

THE U.S. DEPARTMENT OF HEALTH AND HUMAN SERVICES  
PUBLIC HEALTH SERVICE  
CENTERS FOR DISEASE CONTROL AND PREVENTION  
NATIONAL INSTITUTE FOR OCCUPATIONAL SAFETY AND HEALTH

convenes the

WORKING GROUP MEETING

ADVISORY BOARD ON  
RADIATION AND WORKER HEALTH

BLOCKSON CHEMICAL

The verbatim transcript of the Working  
Group Meeting of the Advisory Board on Radiation and  
Worker Health held telephonically on January 9,  
2007.

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January 9, 2007

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-- "\*" denotes a spelling based on phonetics, without reference available.

-- (inaudible)/ (unintelligible) signifies speaker failure, usually failure to use a microphone.

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TOMES, TOM, NIOSH

## P R O C E E D I N G S

(5:30 p.m.)

WELCOME AND OPENING COMMENTSDR. LEWIS WADE, DFO

1  
2  
3 DR. WADE: Thank you again. This is Lew  
4 Wade, and I have the privilege of serving as  
5 the Designated Federal Official for the  
6 Advisory Board. And this is a meeting of the  
7 work group of the Advisory Board, and this is  
8 a work group looking at the Blockson Chemical  
9 SEC petition. That work group is chaired by  
10 Wanda Munn with members Roessler, Melius,  
11 Gibson, and am I correct? Is Brad an  
12 alternate or a -

13 MS. MUNN: Brad's an alternate.

14 DR. WADE: Brad's an alternate. That's what  
15 I thought. And as I could tell by people  
16 speaking, all of the members and the alternate  
17 are present on the call.

18 I would ask if there are any other  
19 Board members present on the call?

20 (no response)

21 DR. WADE: Okay, well, we have no issues  
22 then with a quorum of the Board, and we can

1 proceed. What we would normally do, and I  
2 suggest we do here, is introductions. And  
3 that is I'd ask members of the NIOSH and ORAU  
4 team who are on the line to identify  
5 themselves. And if anyone should be  
6 conflicted at Blockson, I would like you to  
7 identify that conflict now.

8 Then we'd have members of SC&A, the  
9 SC&A team, identify themselves. Then if there  
10 are any other federal employees on the line  
11 who are participating as part of their  
12 employment, I would like them to identify  
13 themselves. Then we'll ask if there are  
14 workers, worker representatives or  
15 representatives of members of Congress who  
16 would like to be identified.

17 And then we would let anyone else  
18 who's involved also identify themselves.  
19 Again, but for the NIOSH and ORAU team and for  
20 the SC&A team, I would ask if there are  
21 conflicts that those conflicts be mentioned.

22 So if we could start with the  
23 NIOSH/ORAU team.

24 **MR. ELLIOTT:** This is Larry Elliott,  
25 Director of OCAS in NIOSH, the Office of

1 Compensation Analysis and Support. I have no  
2 conflicts with regard to Blockson Chemical.

3 **DR. NETON:** This is Jim Neton with NIOSH. I  
4 have no conflicts.

5 **MR. HINNEFELD:** Stu Hinnefeld with  
6 NIOSH/OCAS, no conflict at Blockson.

7 **MR. TOMES:** This is Tom Tomes with NIOSH. I  
8 also have no conflicts at Blockson.

9 **DR. WADE:** Other members of the NIOSH or  
10 ORAU team?

11 **MS. ELLIOTT:** This is Mary Elliott from the  
12 ORAU team, worker outreach team.

13 **MS. CHANG:** This is Chia-Chia Chang in the  
14 NIOSH Director's office. I have no conflicts.

15 **DR. WADE:** Anyone else from NIOSH/ORAU?

16 **MR. LARGO:** George Largo, ORAU team, no  
17 conflicts with Blockson.

18 **DR. WADE:** Thank you, George.

19 Anyone else on the NIOSH/ORAU team?

20 **MS. BERKLES:** This is Karen Berkles, NIOSH  
21 team, no conflicts.

22 **DR. WADE:** What about SC&A?

23 **DR. MAURO:** Yes, this is John Mauro, no  
24 conflicts.

25 **DR. BEHLING:** Hans Behling, SC&A, no

1 conflict.

2 **DR. WADE:** Welcome, Hans.

3 Other members of the SC&A team?

4 (no response)

5 **DR. WADE:** Other federal employees who are  
6 on the call as part of their employment?

7 **MS. HOWELL:** This is Emily Howell with HHS,  
8 no conflicts.

9 **DR. WADE:** Welcome back, Emily.

10 **MS. HOMOKI-TITUS:** Liz Homoki-Titus with HHS  
11 and no conflict.

12 **DR. WADE:** Any other federal employees?

13 (no response)

14 **DR. WADE:** Any workers, worker  
15 representatives, representatives of members of  
16 Congress on the call?

17 (no response)

18 **DR. WADE:** Anyone else who would like to be  
19 identified on the record as being on the call?

20 **MR. SCHOFIELD:** Phillip Schofield.

21 **DR. WADE:** Welcome.

22 **MS. MUNN:** Welcome, Phil.

23 **DR. WADE:** Phil is not a seated member of  
24 the Board at this point but has been named as  
25 a member of the Board, and hopefully that will

1 happen quickly, and we'll have him as a full-  
2 fledged member with us soon.

3 Thank you again for participating.

4 Phil was with us this morning on Rocky  
5 Flats as well.

6 **MS. MUNN:** It's good to have you, Phil. I  
7 don't think this one will be as complicated as  
8 this morning's was.

9 **DR. WADE:** Anyone else want to be  
10 identified?

11 Ray, I assume you're up and ready, and  
12 we're on the record and everything's good to  
13 go?

14 **THE COURT REPORTER:** Yes, sir.

