot spot detected was 280,000 dpm per 100  
16 square centimeters, which they zoomed in on it. It  
17 was much smaller than the square meter they  
18 measured. It was a spot very much near where one  
19 of the grinding machines had processed some of the  
20 uranium. But again, there were ten spots and  
21 280,000 was the highest.

22 If we use a beta dose conversion factor

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1 out of TBD-6000, that is 3.82E-08 millirad per hour  
2 per dpm alpha per square meter, you end up with an  
3 external beta dose, essentially a skin dose, of 3.7  
4 millirad per year if you use the 50th percentile,  
5 or 13.2 millirad per year if you use the 95th  
6 percentile.

7 Using a similar conversion factor  
8 that's in TBD-6000, photon exposures are much lower  
9 than that, and the numbers on slide 12 indicate that  
10 at 0.04 millirem per year at the 50th percentile  
11 and 0.14 millirem per year at the 95th percentile.

12 So these numbers are fairly small.  
13 They're an extension of what would be used for the  
14 earlier residual contamination period. Going  
15 onto slide 13, given that, we believe that dose  
16 reconstruction is feasible for all forms of  
17 exposure at the site in that three-month period in  
18 1999, with the exception that we don't believe  
19 neutrons are applicable, so we wouldn't  
20 reconstruct neutron exposures, but everything  
21 else, we would.

22 That concludes my formal remarks.

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1 I'll answer any questions if there are any.

2 CHAIRMAN MELIUS: Any questions for  
3 Jim Neton?

4 MEMBER MUNN: No. Well done.

5 CHAIRMAN MELIUS: Okay, I don't know if  
6 we have a motion pending or what. Ted, do you  
7 remember what we have?

8 MR. KATZ: Yes, we did have a motion  
9 because we actually attempted a vote before we  
10 learned that we didn't have a quorum.

11 CHAIRMAN MELIUS: Yes, I think we were  
12 losing people as we got into the vote part of it.

13 MR. KATZ: Right.

14 CHAIRMAN MELIUS: So I believe the  
15 motion was to, you know, essentially agree with  
16 NIOSH's conclusion that dose reconstruction was  
17 feasible for Bliss & Laughlin Steel during the time  
18 period of January 1, 1999 through December 31,  
19 1999.

20 MR. KATZ: Correct, so I'll take the  
21 roll.

22 CHAIRMAN MELIUS: Yes.

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1 MR. KATZ: I'll do this  
2 alphabetically. Dr. Anderson?

3 MEMBER ANDERSON: Yes.

4 MR. KATZ: Ms. Beach?

5 MEMBER BEACH: Yes.

6 MR. KATZ: Mr. Clawson? Brad? I'll  
7 come back to Brad. Dr. Field?

8 MEMBER FIELD: Yes.

9 MEMBER CLAWSON: Can you hear me now?

10 MR. KATZ: Oh, there, I hear you, Brad.

11 MEMBER CLAWSON: Yes, sorry, my phone  
12 may have stopped.

13 MR. KATZ: That's all right. Thanks,  
14 Brad. Dr. Kotelchuck?

15 MEMBER KOTELCHUCK: Yes.

16 MR. KATZ: Dr. Lemen?

17 MEMBER LEMEN: Yes, sir.

18 MR. KATZ: Dr. Lockey?

19 MEMBER LOCKEY: Yes.

20 MR. KATZ: Dr. Melius?

21 CHAIRMAN MELIUS: Yes.

22 MR. KATZ: Ms. Munn?

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1 MEMBER MUNN: Yes.

2 MR. KATZ: Dr. Poston?

3 MEMBER POSTON: Yes.

4 MR. KATZ: Dr. Richardson?

5 MEMBER RICHARDSON: Yes.

6 MR. KATZ: Dr. Roessler?

7 MEMBER ROESSLER: Yes.

8 MR. KATZ: Mr. Schofield?

9 MEMBER SCHOFIELD: Yes.

10 MR. KATZ: Ms. Valerio?

11 MEMBER VALERIO: Yes.

12 MR. KATZ: And Dr. Ziemer?

13 MEMBER ZIEMER: Yes.

14 MR. KATZ: So it's unanimous, and all  
15 attending, the motion passes.

16 CHAIRMAN MELIUS: Okay, and I will read  
17 the letter into the record. Prepare to, again, it  
18 will sound familiar. The Advisory Board on  
19 Radiation and Worker Health, the Board has  
20 completed its evaluation of Special Exposure  
21 Cohort Petition 00230 concerning workers at Bliss  
22 & Laughlin Steel in Buffalo, New York under the

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1 statutory requirements established by the Energy  
2 Employees Occupational Illness Compensation  
3 Program Act of 2000, incorporated into 42 CFR  
4 83.13.

