

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

MEETING 49

ADVISORY BOARD ON
RADIATION AND WORKER HEALTH

The verbatim transcript of the 49th
Meeting of the Advisory Board on Radiation and
Worker Health held telephonically on Sept. 4, 2007.

STEVEN RAY GREEN AND ASSOCIATES
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TRANSCRIPT LEGEND

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-- (sic) denotes an incorrect usage or pronunciation of a word which is transcribed in its original form as reported.

-- (phonetically) indicates a phonetic spelling of the word if no confirmation of the correct spelling is available.

-- "uh-huh" represents an affirmative response, and "uh-uh" represents a negative response.

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

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

P A R T I C I P A N T S

(By Group, in Alphabetical Order)

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1 **DR. WADE:** Robert Presley.

2 **MR. PRESLEY:** Here.

3 **DR. WADE:** John Poston

4 (No response)

5 **DR. WADE:** Gen Roessler.

6 **DR. ROESSLER:** Here.

7 **DR. WADE:** Phillip Schofield.

8 (No response)

9 **DR. WADE:** Okay, I make that -- and Paul
10 Ziemer.

11 **DR. ZIEMER:** Here.

12 **DR. WADE:** I make that ten. One, two, three,
13 four, five, six, seven, eight, nine, I make it
14 nine. Absent at the moment are Schofield,
15 Poston and Clawson.

16 **MS. BURGOS:** Mr. Schofield is going to join us
17 in a minute.

18 **DR. WADE:** Okay. We will wait that minute
19 then.

20 (Pause)

21 **DR. ZIEMER:** We probably can go ahead and
22 determine the staff members who are on the
23 line, as well.

24 **DR. WADE:** Right. I would ask -- and we don't
25 need to have a full listing of all people

1 present, but for the organizations I mentioned,
2 any principals representing the organization or
3 someone who feels they need to be notified
4 based upon participation in this agenda, please
5 do that. Let me start with NIOSH --
6 representatives of NIOSH who feel it's
7 appropriate to be identified.

8 **DR. BRANCHE:** I'm Christine Branche in the
9 Office of the Director of NIOSH.

10 **DR. NETON:** Jim Neton with OCAS.

11 **MR. SUNDIN:** Dave Sundin with OCAS.

12 **MS. CHANG:** Chia-Chia Chang with NIOSH.

13 **DR. WADE:** Any other NIOSH representatives feel
14 they need to be identified?

15 **MR. STAUDT:** David Staudt with NIOSH.

16 **DR. WADE:** Very good. Phillip Schofield, are
17 you on the line now?

18 (No responses)

19 Okay. What about Office of General Counsel of
20 the Department of Health and Human Services?

21 **MS. HOWELL:** This is Emily Howell with HHSOGC.

22 **MS. HOMOKI-TITUS:** This is Liz Homoki-Titus
23 with HHSOGC.

24 **DR. WADE:** What about representatives of the
25 Department of Labor?

1 over to you.

2 **DR. ZIEMER:** Thank you, Lew. I will officially
3 call the meeting to order then, and ask first
4 that everybody make sure you have a copy of the
5 agenda. There is a general copy of the agenda
6 on the web site. Now that particular copy on
7 the Advisory Board web site lists the topics to
8 be discussed, but does not have a time frame.
9 The Board members should have received from Lew
10 a -- a slate of topics, which is the same slate
11 that's on the web site but it has the suggested
12 times for each item. We're going to follow
13 that. There's a slight difference in the order
14 between the web site list and the time-ordered
15 list that we received from Lew. But I'm going
16 to -- for convenience, since we have -- we have
17 times on the list that came from Lew, I'm going
18 to follow it. There's only a couple of places
19 where a couple of items have been reversed in
20 order. But generally, it's the same -- same
21 listing. So with that, I thank everyone for
22 their participation.

23 We are -- you will need to identify yourself in
24 general for the court reporter when you speak,
25 and also the rest of the time make sure you're

1 on mute if you're not -- if you're not
2 speaking.

3 **VOTES REPORT**

4 The first item that we have is simply an
5 informational report concerning votes recorded
6 since the last Board meeting. You may recall
7 that the Board has a procedure that when we
8 vote on significant items -- in particular,
9 recommendations to the Secretary -- we have a
10 Board procedure which calls for the Board to
11 secure votes for members who were not
12 physically present at the meeting. And we have
13 that situation for a couple of the recent
14 votes. And Lew and I have together secured
15 those votes and Lew is going to give us a
16 report on the particular votes and which
17 members were contacted, and the outcome.

18 **DR. WADE:** Thank you, Paul. Again, for Board
19 members' information, I have provided you with
20 the notes to the file that I've generated on
21 each of these situations, and that will be my
22 procedure generally, but this will be the first
23 time we'll be publicly airing these votes. And
24 I'll go through them fairly quickly, although
25 if there's need for discussion, please stop me

1 and we'll have the discussion.