15 **DR. WADE:** Wanda, it's all yours.

16 **MS. MUNN:** Good. I assume that all of you  
17 with the possible exception of Phil and some  
18 of the ORAU folks received the e-mail of  
19 yesterday indicating what the status of the  
20 Blockson documents is with NIOSH, and that  
21 they are being withheld for the time-being due  
22 to the fact that they're being reworked  
23 considerably.

24 And I'm assuming also that you have my  
25 notation following that with respect to the

1 three items I hope to cover today. Just in  
2 case some of you didn't hear that, the three  
3 items I indicated I hoped we would cover is to  
4 have NIOSH clarify for us whether all of the  
5 findings in SC&A's draft report are going to  
6 be addressed in the deliberations that they  
7 are now currently undertaking for revisions.

8 And ask the working group members to  
9 be prepared to give us any additional concerns  
10 or comments that you have with respect to  
11 documents you've already reviewed, and then  
12 we're going to talk a little bit about what  
13 our schedule looks like for the next step.  
14 Does anyone have any other item that you'd  
15 like for us to cover?

16 (no response)

17 **NIOSH'S ADDRESS OF SC&A'S REPORT**

18 **MS. MUNN:** If not, I'll ask who has the lead  
19 at NIOSH with telling us where we are with  
20 respect to the current documents and whether  
21 or not the seven findings SC&A gave us, their  
22 letter report, their draft letter report, are,  
23 in fact, all items that you're going to be  
24 addressing and are already on the board for  
25 you.

1           **MR. ELLIOTT:** Wanda, this is Larry Elliott,  
2           and let me start with a response to that  
3           particular inquiry. And I'll ask Jim Neton  
4           and Stu Hinnefeld to also provide comment on  
5           this; correct me if I'm wrong and fill in the  
6           cracks that I leave here. But let me just  
7           characterize for everybody that's on the line  
8           what has happened with the Blockson Technical  
9           Basis Document and the Blockson SEC Petition  
10          Evaluation Report.

11                    After hearing the discussion and the  
12          public comments at the Board meeting in  
13          Naperville, we at NIOSH and OCAS felt that we  
14          needed to look at the language in both of  
15          these documents and clarify that we were  
16          reconstructing all of the dose that should be  
17          reconstructed for the workers at this  
18          facility. That goes to covered exposure and  
19          designation of the facility as it's defined as  
20          a covered facility.

21                    We had some conversations with the  
22          Department of Labor, and we come away from  
23          those with a strong feeling that we needed to  
24          withdraw both of these documents and re-  
25          evaluate the commercial dose that's present on

1 the site during the covered period for the  
2 site. So we're looking strongly into that.

3 Concurrently with all of that we have  
4 made some revisions to the Technical Basis  
5 Document which is really a chemical exposure  
6 model for the site. And from those, those  
7 came out from various sources but primarily  
8 from SC&A's review of the first 20 cases and  
9 looking also at the TBD. What changes we made  
10 revolved around external dose, and we  
11 increased that due to a re-evaluation of the  
12 model doses that we were using.

13 We increased the internal doses  
14 primarily by looking at bioassay data and  
15 considering the 95<sup>th</sup> percentile coworker  
16 intakes, and we also added radon as an  
17 internal dose. Ingestion intakes were also  
18 added for GI tract cancers, and a new approach  
19 was also developed to assign dose from  
20 residual contamination.

21 So all of these changes in that  
22 revised site profile would require us to do  
23 what we call a program evaluation review and  
24 look at all of the denied claims that DOL has  
25 made decision on in determining whether or not

1 those changes affect the outcome for that  
2 claim. So we have a PER, Program Evaluation  
3 Review, scheduled to be initiated very soon.

4 We postponed that until we have  
5 completed our evaluation of what dose needs to  
6 be reconstructed. We'll be notifying the  
7 active claimants, those who have, are awaiting  
8 dose reconstructions or some answer on their  
9 claims, and we'll handle the PERs through our  
10 normal procedures and notice the people  
11 accordingly.

12 So with that let me say to you that we  
13 have also looked at the SC&A comments, the  
14 seven findings, and I'll turn to Jim and to  
15 Stu now to finish the rest of the answer to  
16 your question here as to whether or not what  
17 we're going to address will include all seven  
18 of those findings.

19 Guys, would you take it on?

20 **DR. NETON:** This is Jim. Can everybody hear  
21 me okay? I'm sitting at home. I don't know  
22 how well this speakerphone works.

23 **MS. MUNN:** You're picking up fine, Jim.

24 **DR. NETON:** Just to elaborate a little bit  
25 on what Larry talked about which is why we

1 chose to withdraw the evaluation report and  
2 the Technical Basis Document to re-evaluate  
3 what exposures really needed to be  
4 reconstructed. It's a fairly complicated  
5 issue in a way.

6 Blockson Chemical is one of the few  
7 sites that actually has a piece of the site  
8 partitioned off and identified as a covered  
9 facility. That definition of the covered  
10 facility is Building 55. So our original site  
11 profile was written such that we felt  
12 confident that we were reconstructing the  
13 covered exposures in Building 55 which were  
14 due to the uranium and some potential wafting  
15 in of radon from about the site because radon  
16 being a noble gas has no boundaries. So we  
17 felt that the radon ultimately needed to be  
18 reconstructed.

19 After that meeting as Larry mentioned,  
20 we looked at it much more closely, and it  
21 turns out there are a couple scenarios that  
22 take the exposure outside of Building 55, most  
23 notably the addition of an oxidation step in  
24 the process. It would have occurred somewhere  
25 in the main body of the plant. We don't know

1 where exactly but certainly not in Building  
2 55.