5 The National Institute for  
6 Occupational Safety and Health, NIOSH, has  
7 recommended individual dose reconstructions are  
8 feasible for all Atomic Weapons Employees who  
9 worked in any area at the Bliss & Laughlin Steel  
10 site in Buffalo, New York during the period from  
11 January 1, 1999 through December 31, 1999.

12 NIOSH found that it has access to  
13 adequate exposure monitoring and other information  
14 necessary to do individual dose reconstruction  
15 with sufficient accuracy for members of this group,  
16 and therefore a Class covering this group should  
17 not be added to the SEC. The Board concurs with  
18 this determination. Based on these  
19 considerations and the discussion at the August 9  
20 and 10, 2016 Board meeting held in Idaho Falls,  
21 Idaho, and the Board meeting held by conference  
22 call on October 4, 2016, the Board recommends that

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1 this Class not be added to the SEC.

2 Enclosed is the documentation from the  
3 Board meeting where this SEC Class was discussed.  
4 The documentation includes copies of the petition,  
5 the NIOSH review thereof, and related materials.  
6 If any of these items are unavailable at this time,  
7 they will follow shortly. So it took us two  
8 meetings to get through that one, but it's done.

9 **Dose Reconstruction Review Report to HHS**

10 Okay, then the next item on our agenda  
11 is the report to HHS. And the middle of last week  
12 or the end of last week, I can't remember exactly  
13 when, I circulated a revised report that  
14 incorporated nearly all of your suggestions and  
15 comments that we received from everyone.

16 I think they're all, they're good  
17 comments, and helpful, and to that end  
18 surprisingly, I think we only had one or two that  
19 were somewhat in conflict, so I'd say they  
20 generally were incorporated. Thanks to Dave  
21 Kotelchuck and everybody else who worked on the  
22 report, and again, all of you that submitted

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1        comments.

2                    I also included in that a draft, and  
3        this is, I think, the first draft that we've  
4        circulated, a letter to the Secretary.     We  
5        transmit the report, but also it attempts to do a  
6        brief summary, essentially an executive summary of  
7        the report with some background and then, you know,  
8        a brief summary of our conclusions.

9                    I don't think we want to try to edit the  
10       report or the letter, for that matter, over the  
11       phone.    I think we would like to take comments on  
12       it.        There are probably still some other  
13       corrections we need to make, and certainly, though,  
14       the letter is open to review since everybody's --

15                    This is the first time everyone has seen  
16       the letter, and I'd be certainly interested if you  
17       think we need to be more expansive or less expansive  
18       with that summary, but it's a little hard to -- I  
19       tried to sort of be on the sort of the short side  
20       in terms of writing up the conclusions because  
21       really I don't think we have sort of the space.

22                    To do a longer summary I think sort of

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1       defeats the purpose of doing the letter, and I'm  
2       not sure that all of the data that was compiled in  
3       the report is of, you know, interest to the  
4       Secretary or the Secretary's office, but open to  
5       comments on that issue. And also, I think what  
6       we'd like to do is set some deadlines for people  
7       getting additional comments back to us for that.

8               I did discover one interesting piece of  
9       information is that we've -- in our report and some  
10      of our previous correspondence about this  
11      Subcommittee, we had about five or six different  
12      names for it, so Ted became our official records  
13      keeper and checked and found out what the official  
14      name is in the charter was for the Subcommittee.

15             MEMBER MUNN: That's correct.

16             CHAIRMAN MELIUS: Yes, so I at least  
17      tried to correct that in the report for that. So  
18      any comments on the letter or the report at this  
19      point?

20             MEMBER MUNN: This is Wanda. I have a  
21      couple of comments. One, I agree with you with  
22      respect to the summary to the letter. That, in my

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1 view, was very well done. The entire report is  
2 also in my view looking quite good.