2 In the July meeting -- during the July meeting
3 the Board voted to deny a petition on Chapman
4 Valve. The vote of those present was six to
5 five. This was SEC Petition 43 and it covered
6 the period of 1/1/48 to 12/31/49, and then an
7 additional period of 1/1/91 to 12/31/93. Dr.
8 Ziemer and I did meet with the Board member who
9 was absent, Brad Clawson, explained the
10 situation to Brad and asked Brad if he would
11 require any additional information. He did
12 not. Brad voted against the majority of six to
13 five, making the vote six to six. So now the
14 Board is in a deadlock situation with regard to
15 the Chapman Valve SEC Petition. The final vote
16 of record is six to six. Again, the Board will
17 really need to decide how it wishes to proceed
18 when we meet in October. There will be an
19 update on this call of the work that the Board
20 asked me to do in terms of securing potentially
21 additional information from DOE or DOL. So
22 that is the situation.

23 Paul, any comment?

24 **DR. ZIEMER:** I might add to that that, Board
25 members, you realize this has the effect of, in

1 essence, the Peti-- or the motion to send the
2 recommendation to the Secretary did not succeed
3 and therefore no recommendation, one way or the
4 other, went forward. The original
5 recommendation was to deny this -- this -- this
6 particular six-six deadlock. We don't have a
7 recommendation to recommend the petition nor do
8 we have a recommendation to deny the petition
9 so there is no recommendation that has gone
10 forward to the Secretary on that particular
11 petition.

12 Okay. Proceed, Lew.

13 **DR. WADE:** Next would be a vote on Petition
14 Number 75 that dealt with the Ames, Iowa
15 facility. This was for the covered period of
16 1/1/55 to 12/31/70. That vote originally was
17 eleven to zero to approve the petition.
18 Missing was Brad Clawson. We secured Brad's
19 vote and he voted with the eleven, so now the
20 final vote is twelve to zero to approve that
21 petition.

22 Next was a petition on Hanford, Petition Number
23 57. It covered the periods of '43 to '46 and
24 the vote at the meeting was eight to zero to
25 approve. Two members, Munn and Beach,

1 abstained based upon conflict of interest.

2 There were two Board members who did not have
3 the opportunity to vote on that partition.

4 That was Clawson and Lockey. Dr. Ziemer and I
5 secured their votes. They both voted in favor
6 of the petition, making the final vote ten-
7 zero.

8 The last situation under the topic we're
9 talking about involved the three Rocky Flats
10 petitions. One voted on the Board in May; two
11 voted on the Board in June. The first that
12 I'll speak to involved a Board motion to
13 approve a class of workers exposed to neutron
14 dose from 4/1/52 to 12/31/58. The Board vote
15 was to approve, a vote of seven to three. Dr.
16 Poston was not present. We secured his vote.
17 He voted affirmatively, making the final vote
18 eight to three.

19 There was a second Board motion, this one taken
20 up in June, to approve a class of workers
21 exposed to thorium dose from 1/1/59 to
22 12/31/66. The Board vote at the time, of those
23 present, was -- excuse me, the Board vote was
24 eight to one to one. Dr. Poston voted against
25 the motion, making the final vote eight to two

1 to one. In none of these cases did it change
2 the outcome of the Board vote, but just to make
3 this complete.

4 The third Rocky vote, which took place in June
5 of 2007, was a Board vote to deny adding a
6 class for the entire covered period not
7 mentioned by the other two petitions. That
8 covered period was 1952 to 2005. The Board
9 vote at the meeting was six to four. Dr.
10 Poston voted with the majority, making the
11 final vote to deny seven to four.

12 Those are all of the votes that I think set --
13 fit the Board's policy of recommendations that
14 -- recommendations to the Secretary, and that's
15 the end of the report. I guess if anyone would
16 like to comment on how we've done this in the
17 procedures, that would be fine. Again, Dr.
18 Ziemer and I will attempt to secure the vote.
19 I'll document the vote for the record, and then
20 I'll document it on the public record at the
21 next opportunity, the next Board meeting.

22 **DR. ZIEMER:** Thank you very much, Lew. Board
23 members, any comments or questions on the
24 procedures and the outcomes here?

25 (No response).

1 **TBD-6000 AND GENERAL STEEL INDUSTRIES APPENDIX**

2 Okay. If not, then let us proceed. The next
3 item on the agenda is an update on the SC&A
4 review of TBD-6000 and the General Steel
5 Industries Appendix. I think John Mauro is
6 going to lead us in that update. John, is that
7 correct?

8 **MS. MUNN:** This is Wanda.

9 **DR. ZIEMER:** Wanda?

10 **MS. MUNN:** If it's all right with you, I'd like
11 to set a little bit of the stage here.

12 **DR. ZIEMER:** Sure.

13 **MS. MUNN:** We touched on the TBD-6000 issues
14 during our workgroup conference on procedures
15 which was held last week in Cincinnati. At
16 that time John gave us some specifics about
17 where SC&A was with review to the outstanding
18 issues. As I understand it, as I think the
19 working group understood it, they were
20 essentially complete with the TBD itself. The
21 issues were outstanding appendices that had not
22 had a thorough vetting, other than a
23 significant amount of data provided by the
24 petitioners subsequent to the release of the
25 TBD and subsequent to the SC&A review of it.

1 There was some comparison of the amount of work
2 that was going (unintelligible). Who's
3 whistling? What was that?

4 **DR. ZIEMER:** Some kind of a high frequency
5 squeal of some sort. It seems to have gone
6 away.