3 Because of that then, that opens the  
4 door for these other, what Larry mentioned or  
5 we call commercial exposures, that is, the  
6 radium and the thorium and the other  
7 radionuclides that were present at the plant  
8 during their normal commercial process whether  
9 or not they were making a uranium product for  
10 the DOE or the AEC. We conferred with OGC on  
11 that, and the ruling was made or the decision  
12 was made that because of that oxidizing step  
13 being in the main body of the plant, we needed  
14 to go back and rethink about the exposure  
15 related to thorium, radium and possibly some  
16 of the other short-lived progeny in the  
17 uranium decay series. And we're doing that.

18 As to whether we're going to address  
19 all these exposures and cover all the issues  
20 brought about in SC&A's findings, I think we  
21 are. I think six of the seven findings by my  
22 recollection were related to how we were  
23 dealing with the other radionuclides.

24 **MS. MUNN:** Or pretty much.

25 **DR. NETON:** Prior to our decision that

1 Building 55 was it, our answer would have been  
2 that while those nuclides are not covered,  
3 would not necessarily be covered under the  
4 provisions of the Act, but as you know, now  
5 we're re-looking at that.

6 There is one issue though that's  
7 raised that we don't know that we're  
8 necessarily going to deal with. It's part of  
9 this re-evaluation. And that is the thought  
10 that one of the findings suggests that  
11 possibly the Building 55 itself may have been  
12 made from some of the tailings or raffinates  
13 as a result of the chemical processing of the  
14 phosphate ores at Blockson.

15 We don't know that that's, it's kind  
16 of a speculation on SC&A's part, and I think  
17 even that they state that there is no real  
18 concrete evidence that they could see that  
19 would support that at this time, you know,  
20 sort of a suggestion I think that maybe that  
21 ought to be looked at. But again, we have no  
22 way of knowing, and we certainly don't have  
23 any evidence that this has occurred.

24 **DR. MAURO:** Jim, this is John Mauro. To add  
25 to that we looked into that a bit because we

1 know that there have been occasions where  
2 tailings were used as construction fill, but  
3 you're correct. We have no information.  
4 There is some indirect evidence that it was  
5 not.

6 We brought this up because we  
7 considered that this might be an issue. It  
8 turns out there's some data from 1978  
9 (unintelligible) characterization where they  
10 took some soil samples and some radon  
11 measurements in and around Building 55. And  
12 there's some data, not a lot of data, that  
13 would indicate that, no, that the tailings  
14 probably were not used in any way. And so --  
15 in construction of the building because the  
16 ratio of the uranium to the radium didn't  
17 reveal that, and the radon levels were at  
18 background levels.

19 So both of those would be, at least an  
20 initial indication. So, yes, I concur with  
21 you that at least the information that we  
22 reviewed seems to indicate that that did not  
23 occur. We brought it up as something that I  
24 thought is worthy of mention, however, in the  
25 TBD or the evaluation report.

1           **DR. NETON:** And a thought comes to my mind  
2 that if we end up with an exposure model that  
3 includes the other progeny in the uranium  
4 series, I would guess that the exposures that  
5 we would assign would be higher than any  
6 exposures that would have been incurred by  
7 occupying a facility that, you know, made of  
8 that material.

9           Then we're talking process-type  
10 exposures, but your grinding, crushing rock  
11 that contain radium and filtration possibly  
12 with thorium-230, those types of activities.  
13 I don't know, we don't have a model for that  
14 yet, but again, I would suspect the dose would  
15 bound the exposure even if the building were  
16 made out of those materials.

17           **MS. MUNN:** I certainly appreciate your  
18 comments, John, because two of the questions  
19 that I had were related to that finding number  
20 six, one of which was, isn't there any soil  
21 survey data.

22           **DR. MAURO:** There is. There are several  
23 samples would have been collected. But I  
24 brought it up because it wasn't mentioned in  
25 the site profile, but it was contained in some

1 of the literature that stands behind it. So,  
2 and we looked at that, and I think that  
3 certainly helps to deal with that.

4 But as Jim pointed out it sounds like  
5 there are a number of new scenarios that are  
6 going to be explored where the workers might  
7 be in closer contact with the radium part of  
8 the stream or where there is some radium and  
9 radon possibly. And certainly that would be a  
10 little bit more limiting than just a wafting  
11 over on the radon. I would agree with that.

12 **MS. MUNN:** On that issue and on finding  
13 number one, in both cases I asked myself what  
14 had triggered your concern in that regard.  
15 Why would you think some of these things were  
16 the case?

17 **DR. MAURO:** In finding number one dealing  
18 with Type M versus Type S?

19 **MS. MUNN:** Yes.

20 **DR. MAURO:** Well, I bring it up because  
21 coincidentally, I just finished reviewing  
22 Chapman which was also dealing with U-308.  
23 And in that case the exposure matrix created a  
24 matrix where the dose reconstructor would use  
25 either Type M or Type S depending on the organ

1 of concern. And I guess from reading the  
2 material that I read, I saw no reason, in  
3 having that option available to the dose  
4 reconstructors to make sure that the doses are  
5 not underestimated.

6 And quite frankly, historically, U-  
7 308, and certainly Jim could help qualify it,  
8 you know, can behave somewhat like Type M or  
9 perhaps like Type S. It was my understanding  
10 that's the reason that (telephonic  
11 interruption) went that through allowing both  
12 paths to be taken depending on what's  
13 limiting. And that seemed to be a pretty good  
14 idea.

15 I don't know, Jim, if you concur that  
16 this applies to this situation also.

17 **DR. NETON:** I'm not sure it does, John, in  
18 the sense that Chapman was dealing solely with  
19 our knowledge of metal components, you know,  
20 metal --

21 **DR. MAURO:** Sure.