3 I have one comment that I believe I have  
4 made before. I feel it's necessary to make it  
5 again, and that is the final item in our  
6 recommendations. I'm a little concerned over the  
7 fact that we operate in a world of incomplete  
8 information and statistics and computer models  
9 which are by definition flawed, and for us to  
10 approach the potential attempt to eliminate  
11 judgment of properly trained qualified  
12 professionals is a matter which needs to be handled  
13 very delicately.

14 These are folks who have information  
15 that is the best we can get and must be called upon  
16 to make some judgments. It's wise I think to  
17 approach it, but I think it needs to be handled very  
18 delicately and very carefully.

19 I personally am extremely reliant on  
20 the judgment of people who have been trained to do  
21 this, and I rely on that training to be good and  
22 complete, and on the individuals to be fair and

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1 unbiased.

2 So I don't have any comment with respect  
3 to the wording of the recommendation. I just feel  
4 this Board should be very cautious as we approach  
5 that.

6 CHAIRMAN MELIUS: I agree with you, and  
7 I think in certainly our discussions in the Work  
8 Group, and I believe otherwise, we've emphasized  
9 that. We're not sort of questioning the integrity  
10 or the background knowledge of the people doing the  
11 dose reconstructions, nor are we assuming that they  
12 are wrong in what they are doing. We just have an  
13 obligation to evaluate that and assure that they  
14 are doing the dose reconstruction correctly.

15 And so, I mean that's, I think, the  
16 spirit that we've always done with this program,  
17 and I think with the recognition that this is a,  
18 you know, there's not always sufficient  
19 information or information that's -- all of the  
20 information that would be helpful to have is not  
21 always available, so I think I agree with that. I  
22 think most of the Board members agree with you on

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1           that, Wanda. Any other comment?

2                         MEMBER ANDERSON: This is Andy. I  
3           thought the summary was great. That was really the  
4           only thing I had to recommend in the last go around,  
5           and I think the letter and the summary and the  
6           report now fit together very nicely.

7                         MEMBER RICHARDSON: This is David  
8           Richardson. In the, well, I guess there's a one  
9           sentence final paragraph, but the paragraph  
10          preceding that in the letter, I wondered about the  
11          -- the first sentence in that paragraph says there  
12          are 232 individuals whose dose reconstructions  
13          were reviewed.

14                        There were 626 findings and 22, four  
15          percent, were judged to have potential for impact  
16          on the dose reconstruction. There are various  
17          ways of calculating that four percent, and I think  
18          it's sort of calculated from our perspective of  
19          like the Subcommittee which was interested in  
20          findings and classification of findings into  
21          different groups.

22                        But I wonder if the perspective that the

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1 Secretary takes is the percentage of individuals  
2 whose dose reconstructions had an issue which could  
3 have significant impact on them. So that would be  
4 22 over 232, I think, as opposed to 22 over 626.  
5 And, I mean, it's never actually clear to me, I  
6 think in the report either, but I believe those 22  
7 relate to 22 different individuals.

8 I could be wrong about that, but that  
9 seems to me, from the perspective of somebody who  
10 wants to make sure that people are being treated  
11 fairly as opposed to the classification of  
12 different types of findings, that would be the  
13 percentage we would want to quote.

14 CHAIRMAN MELIUS: I mean, I think we  
15 can clarify that, and maybe I think it would involve  
16 some expansion of, you know, another sentence or  
17 two in that paragraph, but they really are two  
18 separate numbers.

19 CHAIRMAN MELIUS: They have different  
20 implications.

21 MEMBER RICHARDSON: Yes, I mean, what  
22 I'm asking is what you had heard from other people,

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1       versus --

2                   CHAIRMAN MELIUS:       So what you're  
3       saying is the four percent was the one that was,  
4       say, I guess, more emphasized in the report, but  
5       you let me look at that and see if I can clarify  
6       that without getting bogged down in all of the  
7       details. Any other comments?

8                   MEMBER KOTELCHUCK:    Dave Kotelchuck.  
9       First, on the cover letter, I think it struck,  
10      excellently struck a balance between brevity and  
11      having a summary that was useful, so I really liked  
12      it. I had one small editorial change which I will  
13      just send in to you, Jim. It's minor.