7 **MS. MUNN:** Goodness. There's some concern
8 about the amount of work that was going to be
9 necessary to thoroughly vet those addenda. And
10 there was concern among the Board members with
11 respect to the SC&A budget, whether it was
12 adequate to cover that. It's our understanding
13 from the workgroup that SC&A will be able to
14 adequately review those significant items that
15 have been presented to them relative to TBD-
16 6000 within the scope of their current budget.
17 And it was the feeling of the workgroup that,
18 because of the significance of what was being
19 presented, we should request that SC&A go
20 forward with that. So we agreed at the time we
21 would bring that issue before the Board at this
22 call.

23 So I would like at this juncture for John to
24 fill in any blanks there and see if I have
25 overmentioned -- overlooked anything

1 significant. But the bottom line from the
2 workgroup's point of view is that we
3 recommended SC&A do continue with the review of
4 the TBD, specifically in light of the fact that
5 there will be no budgetary impact for us this
6 time of the year. Is that correct, John?

7 **DR. MAURO:** That's exactly correct and thank
8 you, Wanda. I think you summarized it
9 perfectly. The TBD-6000 review is virtually
10 complete. We hope to have it in your -- your
11 hands within a week or so, to the working bo--
12 you know. There are a number of findings that
13 I think that the working group and the Board
14 will -- we will need to discuss, and with
15 NIOSH.

16 As far as the Appendix BB, we are in the
17 process of reviewing a great deal of
18 information and -- and look-- and basically
19 getting to the point where we have a full
20 appreciation of what level of analysis is
21 needed to look at the various issues and that
22 work is in hand. We will be able to -- as
23 Wanda pointed out, we will be able to complete
24 all this work within the existing budget.
25 We're probably going to need a little bit more

1 time regarding Appendix BB. And in fact, I'd
2 like to ask -- the person that is taking the
3 lead on that is Bob Anigstein, who is in the
4 process of digesting all of this and getting
5 all our computer runs in order. Bob, could you
6 just give a quick rundown on what -- I guess
7 when you think you might be able to get all
8 this analysis done and have a draft report
9 ready for the -- for the Board?

10 **DR. ANIGSTEIN:** My best estimate right now
11 would be sometime in October because what we
12 needed to do -- first there is -- I have a vast
13 volume of material to read through, like 500
14 pages of the transcripts of the worker outreach
15 meetings that took place in Illinois over the
16 past year. And in addition, trying to get some
17 more informa-- detailed information on the
18 Betatron itself. I had tried to -- I was not
19 successful this morning to check before the
20 meeting. Apparently Dr. Sam Glover had some
21 inside information from a former Allis-Chalmer
22 employee on the detailed operating of the --
23 the detailed operations of parameters of
24 Betatron, which I cannot seem to get ahold of.
25 In addition, there are three existing sites

1 which have similar Betatrons -- mostly they're
2 the 25 MeV Allis-Chalmer Betatrons -- which we
3 would like to try to contact. One of them
4 (unintelligible) to the Army Depot in
5 Pennsylvania. And they have openly advertised
6 on the web site their capabilities as to
7 radiography with the Betatron. So presumably
8 they will be willing to share some of the
9 information on -- they probably have a
10 (unintelligible) there maintain their Betatron
11 and they might be able to give us some insight
12 on the details, because in order to do the
13 required analysis we first have to generate
14 (unintelligible) computer code and CMP to
15 generate a spectrum of the gamma radiation
16 coming out of the -- they're really more
17 correctly X-rays -- coming out of the Betatron,
18 and for that we need details on things like --
19 apparently, there is an aluminum
20 (unintelligible) that's presumably in the
21 electron beam. It's a conical-shaped piece of
22 aluminum that (unintelligible) attenuates the
23 beam in the center so that when the beam hits
24 the object, the edges of the beam and the
25 center of the beam have more or less the same

1 intensity. And that affects the analysis and
2 we just need to try to get as much detail on
3 that as possible before we proceed.
4 Then the problem running into it is the code --
5 computer code -- MCMPX Version 2.6, which is
6 the only code that we know of that's capable of
7 doing what are called delayed gammas. If you
8 irradiate a piece of metal -- any other object
9 -- with high energy proton radiation and then
10 you generate short-lived or not so short-lived
11 radioisotopes, which then decay
12 (unintelligible) calculates the gamma emission
13 (unintelligible) as a function of time. It's a
14 very slow running program. Whereas the other
15 MCMP analyses on a fast computer can be
16 anything from a matter of minutes or maybe at
17 most a few hours. Here we did the preliminary
18 run for 25 hours and it produced marginally
19 acceptable statistics, not -- not quite really
20 good enough. So we -- we -- so we estimate
21 that a run would take anything from four days
22 to maybe a week or two. And we only have one
23 computer available that would be -- only the
24 most recent advanced desk top computers can
25 handle this. You need at least one gig of

1 memory, you need a dual code processor. The
2 one we have now is -- available to our
3 associate is something like 2.3, 2.6 -- I
4 forget right now -- gigahertz. And so these
5 things have to run in succession. So that's
6 where the time element comes in. You set up
7 the runs, but it takes -- could take a week or
8 more, and we need to do at least one run for
9 uranium and at least one run for a steel alloy.
10 We may need to follow up, but to start off with
11 the most common alloy that would have been
12 used, which would be an alloy called HY 80. I
13 believe that's used for military armor plate, I
14 could be wrong on that. And the plan is --
15 there is about a dozen constituents at that
16 alloys (unintelligible), primarily iron. But
17 it also has (unintelligible) chromium and small
18 -- small additives or impurities allowed in
19 that alloy. So the plan is to do this MCOMPX
20 161 on this alloy and then pull out a history -
21 - exactly which isotopes are created and which
22 contribute to the external dose. And if it
23 turns out that the only significant spot on the
24 (unintelligible) report was iron-53, then
25 essentially its job is done, because we don't