22 **DR. NETON:** -- and whatever, that when you  
23 oxidize, turn them, oxidize them, they  
24 certainly may have the potential to become  
25 Type S, Type S materials. But when you start

1 talking about freshly made uranium,  
2 precipitate uranium out of the chemical  
3 process such as we have at Blockson, it's at  
4 least my opinion at this point that Type M  
5 adequately bounds or covers that scenario.  
6 We'll take a closer look at the chemistry  
7 though just to make sure we're not missing  
8 something. But again, they never took this  
9 (unintelligible) at Blockson.

10 **DR. MAURO:** Well, you know, in my write-up  
11 all I indicated was that case wasn't made in  
12 the site profile, and all I had in my mind  
13 was, it was U-308 in both cases. I see the  
14 distinction you're making there. I guess  
15 there's U-308, and there's U-308. And so my  
16 only recommendation would be if in fact you're  
17 going to stay with the Type M and not create  
18 the Type S alternative, or option, a little  
19 bit of discussion and rationale for why in  
20 this particular case that's the reasonable  
21 approach to take.

22 **DR. NETON:** I think that it's reasonable. I  
23 remember having this conversation way back a  
24 long time ago at a Board meeting.

25 **MR. ELLIOTT:** Well, Wanda, this is Larry. I

1 hope you got an answer to your first question,  
2 and if I could, let me summarize. We think  
3 that you're going to address all six of the  
4 comments or findings that have been raised by  
5 SC&A. And the one that Jim mentioned that  
6 stirred up about the raffinates being used as  
7 fill, tails and all of that, we'll address  
8 that as well. And I think John's comment  
9 about providing explanation as to why S is not  
10 being used over M makes sense as well. We can  
11 accommodate that for sure.

12 **MS. MUNN:** Good, and I'm assuming that given  
13 the fact that you're going to take a much  
14 closer look at where and how the additional  
15 observation process was added that this  
16 automatically brings all the thorium questions  
17 into play, correct?

18 **MR. ELLIOTT:** Yes.

19 **DR. NETON:** Yeah, unfortunately once that  
20 oxidation stuff occurs in the plant, we don't  
21 know what, we don't know where it was. We  
22 have to assume that it could have been near  
23 any of these other steps that would generate  
24 airborne uranium progeny, and uranium itself  
25 for that matter I suppose if it was in

1 solution at that point. Yeah, we'll look at  
2 them in very close detail.

3 **MR. ELLIOTT:** This will certainly be one of  
4 the questions we pursue with the workers at  
5 the worker outreach meeting that's coming up  
6 week after next.

7 **MS. MUNN:** Good, including the issue of yet  
8 an additional waste stream that has not been  
9 taken into consideration.

10 **DR. NETON:** Right, and Building 55, but now  
11 that we are covering the whole plant, it  
12 becomes important. But the good news is we  
13 know quite a bit about the chemistry of the  
14 uranium process there. The downside is right  
15 now we don't know a lot about how it was  
16 actually implemented at Blockson other than  
17 which precipitation steps occurred with the  
18 thorium, for example, were there filter cakes  
19 made, was a liquid effluent dumped into the  
20 holding pond. That's the kind of information  
21 we're hoping that we might be able to get from  
22 the workers.

23 **MS. MUNN:** Well, I hope so, too. I also  
24 hope that somewhere in the literature there  
25 may be a better definition of the ratios of

1 concentrations of the respective thorium  
2 nuclides that were mentioned in the  
3 attachments. We're talking about inhalation.

4 And the inhalation question itself  
5 gives rise to questions in my mind which is I  
6 don't have a feel for where the dry process  
7 stops and the wet process begins; and  
8 therefore, have a hard time identifying from  
9 the information that I have failed to absorb  
10 very well exactly whether these issues with  
11 respect to their relative concentrations of  
12 the thorium nuclides are as an insulate are  
13 well-founded or whether because it's a wet  
14 process, it may be almost moot. But I'm sure  
15 that's something you're going to address,  
16 right?

17 **DR. NETON:** We hope so.

18 **MS. MUNN:** Yeah, we hope so, too.

19 I have no other marked issues that I  
20 have, I don't believe. Liquid versus powder  
21 issues for inhalation and concentrations of  
22 the thorium were looming large in my mind.

23 Does anyone else in the work group  
24 have questions or comments they want to throw  
25 in at this time?

1           **MR. CLAWSON:** Wanda, this is Brad. Being  
2 kind of new and everything else to this, I was  
3 just wondering while we're going back and  
4 taking a look at this, are we looking -- are  
5 we going to be looking a little bit at the  
6 process, too, of things, how it was received,  
7 how it went through and so forth like that?

8           **DR. NETON:** Yeah, Brad, this is Jim.  
9 Ideally, yes, that would be the case. We'll  
10 try to model the process and get as good a  
11 handle on it as we can to come up with some  
12 bounding estimates of these potential  
13 exposures based on what we can learn about the  
14 process.

15           **MR. CLAWSON:** Okay, thank you.

16           **DR. NETON:** Of course, the more Blockson  
17 statistics it is the better.

18           **MR. GIBSON:** And Wanda, this is Mike. You  
19 know, based on Larry's e-mail the other day  
20 that their almost back to re-evaluate it, I  
21 guess it's just in my opinion, premature for  
22 me to make any other comments till we see what  
23 they come up with.

24           **MS. MUNN:** From my perspective we really  
25 need to wait until after they've had a chance

1 to talk to the workers.

2 **DR. MELIUS:** This is Jim Melius. I think  
3 that's covered under the next agenda item, but  
4 just to make sure could someone describe  
5 what's going to happen, plans are for the  
6 visit to the site?