14                   As far as the 22, the 22 findings that  
15      may have had a significant impact may well be --  
16      there may well be less than 22 people there. I  
17      venture some of those findings that had a  
18      significant impact may have been one or two  
19      findings or a couple of findings on some individual  
20      cases, so somebody ought to take a look at that for  
21      you, Jim, on, you know, our --

22                   MEMBER RICHARDSON:    Right, I agree,

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1 Dave. I couldn't find that in the report, but to  
2 me, that's -- if what we're saying is we reviewed  
3 232 people's dose reconstructions, and if it's the  
4 case that we found 22 of them had the potential for  
5 some significant impact, we're saying there's 10  
6 percent of a very small sample for which we thought  
7 there was significant impact. And that's, you  
8 know, I couldn't parse that out from the report,  
9 but --

10 MEMBER KOTELCHUCK: It's not in the  
11 report. It's not in the report.

12 MEMBER RICHARDSON: We're taking a  
13 small sample, and we want to get a sense of the  
14 validity of the information based on a small  
15 sample.

16 CHAIRMAN MELIUS: Yes, I think another  
17 point there though is, and I think the reason why  
18 this is what's emphasized in the report, the 22,  
19 or the four percent, is that we're not, you know,  
20 looking at just the impact on that individual case,  
21 but the potential for other cases.

22 So, and so the final finding, you know,

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1 I actually think we have to be careful how we  
2 describe that, but I will look at that. If we  
3 don't, if the dose reconstruction -- and I didn't  
4 hunt through the -- I haven't -- I don't recall all  
5 of the tables, but we don't have that number of how  
6 many of the 232 individual dose reconstructions  
7 that there were potentially significant findings  
8 on. I think we need to ask SC&A to come up with  
9 that number for us.

10 MEMBER KOTELCHUCK: Yes, I believe it  
11 will be less than 22.

12 CHAIRMAN MELIUS: Yes, that's my  
13 assumption also, but, so --

14 MEMBER KOTELCHUCK: But I don't know.

15 CHAIRMAN MELIUS: John Stiver, if  
16 you're on, if you can follow up with your staff and  
17 check on that?

18 MR. STIVER: Okay, will do.

19 CHAIRMAN MELIUS: Any other comments?

20 MEMBER ZIEMER: This is Paul Ziemer.

21 I also think the cover letter is just about the  
22 right balance of what we need. I have one item I

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1 think we might want to add to that. Where we talk  
2 about the fact that the reviews represent one  
3 percent of the dose reconstructions, that  
4 statement is in isolation. It might lend the HHS  
5 staff to believe that there's another 99 percent  
6 of things to be done, and I'm suggesting that we,  
7 and I'll send some wording on this, but I think we  
8 have to put in the cover letter the fact that we  
9 have established, it's in the report, that the  
10 Board has established the one percent goal, and  
11 that gives a framework for this statement about the  
12 one percent here.

13 So that was the main thing that I was  
14 concerned about, that this stands in isolation  
15 without any background as to what the one percent  
16 is all about --

17 CHAIRMAN MELIUS: Okay.

18 MEMBER ZIEMER: -- other than that's  
19 what we did, and I say, okay, we have 99 percent  
20 of our work ahead of us. No, that's not right.

21 CHAIRMAN MELIUS: Okay.

22 MEMBER ZIEMER: The other question I

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1 had, and again this is in the main body, I thought  
2 in Dave's earlier draft that we had said that --  
3 and this has to do also with the one percent, but  
4 that was the -- and it's at the top of page 10 of  
5 the report, that the Subcommittee achieved the one  
6 percent, and that's what it says in the final  
7 report. And the earlier report said the Board  
8 achieved the one percent, and there's sort of the  
9 issue of who are we attributing this to?

10 I know the Subcommittee does the actual  
11 work, and with the help of a contractor, but at the  
12 top of page 10 of the final -- I think I have the  
13 final version. The Subcommittee has never  
14 exceeded the one percent. I'm thinking it's  
15 really the Board that should get credit for what  
16 they do.

17 MEMBER KOTELCHUCK: I agree. I agree.

18 CHAIRMAN MELIUS: And again, I tried to  
19 use appropriate references.

20 MEMBER ZIEMER: It seems like it got  
21 changed back. Because Dave, I think you had it as  
22 the Board in your version.

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1                   MEMBER KOTELCHUCK: I think I did. I  
2 would say that throughout the -- well, not  
3 throughout the text, but I haven't looked at that  
4 again. I originally said the Board, and then for  
5 some reason, I changed a number of them to the  
6 Subcommittee, and I think that was a mistake  
7 because ultimately it is the Board's decision, and  
8 the Board, if you will, approves the way we conduct  
9 our business.