1 need to worry about other alloys 'cause they'll
2 all be primarily iron. However, if it turns
3 out that one of the minor (unintelligible) has
4 a disproportionate contribution, then we have
5 to look further and say well, perhaps there
6 another alloy that has a higher percentage of
7 that particular metal and therefore will cause
8 a higher dose rate, following the radiation.
9 So we won't know that until we do our initial
10 run. So it may be -- there may be more than
11 one run necessary. And as I said, that might
12 take a few days. So that's the main reason for
13 the delay in time. The labor is -- as John
14 said, the labor hours are within our existing
15 budget. So my best guess is that the report
16 will be ready -- depending on what
17 complications we run into in the analysis, but
18 the best estimate would be sometime in October.

19 **DR. ZIEMER:** Bob, this is Ziemer. Do you have
20 all the information also from -- on the reports
21 from John Ramspott and from Dr. McKeel, I
22 assume --

23 **DR. ANIGSTEIN:** Yes, I do.

24 **DR. ZIEMER:** -- at this point, and so taking
25 all that into consideration and these runs,

1 you're hopeful that October will be -- you'll
2 have at least a draft report available?

3 **DR. ANIGSTEIN:** Yes.

4 **DR. ZIEMER:** Very good.

5 **DR. ANIGSTEIN:** That's our -- that's our aim.
6 That's -- that's my best estimate.

7 **DR. ZIEMER:** Very good.

8 **MS. MUNN:** And any hope that that would be
9 available -- this is Wanda -- prior to our full
10 Board meeting the first week in October?

11 **DR. ANIGSTEIN:** The first week of October? I
12 would not want to commit to that.

13 **MS. MUNN:** All right. Very good.

14 **DR. WADE:** This is Lew. I think at a minimum
15 we would need an update --

16 **DR. ZIEMER:** Yeah.

17 **DR. WADE:** -- in October.

18 **DR. ZIEMER:** A progress report.

19 **DR. ANIGSTEIN:** Certainly. Certainly. Any
20 result that -- what I'll try to do is any of
21 the computer runs that would go quickly, like
22 for instance, the shielding analysis, which
23 means what is the dose rate outside the
24 Betatron room while the Betatron is running.
25 Those will take a little time to set up, but

1 they should execute fairly quickly. Those
2 kinds of things execute in a matter of a few
3 minutes or hours. So I will try to get those
4 out first. This (unintelligible) something to
5 report, other than waiting --

6 **DR. ZIEMER:** Well, you need to make sure that
7 whatever is done also reflects the working
8 conditions at General Steel.

9 **DR. ANIGSTEIN:** That's right.

10 **DR. ZIEMER:** And both in terms of shielding and
11 locations and beam flattening devices and
12 whatever is being used.

13 **DR. ANIGSTEIN:** Certainly, and that is -- that
14 is -- that is going to -- there is a
15 complication there. I wouldn't say
16 complication -- a complexity there, because of
17 -- from what I have read, these -- there was a
18 survey done by Oak Ridge National Laboratory.
19 There were several surveys, there were probably
20 four surveys done that I have reports on.
21 Starting out -- I think the earliest one was in
22 the 1989-1990 time frame. A little confusion
23 because if you got assigned a report number,
24 then that's '89 and then within the actual
25 final report of -- written in 1990, so the

1 survey was probably done somewhere in that time
2 frame between. And it actually states that
3 what is called the old Betatron building had
4 two Betatrons physically there at the beginning
5 of the survey. They even show circles on their
6 floor plan where they were located. And then
7 the -- the question then is in that case what
8 was the new Betatron building used for?
9 Apparently there is something else called the
10 new Betatron building. But also the Betatrons
11 apparently moved around, in that they would
12 bring in a very large object on a flat car,
13 sometimes it was not practical to remove the
14 object from the flat car, so they left it there
15 and used a crane to move the Betatron at the
16 right position. So the Betatron beam was
17 probably not always aimed in the same
18 direction. That's -- that's speculative right
19 now on my part. It's a possibility. And that
20 would require a num-- you have to look at a
21 number of possibilities. Once I've completely
22 reviewed -- it's about 500 pages of testimony
23 from these four worker outreach meetings, and
24 once I've reviewed that I'm going to try to
25 contact the workers directly, perhaps by

1 telephone, and see if I can get some more
2 information. Or, if it looks like that would
3 be appropriate and worthwhile, just to have a
4 site visit so I can both look at the buildings
5 -- at the existing buildings and talk to -- and
6 talk to the workers. But it's going to be a
7 couple of days to -- before we get to that
8 part, at that decision.

9 **DR. ZIEMER:** Thank you.

10 **MS. MUNN:** This is Wanda again. Our bottom
11 line request from the workers is that the Board
12 look at our recommendation, which is to proceed
13 as has been outlined and authorize SC&A to
14 continue the work that -- that we've just been
15 discussing.