7 **MR. HINNEFELD:** This is Stu Hinnefeld. It's  
8 not so much a visit to the site as it is a  
9 couple of meetings in Joliet that we're  
10 advertising to Joliet claimants who are former  
11 employees. And I think we're advertising it  
12 to Joliet claimants there, too, but Blockson  
13 claimants in general, but we're really  
14 emphasizing trying to get people who worked at  
15 the site who can describe to us the work that  
16 went on there, in particular, things  
17 (unintelligible) process, what did the various  
18 waste streams, how were they collected or  
19 treated or what direction did they go and  
20 things to that extent.

21 So it's the intent on our part to  
22 obtain information from people who worked  
23 there their description of how things worked.  
24 And we'll answer what questions we can. These  
25 are, this is kind of a public meeting so

1 people will be able to say what they want.  
2 But our desire is to learn as much as we can  
3 about how things worked there.

4 The dates are the 24<sup>th</sup> and 25<sup>th</sup> of  
5 January, and they're at the Joliet Municipal  
6 Building.

7 **DR. MELIUS:** Can I just suggest, and you may  
8 already be doing this, but at least you begin  
9 the meetings with sort of an explanation of  
10 what's happened recently and, you know,  
11 there'll be a lot of potential for confusion  
12 on the part of the claimants and so forth  
13 because of, you know, some of them who  
14 received letters and so forth, you know, about  
15 this reconsideration or whatever -- I don't  
16 know exactly how you're terming it -- but it  
17 would be, I'm just, afraid it's going to be  
18 very confusing to people and it may detract  
19 from being able to get more information at the  
20 same time.

21 **MR. HINNEFELD:** I can add to that. I think  
22 I'm on the, on tap to give some introductory  
23 remarks, and so I can certainly cover that  
24 during those.

25 **DR. MELIUS:** Yeah, I think it would be

1 helpful.

2 MS. MUNN: Agreed.

3 REVIEW OF DOCUMENTS

4 One other question, have we exhausted  
5 all written and documented resources on the  
6 facility there when we did the original TBD?  
7 Were we aware of any additional documentation  
8 with respect to the process --

9 MR. ELLIOTT: Well, Wanda, I'll try this and  
10 Tom Tomes can probably help me out or if the  
11 ORAU document owner's there, they might be  
12 able to help as well. But I want you to  
13 understand that what we created in that  
14 Technical Basis Document and the evaluation  
15 report is our approach to AEC-related dose,  
16 Atomic Energy Commission-related dose --

17 MS. MUNN: Yeah, I understand that.

18 MR. ELLIOTT: -- in Building 55. But what  
19 we're looking at now is trying to determine  
20 our ability to reconstruct the commercial  
21 dose.

22 MS. MUNN: Yes.

23 MR. ELLIOTT: And we never went after that  
24 kind of information before.

25 MS. MUNN: That's why I was asking --

1           **MR. ELLIOTT:** We may have gotten some of it,  
2 but our data search retrieval strategy, you  
3 know, didn't encompass that as part of the  
4 purpose.

5           **MS. MUNN:** I recognize that this is an  
6 entirely different undertaking, and that's why  
7 I asked the question whether we were already  
8 aware of other potential resources that were  
9 available that we had no reason to look at  
10 before.

11           **MR. TOMES:** This is Tom Tomes. We have a  
12 number of documents at our site resource  
13 database, and all of those have been reviewed  
14 in preparation of this Technical Basis  
15 Document. And in lieu of what we were looking  
16 at there was, not everything was actually  
17 (unintelligible) when we were writing the  
18 Technical Basis Document. In fact, there is  
19 quite a bit of information on chemical  
20 processes and things like that. There's no  
21 specific information on thorium at Blockson at  
22 all, dusting.

23           **MR. GIBSON:** This is Mike Gibson. In the old  
24 TBD that you're going to be re-evaluating or  
25 site profile, are you going to be looking at

1 the radium and radon dose from the rock  
2 phosphate grinding or have you already  
3 considered that or are you going to consider  
4 that when you go back and take another look at  
5 this?

6 **MR. HINNEFELD:** Well, I mean, there's  
7 already in the Technical Basis Document that  
8 we have there was a consideration of radon.  
9 We will reconsider those. SC&A has identified  
10 maybe there's a different look at the data or  
11 a different way to interpret the data  
12 available than what we did. And I think  
13 that's something that we will address in our  
14 reworked site profile. And then, yeah, and  
15 with respect to your radium question, that  
16 will have to be addressed in the reworked site  
17 profile.

18 **MS. MUNN:** Do we have any time sensitive  
19 issues here that we need to be looking at? Do  
20 we have a clock running on us anywhere?

21 **MR. ELLIOTT:** Well, I set an expectation in  
22 my e-mail to the Board that portrays our  
23 intent to present at the May meeting.

24 **MS. MUNN:** Yeah, I had seen that, but I was  
25 wanting to make sure that we didn't have some

1 sort of official sword of Damocles hanging  
2 over us.

3 **MR. ELLIOTT:** No, I don't know, you know. I  
4 threw that down as a marker trying to present  
5 this as timely as possible and challenging my  
6 folks to get us there. But I don't know of  
7 any official sword or timeline that we are  
8 marching against here.

9 **MS. MUNN:** Good, I'm glad to hear that.

10 **MR. ELLIOTT:** You know, we have a 180-day  
11 clock on a petition that we're trying to  
12 adhere to and this is an instance where I  
13 believe we've met that 180 clock on the first  
14 draft, but our first draft obviously is being  
15 re-examined at this point. So I don't know  
16 where that leaves us.

17 **MS. MUNN:** Yeah, I'm not sure either.  
18 That's why I asked the question.