10                   So A, I agree with you that Subcommittee  
11 should be Board, and I think we should take a look,  
12 and I would be glad to take a look in there,  
13 Subcommittee should really be replaced by Board.  
14 It is the Board that's reporting, and the Board has  
15 oversight on the Subcommittee.

16                   CHAIRMAN MELIUS: And I think I tried  
17 to do that in this latest version, and I may have  
18 missed a few places. I also got the -- I was trying  
19 to pay more attention to what the name of the --

20                   MEMBER ZIEMER: Right.

21                   CHAIRMAN MELIUS: Right, so that was --

22                   (Simultaneous speaking)

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1                   MEMBER ZIEMER:  -- with my comment, so  
2                   you can handle it, yes.

3                   CHAIRMAN MELIUS:  Okay, thanks, but I  
4                   certainly agree with the comment to clarify the one  
5                   percent as a goal, in meeting the goal.  Any other  
6                   comments?

7                   MEMBER KOTELCHUCK:  I have one more  
8                   comment on the report itself.

9                   CHAIRMAN MELIUS:  Okay.

10                  MEMBER KOTELCHUCK:  On page 15 on  
11                  recommendation two, on recommendations in general,  
12                  we basically -- the first one said, "The Board will  
13                  continue," the second one, "The Board will modify,"  
14                  and the third, "We should continue," so there's a  
15                  quality of continuation, and so I had expected in  
16                  recommendation two that we would give an example  
17                  of how we might try to modify, and I was hoping,  
18                  Jim, that you would do it.

19                  I have to say, I tried myself just as  
20                  an experiment to try to put in a sentence about  
21                  modification, the modification that we are  
22                  currently experimenting with.  I admit it was --

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1       what is to say -- that is to say on number two, it  
2       would be nice to give an example, but I could not  
3       suggest or develop an example that didn't get me  
4       into a long song and dance, but --

5               And I just raise this with you in the  
6       hopes that someone else might be able to say  
7       something about the fact that we are changing, in  
8       other words so that the quality of the  
9       recommendations will continue. Everything is  
10      okay, will continue, will continue, except for  
11      number four, of course, recommendation number  
12      four, so I don't know how to leave it.

13              I just maybe will make that comment, and  
14      Jim, if you could come up with something, or if  
15      others could, it would be -- I think it would add  
16      to it, but I could not. I could not do it  
17      effectively.

18              MEMBER ZIEMER: This is Ziemer. Could  
19      I comment on that?

20              MEMBER KOTELCHUCK: Yes.

21              MEMBER ZIEMER: Yes, the modification,  
22      we've talked about how to do this more efficiently,

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1 but I don't think we've finalized this. It seems  
2 to me that putting something in the report that  
3 commits us to how we're going to do this might not  
4 be a good thing to do. I think just committing to  
5 the fact that we are determined to modify that is  
6 almost all we can say right now.

7 MEMBER KOTELCHUCK: Well, we certainly  
8 have not adopted the change, although we've  
9 started. I'll report on it later. And it seems  
10 like it's working out well. Maybe we might think  
11 about something like, "The Board is in the process  
12 of modifying the review process to make it more  
13 efficient," or something like that.

14 CHAIRMAN MELIUS: Yes, I mean, let me  
15 -- I'll work on it.

16 MEMBER KOTELCHUCK: Okay.

17 CHAIRMAN MELIUS: It's a tricky --

18 MEMBER KOTELCHUCK: It is.

19 CHAIRMAN MELIUS: -- area right now.

20 MEMBER KOTELCHUCK: It is. I just  
21 want to give a quality that we're not sitting on  
22 what we're doing and saying we're doing a great job.

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1 CHAIRMAN MELIUS: Okay.

2 MEMBER KOTELCHUCK: But that always  
3 one can improve, and I want to get that spirit in  
4 there.

5 CHAIRMAN MELIUS: Okay, I agree.  
6 Other comments? If not, what's a reasonable time  
7 period for people to look at that and send any other  
8 comments back in, say, Friday the 14th or Friday  
9 the 21st of October? Will the 21st give you  
10 adequate time?