16 **DR. ZIEMER:** Then Wanda -- help me recall here
17 -- were you asking for a formal recommendation
18 from the Board to proceed on this basis?

19 **MS. MUNN:** Just approval to proceed since this
20 is, in our view, a budgetary information
21 report. And we wanted to make sure that the
22 full Board was in agreement that we need to
23 proceed as we've outlined.

24 **DR. ZIEMER:** So the recommendation that comes
25 from the subcommittee (sic) is to proceed as

1 described and that actually has the force of a
2 motion that does not require a second. So let
3 me open the floor for discussion. The motion
4 would be to confirm this recommendation from
5 the workgroup that would, in essence, direct
6 the contractor to proceed on the review. And
7 this is specifically the review of Appendix BB,
8 and Wanda, are we not --

9 **MS. MUNN:** That's correct.

10 **DR. ZIEMER:** -- talking about Appendix BB?

11 **MS. MUNN:** Correct, BB.

12 **DR. ZIEMER:** Appendix BB of TBD-6000.

13 **MS. MUNN:** That's correct.

14 **DR. ZIEMER:** And let me also ask Lew and David
15 Staudt if there's any statutory issues that are
16 of concern at this point. I think we heard
17 that we think it's covered in the budget.

18 **DR. WADE:** Yes, I believe that to be the case.
19 David?

20 **MR. STAUDT:** Yeah, that's -- that's correct.

21 **DR. ZIEMER:** Okay, Board members, any
22 discussion? If not, I'm going to call for a
23 roll call vote on the motion from the working
24 group to proceed on the review of Appendix BB.

25 **DR. WADE:** Okay.

1 recorded?

2 **DR. ZIEMER:** Yes, aye.

3 **DR. WADE:** So the vote is ten-zero in favor of
4 the motion.

5 **DR. ZIEMER:** Very good. Motion carries. Thank
6 you very much.

7 **SC&A'S CONTRACT TASKS FOR FISCAL YEAR 2008**

8 We also have a report on SC&A's contract tasks
9 for the next fiscal year. And Lew, I guess you
10 and David can lead us through that.

11 **DR. WADE:** Right. I would ask David just to
12 fill the Board in. As you know, over the last
13 several Board meetings we've been working on
14 getting your contractor tasked for next fiscal
15 year, and I believe that's in place. David,
16 could you provide the details?

17 **MR. STAUDT:** Yes. All the -- all the five task
18 orders are -- modifications are in place, as
19 desired by and approved by the Board at the
20 last meeting.

21 **DR. ZIEMER:** Okay. So that's -- that's -- no
22 complications, everything is in place?

23 **MR. STAUDT:** Everything is in place and you're
24 good to go.

25 **DR. ZIEMER:** These are tasks in terms of both

1 the work product that we outlined at the last
2 meeting and the budgetary values.

3 **MR. STAUDT:** Exactly.

4 **DR. ZIEMER:** Okay. Questions or comments,
5 Board members? Did somebody have a comment?

6 **DR. MAURO:** Dr. Ziemer, this is John Mauro. I
7 did have one question for David and the Board.
8 At the last working group meeting, OTIB-54 was
9 mentioned as an OTIB that -- dealing with
10 fission products that the -- the Board -- the
11 workgroup would like reviewed. And there was
12 some question whether or not we should begin
13 our review at this time, or wait until next
14 fiscal year to start that review. In light of
15 the fact that the budget is in place, I guess
16 this is a question more for David that the
17 budget is now in place to -- to perform work --

18 **MR. STAUDT:** You can proceed right now.

19 **DR. MAURO:** We could proceed right now. I
20 guess I could use a little direction from the
21 Board whether you'd like us to proceed with
22 OTIB-54 at this time.

23 **DR. ZIEMER:** I'm trying to recall in the
24 priority list where that stood. My
25 recollection was that we wanted that to be

1 fairly high, but that it wasn't necessarily
2 urgent that it start in the next few weeks.
3 Was -- can you -- anybody help me on this?

4 **MS. MUNN:** This is Wanda. The procedures group
5 discussed this briefly and we were of the
6 opinion that this particular document was
7 indeed one that needs to be high priority. I
8 think it was the general feeling of most of the
9 participants that it was good and proper that
10 SC&A move forward on 54.

11 **DR. ZIEMER:** But, for example, was not to set
12 aside other priority items in its favor.

13 **MS. MUNN:** No.

14 **DR. ZIEMER:** It's high priority, but there was
15 not an urgency. For example, the review of BB
16 is very important.

17 **MS. MUNN:** That's true. Now it was our
18 understanding from the discussions that took
19 place during that meeting that 54 could be
20 incorporated into the flow of material that
21 SC&A is looking at without any major disruption
22 of the priorities that have already been
23 established. If I'm incorrect about that,
24 John, please say so.