19 **DR. MELIUS:** Larry, this is Jim. It would  
20 be helpful, I think, after you've done the  
21 site visits to, if you could let at least the  
22 work group know what you see as the potential  
23 schedule for redrafting these reports and so  
24 forth so that we can get that coordinated in  
25 terms of our further review and so forth.

1           **MR. ELLIOTT:** I will attempt to give you all  
2 the information I have as I gain it. That was  
3 my intent of my e-mail earlier about this.

4           **DR. MELIUS:** No, I understand that. I think  
5 you'll know more in terms of what additional  
6 information might be available that you need  
7 to check out after you've gotten these public  
8 meetings.

9           **DR. WADE:** And this is Lew Wade. There is  
10 an interesting procedural question. I mean,  
11 KFA\* would be NIOSH presents to the Board in  
12 May, and then the work group takes up the  
13 task. Or it's possible that the work group  
14 could take up the task before the Board  
15 actually meets. So I mean I think that's  
16 something for the work group to talk about. I  
17 guess no sense talking about it now until you  
18 get a sense of what Larry proposes as a time  
19 frame. But there is sort of an issue there  
20 that one could approach in two separate ways.

21           **MS. MUNN:** Well, and there's one other issue  
22 as well that concerns me a little bit and  
23 that's with respect to SC&A's task order with  
24 the letter report. I'm wondering whether it  
25 is reasonable, given the circumstances we have

1 here which are unique in my experience,  
2 whether it's reasonable to issue the report  
3 with it known already that NIOSH is redoing  
4 significantly all that, what the report is  
5 based on. I guess I'm open to suggestions.

6 **MR. GIBSON:** Wanda, this is Mike. I guess  
7 one of my questions, I agree with what you're  
8 saying, you know, we don't realize --

9 **MS. MUNN:** What? Didn't hear.

10 **MR. GIBSON:** What?

11 **MS. MUNN:** There was a word in there I  
12 didn't hear. There was a squeal somewhere.

13 **MR. GIBSON:** I agree with what you're  
14 saying, you know, if this is going to be re-  
15 looked at and everything else, it'd be, and I  
16 agree with Jim, it would be interesting just  
17 to, or informative, for us to know kind of  
18 exactly basically what they want to do, such  
19 as you know is the radon doses from the  
20 assorted facilities, are they going to be  
21 withdrawn, and then are they going to look at  
22 the doses that actually came from this  
23 facility or --

24 **MS. MUNN:** Well, I think my interpretation  
25 is it's too early for NIOSH to tell us exactly

1           what they're going to do. They've pretty much  
2           told us what they intend to do, but in my  
3           experience, once you get into a project you  
4           often find it necessary to change direction.  
5           If that turns out to be the case, then I guess  
6           my question still remains is it productive for  
7           us to ask SC&A to go ahead and issue this  
8           letter report or whether it is wiser to  
9           withhold that until they have a different  
10          document which, I expect, will be the product  
11          from the NIOSH efforts?

12           **MR. ELLIOTT:** This is Larry Elliott. Just a  
13          comment to look for your working group's  
14          consideration of the respond to your question.  
15          We have a request from our Joliet Herald  
16          reporter for a copy of this, of SC&A's letter  
17          report. We also have a request from one of  
18          the claimants as to why it's not on the  
19          website yet. So I'm willing to put this up on  
20          the website, but I'd like to have the Board's  
21          disclaimer on it if it becomes final. Just a  
22          thought for your consideration.

23           **MS. MUNN:** Our understanding was, and John,  
24          am I incorrect? My understanding was this was  
25          a draft, correct?

1           **DR. MAURO:** Yeah, that's correct. It was a,  
2 in fact, it was written specifically for this  
3 meeting.

4           **MS. MUNN:** It was a draft and it was  
5 intended for our purpose and so my question  
6 still remains (telephone interference) the  
7 working group. This is a thorny issue because  
8 it is always a question of transparency with  
9 respect to public entities who, of course,  
10 have every right to know what we're talking  
11 about here. They could be on our phone call  
12 here if they so chose, but they'd like a  
13 condensed version I know.

14           The question is shall we spend more  
15 time reviewing SC&A's report and provide our  
16 comments to them so that what they've done can  
17 and should be issued as a document? Or shall  
18 we recognize the fact that this is now a  
19 review of a document that has already been  
20 withdrawn and is going to undergo a  
21 significant change?

22           **DR. WADE:** This is Lew Wade. I'm not a  
23 member of the work group obviously, but I  
24 would always advocate for complete but  
25 accurate disclosure. I would suggest that,

1 suggest for consideration, the SC&A report  
2 could go on the website behind a letter that I  
3 could put in front of it describing the  
4 situation that led us to this point and what  
5 the anticipated next steps are. The work  
6 group might want to put something out there.  
7 I don't know that you can imagine that this  
8 document will not be made public. I think  
9 it's been made public by --

10 **MS. MUNN:** Oh, I'm sure it's already been  
11 made public.

12 **DR. WADE:** -- the fact that we've talked  
13 about this. So I think the right thing to do  
14 is to in front of the document put an accurate  
15 statement of fact. Now again, I appreciate  
16 the fact that someone will separate the  
17 document from the letter, and that's just the  
18 price you pay for living in this world. But I  
19 would propose for consideration, the work  
20 group, I'll do whatever the work group  
21 suggests that we put something in front of it.  
22 I could write it. The work group could write  
23 it. It would define the situation, and then  
24 we move forward.

25 **MS. MUNN:** I would prefer to have Lew write

1                   it and have the group approve it. How does  
2                   the rest of the work group feel?

3                   **DR. ROESSLER:** I agree.