11 Yes. As I said, I know people have  
12 other commitments, including myself, so, but so  
13 let's aim for comments in to me by the 21st, and  
14 then plan to circulate this with an updated letter  
15 and report, and I think we should be able to  
16 hopefully approve this by our Board meeting at the  
17 end of November if that's agreeable.

18 Ted, I've lost the agenda now, so --

19 MR. KATZ: I've got it.

20 CHAIRMAN MELIUS: No, I've got it,  
21 okay. Oh, the most exciting part of our agenda.  
22 Let's move on.

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1                   MEMBER LEMEN: Hi, this is Dick. I'm  
2 at the airport, and I have to get on my flight, so  
3 I'm cutting out.

4                   CHAIRMAN MELIUS: Can't you tell them  
5 to wait?

6                   MEMBER LEMEN: Well, I could, but they  
7 for some reason won't.

8                   CHAIRMAN MELIUS: Oh, okay, well, have  
9 a good trip.

10                  MEMBER LEMEN: Thank you.

11                  **Special Exposure Cohort (SEC) Petitions Status Update**

12                  MR. RUTHERFORD: All right, let's move  
13 on. We will have one new Petition Evaluation to  
14 present at the November meeting. We will present  
15 an 83.14 for Santa Susana Field Lab. We do have  
16 two addendums, one at LANL and one at INL that we  
17 will be close, but I don't think they'll be ready  
18 for the meeting.

19                  Also during the last Board meeting, the  
20 Board asked for a status report of open SEC  
21 petitions. I'm preparing that report and plan to  
22 have it to the Board within the next several weeks,

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1 and that's all I had.

2 CHAIRMAN MELIUS: How was the fishing?

3 MR. RUTHERFORD: You know, it wasn't  
4 good as the previous years, but anytime, you know,  
5 fishing is good, so --

6 CHAIRMAN MELIUS: Oh, Henry said he and  
7 Brad caught a lot out in Idaho.

8 MEMBER ANDERSON: Catch and release.  
9 Hey, Brad, I really liked that video you sent me.

10 MEMBER CLAWSON: Yes, well, that was  
11 just a couple of weeks ago.

12 MR. RUTHERFORD: Brad, I did a fly  
13 fishing trip in Idaho this summer, too, a great  
14 time.

15 **Plans for the November 2016 Board Meeting**

16 MR. KATZ: With respect to what LaVon  
17 just raised with these, the Santa Susana and then  
18 the two addendums that will probably come out late,  
19 for all of these, we have Work Groups, and so the  
20 question is -- I think it's okay, but it's up to  
21 really the Board, that these get presented to the  
22 Work Groups first and not have to wait on the Board

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1 meeting or following the November Board meeting,  
2 the next Board meeting, to get some consideration  
3 from the Work Groups.

4 CHAIRMAN MELIUS: I think that's fine.

5 MR. KATZ: Okay.

6 CHAIRMAN MELIUS: I just think you have  
7 to just keep in mind so that the petitioners are  
8 in the process, and particularly so the full Board  
9 members sort of don't lose the input from the  
10 petitioners.

11 MR. KATZ: Right, and I think the  
12 scheme we've used before is, although they present  
13 to the Work Group in advance, they'd make a full  
14 presentation also to the Board, giving the  
15 petitioner opportunities in both places --

16 CHAIRMAN MELIUS: Yes.

17 MR. KATZ: -- to comment.

18 CHAIRMAN MELIUS: Yes.

19 MR. KATZ: Yes.

20 CHAIRMAN MELIUS: Okay.

21 MR. KATZ: Okay, thanks.

22 CHAIRMAN MELIUS: Okay, let us skip

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1 down to the next meeting since LaVon -- and then  
2 we'll come back to the Subcommittee reports and  
3 Work Group reports, okay?

4 MR. KATZ: Sure, so let me just run  
5 through. I have sort of a draft with some  
6 uncertainties about some items, but it will give  
7 you a sense. I mean, the big picture is it looks  
8 like a day, not even a day-and-a-half, but a day  
9 and a morning or part of a morning meeting for the  
10 November meeting.

11 This will be in Santa Fe. We don't have  
12 a hotel yet, so I can't give you that. So we're  
13 talking about November 30 and December 1, and let  
14 me just run through. So I don't -- I'll just talk  
15 about key issues in the agenda.

16 I don't have a DR report session per se  
17 because I think we don't have much -- it won't  
18 require much time if we're just finalizing and  
19 sending out the report to the Secretary. I don't  
20 have a session for that, but I think we can handle  
21 it during work session unless you want it  
22 differently.