25 **DR. MAURO:** The only reason -- you're correct,

1 Wanda. The only reason I raised the question,
2 I wasn't quite yet sure whether we should start
3 billing work that we are calling fiscal year
4 2008 work. But the fact that we just heard
5 from David that the resources are now in place
6 for -- and the scope of work has now been
7 established for fiscal year 2008 and since
8 those resources are there, should we proceed at
9 this time, say it -- even though it's still
10 September -- fiscal year 2008 doesn't start
11 until October 1. But if it's appropriate and
12 it sounds like, according to the contractual
13 arrangements, it's appropriate for us to
14 proceed, it will -- we can proceed without --
15 on 54 without it interfering with the
16 priorities that we have been assigned --
17 assigning to the other work to then
18 (unintelligible) --

19 **DR. ZIEMER:** It seems to me if you can do that,
20 and if there's not a legal issue on the billing
21 -- and David seems to indicate not -- that we
22 ought to proceed then. Is that correct, David?

23 **MR. STAUDT:** That is correct.

24 **DR. ZIEMER:** Yeah. Okay, John?

25 **DR. MAURO:** Yes. Thank you very much.

1 and beyond. What I would like to do today is
2 just to let David speak a bit to this issue to
3 alert the Board to it, and then in October I
4 would like to have a detailed discussion where
5 the Board would make its wishes known as to how
6 it would like to be involved and what would
7 take -- you know, what would take place. And
8 again, we have time to do this right. The
9 purpose of this call is to alert you, to let
10 David talk a little bit about the steps
11 involved from the government's point of view,
12 and then to alert you to a discussion in
13 October where the Board could decide how it
14 wanted to be involved, and then we would
15 proceed forward from that date to procure you a
16 contractor.

17 David, what do you need to get on the record
18 for the Board to consider in terms of
19 generically the path forward?

20 **MR. STAUDT:** Yeah. Again, I think that's
21 correct, Lew. I think in October that, you
22 know, the bill will come up to visit and to
23 discuss two primary things, one being the
24 statement of work and the evaluation criteria,
25 which I think you need to be very involved in.

1 I think over the last few years things have
2 changed, so the statement of work is going to
3 have to be tweaked somewhat. I think all the
4 elements are there; but before, for example,
5 the SEC portion of the statement of work was
6 very limited, and I think that's going to have
7 to be looked at. So we need to be thinking
8 about where the work is going to be headed.
9 The statement of work is still -- is still
10 fairly broad, but we need to take a look at
11 that and then -- and then take a couple of
12 months and do that. But the main thing is that
13 I think we should be looking forward to January
14 meeting that the Board would be approving the
15 statement of work and the evaluation criteria
16 so that -- so that my group in contract can go
17 out and publish this on the streets and -- and
18 then that process itself takes about six months
19 from there from award and we need to have that
20 done in order for the next contractor, if it's
21 SC&A or possibly somebody else, to just keep
22 the ball rolling in October. So I think we're
23 ultimately looking from the Board in January to
24 give the green light to proceed with -- with
25 the solicitation process and it's really -- the

1 meat of it is the statement of work and the
2 evaluation criteria.

3 **DR. WADE:** All right. David, this is Lew.
4 We'd also like to get some sense of the Board,
5 I think, as to how they would like to be
6 involved in the actual evaluation process, have
7 Board members involved, and I think all of that
8 needs to be talked through. What would be the
9 evaluation mechanism and the opportunities for
10 the Board to be involved, David?

11 **MR. STAUDT:** The (broken transmission) members
12 actually of the technical evaluation panel, or
13 maybe just a non-voting member, just to kind of
14 give input into the proposals that were
15 received. And I think one step that we won't
16 have to do this time, Dr. Ziemer, is we won't
17 have to have a pre-proposal conference like we
18 had before. I think you did it in Cincinnati.
19 You know, this contract's been in place for
20 four -- well over four years, and I think
21 everybody kind of knows what is going on. So
22 that step won't be required, which will be --
23 which will help.

24 **DR. WADE:** So in terms of the range of
25 solutions, David, Board members could be on the

1 evaluation panel, or they could be advising to
2 that panel.

3 **MR. STAUDT:** Right, and I think as always with
4 these Boards, you know -- they -- you need to
5 be -- it has to be, you know, not more than,
6 you know, six or eight, depending on the
7 complexity, and then -- so I think we need to
8 pick the members who are going to be available
9 and who will add value for those specific
10 areas. But we don't -- we don't want it to be
11 too big. And we have plenty of time to work on
12 that, but I think the thing is we need to think
13 about it in October.

14 **DR. WADE:** Okay. I just wanted to let the
15 Board know the range of thought. I have a
16 proposal to -- not to make, but to ask the
17 Board's guidance on. We could come to October
18 with a blank piece of paper and begin to
19 discuss statement of work or evaluation
20 criteria, or I could ask and work with David to
21 cobble something together that would be a first
22 draft. I don't want to be accused of trying to
23 -- to control the outcome by the staff work
24 going in, and yet I think we all kind of have a
25 sense of what that statement of work is likely

1 to be in the evaluation criteria. So I guess
2 the sense of the Board would be valuable as to
3 whether you would like David and I to bring you
4 a straw document to start with, or would you
5 rather we hear your discussion in October, and
6 then put together such a document?

7 **DR. ZIEMER:** Board members, any comments?

8 **MR. SCHOFIELD:** Lew, this is Phil. I'd like to
9 see something, just a rough draft, put together
10 at least so we can discuss it at the Board
11 meeting in October.