4                   **DR. MELIUS:** Jim Melius. I think that's  
5                   fine. I just think we need to get it up there  
6                   sooner rather than later. I think if we could  
7                   call it this interim report or something and  
8                   the cover letter would address NIOSH is doing  
9                   further work and so forth, and then that's  
10                  going to be reviewed and, you know, et cetera,  
11                  the appropriate caveats on this, but I don't  
12                  think we should spend a lot of time trying to  
13                  decide what's in the cover letter.

14                  **MS. MUNN:** No, I don't think so either, but  
15                  frankly, I would prefer to see it, personally  
16                  I would prefer to see it referred to always as  
17                  a draft report, and I would like to see that  
18                  draft report statement on each page that is  
19                  produced. That's my preference. What's the  
20                  feeling of the other members of the group?

21                  **MR. CLAWSON:** This is Brad. I agree with  
22                  you. We need to put a cover letter on it, and  
23                  I agree with Jim that sooner the better that  
24                  we can.

25                  **MS. MUNN:** Let's call it a draft not a

1 report and, Lew, when do you think you can  
2 draft that letter for us?

3 **DR. WADE:** I'll have something to you by  
4 tomorrow.

5 **MS. MUNN:** Is it all right with the group to  
6 see that letter, comment on it and approve it  
7 by e-mail?

8 **DR. ROESSLER:** Sounds good to me.

9 **MR. CLAWSON:** This is Brad. That'd be fine.

10 **MR. GIBSON:** This is Mike, yes.

11 **MS. MUNN:** Jim?

12 **DR. MELIUS:** Yeah, fine with me.

13 **MS. MUNN:** All right, very good. Let's look  
14 forward to Lew's letter. Anybody at NIOSH  
15 have any grief with that?

16 **MR. ELLIOTT:** John, this is Larry, John.

17 **DR. MAURO:** Yes.

18 **MR. ELLIOTT:** If you could, would you send  
19 me something so I can put it up on the website  
20 and include on the document the Board's  
21 disclaimer?

22 **DR. MAURO:** Sure, we could reissue this to  
23 you. And everyone should have an electronic  
24 version of this report that we're looking at  
25 right now in PDF format. If there's any type

1 of cover or disclaimer or characterization,  
2 for example, I notice, Wanda, right now we  
3 call it a letter report on the front. It  
4 sounds like you'd like us to call it a draft,  
5 not a report.

6 **MS. MUNN:** Yes, I think that's better.

7 **DR. MAURO:** And if there any disclaimer-type  
8 language in addition to the Privacy, I notice  
9 I did include some Privacy Act language on the  
10 front. Certainly, we'll, if you could just  
11 let me know what language should go on the, in  
12 the document that's part of this package, I'll  
13 have to take care of that immediately and re-  
14 issue it.

15 **MR. ELLIOTT:** This is Larry again. I  
16 appreciate the notice on the Privacy Act and I  
17 just need a copy that the working group  
18 approves to put on the website. And I thought  
19 there was an indication they wanted to change  
20 the title. But the disclaimer that I'm  
21 talking about is the Board had approved a  
22 disclaimer that was to be placed on all SC&A  
23 documents that would go into the public.

24 **DR. MAURO:** Oh, yeah, sure.

25 **MR. ELLIOTT:** And just claiming that it's

1 not the Board's final determination, et  
2 cetera. I didn't see on this document.

3 **DR. MAURO:** Oh, you mean the one that we  
4 use, right, the one that we usually put on our  
5 site profile reviews.

6 **MR. ELLIOTT:** Yes.

7 **DR. MAURO:** There's a large disclaimer that  
8 goes on the bottom. Certainly, we can insert  
9 that.

10 **MR. GIBSON:** Wanda, this is Mike, just a  
11 point of order, can we actually, I mean, I'm  
12 not saying I disagree with what Larry's  
13 saying, but can we do that as a working group  
14 and not, can we speak for the Board or --

15 **MS. MUNN:** Yes, we can because the Board has  
16 already spoken in general terms with respect  
17 to this particular kind of document, Mike. We  
18 did that in full Board several months ago as I  
19 recall, actually, over a year ago we did that  
20 because we had run into quite a bit of trouble  
21 with these early reports that were actually in  
22 many cases still drafts being used as  
23 officially misinterpreted by the media and the  
24 legislators. It being final reports.

25 **MR. GIBSON:** Yes, yes, I realize we did

1 that, but I'm just saying we're not doing  
2 anything different on this document in  
3 particular --

4 **MS. MUNN:** No.

5 **MR. GIBSON:** -- without the Board's  
6 approval.

7 **MS. MUNN:** No, this, this --

8 **MR. GIBSON:** This is just what we have  
9 approved before?

10 **MS. MUNN:** Yes, absolutely correct, we're  
11 asking that all SC&A documents have that  
12 disclaimer on them, and I'm asking that this  
13 one be issued as a draft letter report because  
14 we are not going further with it. We're not  
15 commenting on it. We're not changing it in  
16 any way, nor are we responding to any of it  
17 because the document that was used for its  
18 basis is being redone in its entirety. So I  
19 don't believe that we're speaking for the  
20 Board here.

21 **DR. WADE:** This is Lew. I do think you're  
22 speaking consistent with the Board's decision.

23 **MR. GIBSON:** I was just -- I just wanted to  
24 question.

25 **DR. WADE:** It's a good point. So with that

1 disclaimer added and draft letter report  
2 added, that's what we're asking John Mauro to  
3 send to Larry.

4 **MS. MUNN:** Yes.

5 **DR. ROESSLER:** And then at some point is the  
6 draft going to go on each page?

7 **MS. MUNN:** Yes, I hope so, probably the  
8 bottom where it says Blockson SEC Petition  
9 Review Issues, probably dash draft would do  
10 right there at the footer.

11 **DR. MAURO:** Will do.