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1                   CHAIRMAN MELIUS: I think it should be  
2 listed on the agenda, but it can be, you know, in  
3 15 minutes or whatever.

4                   MR. KATZ: Okay.

5                   CHAIRMAN MELIUS: Tied into, you know,  
6 just before the Board Work Group session or  
7 something.

8                   MR. KATZ: Okay, we're tight on time,  
9 but okay, I'll add that. Then going on from there,  
10 we have the usual suspects. In the morning, we  
11 have a review of the Hooker Site Profile by Dr.  
12 Anderson's AWE Work Group. They have completed  
13 the review, but there wasn't time for the August  
14 Board meeting to report out on that.

15                   We have the Carborundum Work Group is  
16 ready to report out on the SEC petition, so we'll  
17 have that session. Grand Junction is meeting  
18 tomorrow actually, the Work Group, so we'll know  
19 better where that stands after tomorrow's meeting,  
20 but they could be ready to report out, in which case  
21 we'll have a session for that SEC.

22                   We'll have an SRS update session,

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1 relatively brief, but just to keep on top of  
2 progress and schedules there. Then we will have  
3 -- for LANL, as LaVon just reported, they don't  
4 think they'll have their addendum out in time for  
5 Board consideration or action, but we'll certainly  
6 have an update on LANL, possibly with a preview of  
7 whatever that addendum is, depending on where that  
8 stands.

9 We also then, as LaVon reported, will  
10 have a Santa Susana addendum. That will be ready  
11 for action, and that covers the items I have. Any  
12 questions?

13 CHAIRMAN MELIUS: So just so everyone  
14 knows, the current timing on this is all day  
15 Wednesday, and then Thursday until about  
16 10:00-10:15, that time frame.

17 MR. KATZ: Right, and I'll, because I  
18 know people would like to get home that next day,  
19 I will shorten or lengthen the day on Wednesday to  
20 make that work.

21 CHAIRMAN MELIUS: Okay.

22 MR. KATZ: Depending on whether things

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1 drop off or remain of our potential items.

2 MEMBER ANDERSON: Where is it going to  
3 be again?

4 MR. KATZ: It's going to be in New  
5 Mexico in Santa Fe, but we don't have a hotel yet.

6 **Updates from Work Groups and Subcommittees**

7 CHAIRMAN MELIUS: Any other questions  
8 on the November Board meeting? Okay, Work Groups  
9 and Subcommittee reports, Dave, you already  
10 volunteered.

11 MEMBER KOTELCHUCK: Right, well, the  
12 Dose Reconstruction Reviews Subcommittee is -- we  
13 started our first effort using the categorization  
14 of the cases in advance by SC&A and NIOSH. We  
15 started out with those that are easier to cover,  
16 so we did. I thought it went very well.

17 We covered lots of ground, and  
18 generally members were pleased with what had  
19 happened, and so I would say that that experiment  
20 has started well, and we -- I think we really can't  
21 say we've completed it until we go through not only  
22 some of the category one cases, but the more

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1       difficult category two, but it's a good start. But  
2       we are meeting next on Tuesday, November 22.

3               I wondered if other members of the  
4       Subcommittee wanted to say anything about our  
5       experiment so far, the changes? Do I hear anybody?  
6       Wanda.

7               MEMBER MUNN: This is Wanda. My  
8       comment is that I was impressed with the enormous  
9       amount of energy and effort that went into  
10      producing the material, this first time. That was  
11      pretty awe-inspiring, and I think all of the staff  
12      that was involved in that gets a gold star.

13              It will be interesting to see, as you  
14      said, Dave, how this progresses as we get into the  
15      stickier wickets, but certainly the start was  
16      auspicious in my view, and everyone needs to be  
17      commended for the effort that went into that.

18              MEMBER KOTELCHUCK: I'll second that.

19              CHAIRMAN MELIUS: Okay, all right,  
20      next, any other Chairs of the Work Groups or  
21      Subcommittee wish to report?

22              MEMBER MUNN: Well, I can very quickly

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1 tell you that the Subcommittee on Procedures has  
2 not met since last May. All of the staff and  
3 personnel that were involved in what we're doing  
4 were very heavily engaged in other more significant  
5 items that are pressing.