12 **MS. MUNN:** This is Wanda. I concur. It's a
13 lot easier to comment on an existing document
14 and throw slings and arrows at that, than it is
15 to sit down and try to generate something
16 cogent out of one's own sometimes
17 malfunctioning mental processes. So...

18 **DR. ZIEMER:** Other comments?

19 **MR. PRESLEY:** This is Bob Presley. I agree.

20 **DR. ZIEMER:** Thank you. This is Ziemer again.
21 Let me suggest, though, that as a starting
22 point we take the original statements -- the
23 original statement of work and then you guys do
24 some tweaking of it, that -- it would be
25 helpful to have that before us.

1 **MR. STAUDT:** Absolutely. That will all be
2 provided.

3 **DR. ZIEMER:** Okay. Yeah, as a starting point,
4 and so we have that and then we say what you
5 think contractually needs to be added to make
6 it more workable, and then I think that, with
7 that as a starting point, Board members can
8 have input on the particular features or items
9 or considerations that they think should be
10 clearly stated in the statement of work.

11 **MS. MUNN:** This is Wanda. It would be very
12 helpful for me if the contractual officer made
13 an effort to give us two or three bullet items
14 indicating specific areas where his office sees
15 a need for a change, as just mentioned in some
16 of the direction of focus in the coming years.
17 That would be extremely helpful for me.

18 **MR. STAUDT:** Will do, Wanda.

19 **MS. MUNN:** Thank you.

20 **DR. ZIEMER:** Other comments?

21 **DR. WADE:** We'll try and have it to the Board
22 at least a week before the call. So what
23 you're asking for is the original statement of
24 work, and then any recommendations that the
25 government might have as to modifications. We

1 will have to take that original and modify it
2 with the SEC tasks that will have subsequently
3 been added.

4 **DR. ZIEMER:** Right. Right.

5 **DR. WADE:** That shouldn't be difficult at all.

6 **DR. ZIEMER:** Right.

7 **MR. STAUDT:** And usually the way this works,
8 Dr. Ziemer, is that when, for bidding purposes,
9 that we would give contractors a few sample
10 tasks and that shows that the contractors --
11 they kind of know what they're thinking and
12 what the costs are. So I'm not sure if the
13 Board is interested in reviewing those, but
14 those are certainly going to be an integral
15 part of finding out from a cost realism
16 standpoint, if the potential bidders know what
17 they're doing, and whether -- one will be an
18 SEC task and maybe, you know, some other will
19 be dose reconstruction related. So that's
20 something we can think about and throw in front
21 of you in October also.

22 **DR. ZIEMER:** Okay. What about the evaluation
23 criteria?

24 **MR. STAUDT:** Yeah. I think we -- just do the
25 same think. We take the ones we have there

1 now, and then maybe just tweak those just a
2 little bit. I think from -- I haven't read
3 them in a while, but they were fairly standard.
4 But move on a little bit and maybe we can do
5 that. Just tweak those a little and do the
6 same thing we're going to do with the statement
7 of work.

8 **DR. WADE:** Just for the record, I have
9 consulted with counsel, and we're having these
10 discussions in a public forum and that's fine.
11 SC&A will listen and that's fine, as they wish.
12 I have asked David to move as expeditiously as
13 possible to put a sources sought out on the
14 street so that everyone would know what the
15 government's intentions are, and then we would
16 notify people of Board meetings and dates and
17 things if others wanted to listen to the
18 discussion. Again, we want to do our business
19 in the open. I'm really reluctant to close any
20 part of the Board's deliberations unless I
21 absolutely have to. But I think to be fair, we
22 need to broadcast to the world what our
23 intentions are on this.

24 **DR. ZIEMER:** David, in the original
25 negotiations and bidding process and so on, we

1 had -- I'm trying to recall -- I think there
2 were perhaps three Board members -- although I
3 don't recall for sure, but approximately three
4 Board members who were part of the review team.
5 Now remind me of the procedure. You get a
6 series of bids. How -- what's the process for
7 the final selection?

8 **MR. STAUDT:** Basically, you get the bids in and
9 then the technical proposals are sent to a
10 technical evaluation panel, of which some of
11 your Board members can be on that, and they're
12 reviewed and -- or often if you get too many
13 bids in, then you develop a -- a competitive
14 range until say you get down to three, and then
15 you review those three for also their costs --
16 their cost proposal, also --

17 **DR. ZIEMER:** Okay.

18 **MR. STAUDT:** -- and then you can -- you'll
19 probably end up entering into discussions with
20 those three individual companies.

21 **DR. ZIEMER:** At some point then, we will be
22 thinking about having a technical evaluation
23 panel.

24 **MR. STAUDT:** Yes.

25 **DR. ZIEMER:** And that's separate from whoever

1 looks at the dollars, or is it?

2 **MR. STAUDT:** Well, yeah, actually that
3 technical evaluation panel will also, as a
4 second step, look at the dollars just -- just
5 to kind of compare that they're reasonable and
6 --

7 **DR. ZIEMER:** And we have some experience now to
8 know how to make some cost comparisons.

9 **MR. STAUDT:** Exactly. Exactly. And you're
10 trying to see that -- the type of labor mix
11 that they're proposing, and the costs that are
12 involved in that, the number of hours and all
13 that. It all kind of makes (unintelligible).

14 **DR. NETON:** Dr. Ziemer?