12 **DR. WADE:** I'll get a draft letter to you  
13 fine people tomorrow morning, and then when  
14 you make it better, we'll get it to Larry, and  
15 the package inseparable will go up on the  
16 site.

17 **MS. MUNN:** Excellent.

18 I have no further --

19 **MR. ELLIOTT:** And we'll provide that to the  
20 reporter.

21 **MS. MUNN:** Yes, as soon as it's available  
22 with the disclaimer. No problems that I can  
23 see.

24 Anyone else see a problem there?

25 **MR. GIBSON:** No.

1           **FUTURE SCHEDULE**

2                   **MS. MUNN:** All right, anything else for the  
3                   good of the order? I have no feeling at this  
4                   time when we are going to have our next  
5                   working group meeting. I don't think it's  
6                   productive for us to have one until NIOSH has  
7                   had an opportunity to identify what their  
8                   timeline is with respect to another product.  
9                   Does anyone feel any differently?

10                   **DR. MELIUS:** No, correct, that's why I was  
11                   asking for the schedule. And again, not to  
12                   try to pin down Larry at this point in time,  
13                   but for example, if something's going to be  
14                   ready in March or something, we should try to  
15                   get an SC&A review.

16                               And then we also may want to try to do  
17                   a meeting or something before the May meeting.  
18                   It may well be something has to be, at least  
19                   our review may take place after that, but  
20                   let's see where NIOSH goes with this and what  
21                   they find to be reasonable in addressing these  
22                   issues.

23                   **MS. MUNN:** My expectation, Jim, and SC&A and  
24                   NIOSH, both of you, correct me if I'm wrong,  
25                   but my expectation is that when we get the

1 next NIOSH product, it will probably be  
2 necessary for this work group to have a face-  
3 to-face meeting to go over that much more  
4 thoroughly and get a very extended briefing  
5 from NIOSH with SC&A's comments before a move  
6 forward with their next review.

7 **DR. WADE:** And then the work group will be  
8 together when the Board is together, early  
9 February in Denver. If it's appropriate we  
10 could share a cup of coffee and hear Larry's  
11 proposed timeline. We can just sort of play  
12 it by ear, but we could use that as an  
13 opportunity just to share information and do a  
14 little bit of planning.

15 **MS. MUNN:** I should hope we would have an  
16 opportunity to at least spend an hour or so  
17 doing that just to stay abreast of where we  
18 are.

19 **MR. CLAWSON:** If it keeps snowing this much,  
20 we may spend a couple of days there.

21 **MS. MUNN:** Who knows?

22 **DR. MELIUS:** Couple weeks you mean.

23 **MS. MUNN:** Don't even think about it.

24 **DR. MELIUS:** One more quick question. I  
25 believe that there's also a technical TIB out

1 about the -- related to these issues that may  
2 also be affected by this new understanding  
3 with the Department of Labor that might affect  
4 some other sites also. Is that under review  
5 also, Larry?

6 **MS. MUNN:** A new TIB?

7 **MR. ELLIOTT:** I'm not aware of what you  
8 speak.

9 **MS. MUNN:** Other than 43?

10 **DR. MELIUS:** Yeah, I believe it's 43.

11 **DR. NETON:** I don't think that there's any  
12 other sites. There are some other phosphate  
13 plants, but those phosphate plants were to my  
14 knowledge different than Blockson. They  
15 didn't cordon off part of the plant like  
16 Building 55 and call that the covered  
17 facility. If that being the case then, we  
18 would have automatically then reconstructed  
19 the commercial dose at those plants. And I  
20 honestly don't know where those stand in our  
21 progress at this point.

22 **DR. MELIUS:** Okay, just asking.

23 **MR. HINNEFELD:** There will be probably,  
24 there will be an evaluation of TIB-43 which is  
25 occupational exposure to radon, radon progeny

1           during recovery of uranium for phosphate  
2           materials. That was a portion of, you know,  
3           that was used to develop the radon that's  
4           applied at the Blockson site.

5                       And SC&A has commented on the  
6           propriety of that and has suggested some  
7           alternative evaluations of the available data.  
8           So part and parcel of the work on this will  
9           be, I mean, the re-evaluation with respect to  
10          that comment that SC&A has written in this  
11          report, that will take us to the re-evaluation  
12          of that TIB-43.

13                   **MR. ELLIOTT:** Right, but TIB-43 would be  
14          evaluated as Stu said, but we haven't  
15          withdrawn it. It can be used at this point,  
16          but it's use will be reflected against SC&A's  
17          comments.

18                   **MS. MUNN:** Okay, very good. Any other  
19          questions, comments?

20                               (no response)

21                   **MS. MUNN:** Then we'll hopefully keep in the  
22          back of our minds that we'll try to have a  
23          brief meeting on this topic to see where we  
24          are while we're in Denver. We'll see what the  
25          agenda there is looking like before we make

1 any rash comments about when we might try to  
2 do that.

3 **MR. ELLIOTT:** I'll try to get you what I can  
4 as soon as I feel comfortable in sharing.

5 **MS. MUNN:** That will be great.

6 **DR. MELIUS:** We understand.

7 **DR. WADE:** Thank you all very much. Thank  
8 you, Wanda.

9 **MS. MUNN:** All right, I think we're done.

10 (Whereupon, the working group meeting  
11 concluded at 6:20 p.m.)  
12

1

**CERTIFICATE OF COURT REPORTER****STATE OF GEORGIA****COUNTY OF FULTON**

I, Steven Ray Green, Certified Merit Court Reporter, do hereby certify that I reported the above and foregoing on the day of January 9, 2007; and it is a true and accurate transcript of the testimony captioned herein.

I further certify that I am neither kin nor counsel to any of the parties herein, nor have any interest in the cause named herein.

WITNESS my hand and official seal this the 16th day of February, 2007.

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