6 We are currently looking at where we are  
7 with respect to how quickly we can put together --  
8 whether we have adequate material to put together  
9 a meeting toward the end of November or the first  
10 part of December after our Board meeting.

11 CHAIRMAN MELIUS: Okay.

12 MEMBER CLAWSON: Hey, Jim, this is  
13 Brad.

14 CHAIRMAN MELIUS: Go ahead.

15 MEMBER CLAWSON: I just wanted to  
16 mention that the Savannah River Work Group met  
17 September 26. We discussed with NIOSH, their path  
18 forward and where we're at on some of the documents,  
19 and we're just pushing forward with that.

20 CHAIRMAN MELIUS: Okay, thank you,  
21 Brad. Anybody else?

22 MEMBER BEACH: Jim, this is Josie.

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1 The Mound Work Group met last Thursday to review  
2 and discuss Site Profile issues. We are really  
3 close to agreeing upon the internal issues, but  
4 we're awaiting NIOSH's report for external issues.  
5 So I don't think we'll have anything for this next  
6 meeting, but possibly the one after.

7 CHAIRMAN MELIUS: Okay, thank you.

8 MEMBER KOTELCHUCK: Rocky Flats.  
9 Dave.

10 CHAIRMAN MELIUS: Yes.

11 MEMBER KOTELCHUCK: LaVon has  
12 indicated to us that the data capture has been  
13 completed for the Critical Mass Lab, which was the  
14 one outstanding issue on Rocky Flats. So he hopes  
15 to have it finished around the time of our Board  
16 meeting.

17 That being the case, I think we will  
18 have to -- we will need to schedule a meeting of  
19 the Subcommittee, and I think we might at that  
20 point, since Critical Mass Lab is the last issue,  
21 make a recommendation to the Board. And the Board  
22 meeting after Santa Fe seems to me that we can make

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1 a recommendation, we will be able to make -- I think  
2 we will be able to make a final recommendation to  
3 the Board.

4 CHAIRMAN MELIUS: Okay, good. Any  
5 other Work Groups?

6 MEMBER ZIEMER: Jim, this is Ziemer  
7 with a brief report on TBD-6000. I just want the  
8 Board to know that SC&A has completed their review  
9 of Appendix BB, Rev. 2, which is General Steel  
10 Industries, and there appear to be a couple of  
11 issues with reports of NIOSH's, and we are awaiting  
12 NIOSH's response on those, so I'm going to assume  
13 we'll have that for determining what needs to be  
14 done in terms of any Working Group matters we have,  
15 but hopefully by our upcoming Board meeting, we'll  
16 know a little more and maybe be able to have an  
17 action report.

18 CHAIRMAN MELIUS: Okay, thank you,  
19 Paul.

20 MEMBER SCHOFIELD: Jim, this is Phil.

21 CHAIRMAN MELIUS: Hi, Phil.

22 MEMBER SCHOFIELD: On INL, we still

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1 have the outstanding issue of first responders, and  
2 we have some interviews with workers in November,  
3 so we won't have anything new to report at that  
4 time.

5 CHAIRMAN MELIUS: Okay, thank you, and  
6 we had a short Work Group meeting also.

7 MEMBER SCHOFIELD: Yes, we did. I  
8 forgot that.

9 CHAIRMAN MELIUS: Any other reports?  
10 Okay, hearing none, I hope no one is struggling to  
11 get off of mute, but I think that finishes up our  
12 meeting. Anything else to report, Ted?

13 MR. KATZ: No, I think that takes care  
14 of it.

15 CHAIRMAN MELIUS: Is the Government  
16 still open for a while?

17 MR. KATZ: Yes, we have a lease on life  
18 until early December.

19 CHAIRMAN MELIUS: Okay, not December  
20 1, I hope.

21 MR. KATZ: No, December, I think, 9 or  
22 something like that.

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1                   CHAIRMAN MELIUS: Okay, so we may get  
2 stranded in Santa Fe.

3                   MR. KATZ: Yes, that would be terrible.

4                   **Adjourn**

5                   CHAIRMAN MELIUS: Yes, okay, anyway,  
6 thank you, everybody, and we'll see everybody in  
7 Santa Fe at the end of November. Have a good  
8 Thanksgiving.

9                   MR. KATZ: Thanks, everyone.

10                   (Whereupon, the above-entitled matter  
11 went off the record at 12:01 p.m.)

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