15 **DR. ZIEMER:** Yeah.

16 **DR. NETON:** This is Jim Neton. I recall when
17 the original contract was let, there were two
18 members of the Board on the technical
19 evaluation panel.

20 **DR. ZIEMER:** Okay. It was a small number.

21 **DR. NETON:** And I think there was a reason for
22 that, and it may have changed since then, but I
23 thought that a certain percentage of the panel
24 had to have the federal procurement training
25 under --

1 **DR. ZIEMER:** Yes. There were some -- I don't
2 recall the details -- but there were some --
3 there was some special training that was
4 required of individuals who participated. And
5 there was -- there were a number of things that
6 were obviously closed because we were looking
7 at confidential, proprietary information.

8 **MS. MUNN:** Yes, and this is Wanda. My memory
9 is that we had at least two, and possibly
10 three, closed full Board meetings discussing
11 the funding and the level of funding, and
12 making some comparisons of the number of hours
13 that were being assigned to various levels of
14 personnel.

15 **MR. STAUDT:** Yes, and that's another reason why
16 I think we want to get this started in October,
17 so that we have adequate time to get it
18 awarded.

19 **DR. WADE:** David, this is Lew. If, during the
20 requirements for participants in the evaluation
21 panel to have procurement training, the option
22 exists to get training for a Board member who
23 might not have it? Is that correct?

24 **MR. STAUDT:** I believe we can get that
25 training, yes.

1 **DR. WADE:** So at this point we don't see that
2 as a constraint. If the Board would decide
3 they want parties A, B and C -- again, it's
4 always the government's prerogative as to
5 whether it takes the Board's recommendation,
6 but should the government decide that those
7 members -- one is trained and two aren't, we
8 would try and get those two trained.

9 **DR. ZIEMER:** Well, is there also a requirement
10 that there be a certain number of outside
11 people on these review panels, or what kind of
12 -- maybe you can let us know. I don't need to
13 know now, but --

14 **MR. STAUDT:** Lay that all out and -- and --

15 **DR. ZIEMER:** Yeah, and you know, how many
16 members should we have? It's going to --- what
17 we're going to end up with is a -- what's going
18 to look like a working group, which will be the
19 evaluation panel for the Board, of some sort.

20 **MR. STAUDT:** Right. There'll probably be
21 others though, as well.

22 **DR. ZIEMER:** Yeah. That's what I'm saying.
23 There wouldn't be exclusively a Board panel.
24 At least it wasn't before. I assume --

25 **MR. STAUDT:** I think the composition's going to

1 be fairly similar this time.

2 **DR. ZIEMER:** Uh-huh. There was some
3 representation from NIOSH and maybe from other
4 parts of the government even.

5 **DR. WADE:** I'm going to try and do as much of
6 this publicly as I can. When we do get down to
7 discussing labor rates, I think then there is
8 some confidentiality, but unless the board
9 instructs me otherwise I'm going to try and do
10 as much of this publicly as possible.

11 **DR. ZIEMER:** Right. Well, that sounds like a
12 good plan to get us in process, so at the
13 October meeting we'll have an opportunity to
14 see a draft of the statement of work and
15 evaluation criteria and opportunity to input,
16 and then follow up in a more detailed time
17 schedule at that point. Is that correct?

18 **MR. STAUDT:** That -- that's correct

19 **DR. ZIEMER:** Okay. Board members, any further
20 questions on this topic?

21 (No responses)

22 **ROCKY FLATS FOLLOW-UP ACTIONS**

23 If not, let's proceed. The next item of
24 business is an update on the Rocky Flats
25 follow-up actions and we show Jim Neton as

1 having the lead on that.

2 **DR. WADE:** Right. This is Lew to start. I
3 mean, again, we'll have this as an agenda item
4 for October obviously, but I thought it
5 appropriate, since this is such an important
6 issue, that we just get an update from Jim now.
7 This is by no means his final report, but an
8 update as to where we stand.

9 **DR. NETON:** Okay. Thanks, Lew. If you recall,
10 we did at the June Board meeting in Lakewood,
11 Colorado we were asked how long it would take
12 us to evaluate the cases -- the Rocky Flats
13 claims against the new approaches that were
14 proposed during the working group's
15 deliberations. There were like three separate
16 changes, those being the super S plutonium and
17 the 95th percentile for unmonitored internal
18 dose for workers, and there was a new neutron
19 dose model that was proposed during those
20 deliberations. We've been working on that as
21 quickly as we can. We have completed the
22 internal/external site profile documents, the
23 revisions of those documents. They were
24 reviewed and approved in the -- I think the
25 middle of August. They're out there on our web

1 site so there is no impediment now for us to
2 proceed forward to complete all those dose
3 reconstructions. In fact, any new cases that
4 are coming forward to us are being processed
5 against those as we speak.

6 If you recall, at the July meeting in Richland,
7 I provided an update as to where we were and I
8 indicated there were 672 cases at Rocky Flats
9 that had probabilities of causation less than
10 50 percent. Since that time we've been working
11 through the backlog, and most of those were due
12 to the super S -- we thought most of those
13 would have to be evaluated against super S.
14 We've been doing as they've been being sent
15 back from the Department of Labor, and in fact
16 the number of cases less than 50 percent at
17 Rocky Flats is now down to 610. And I -- I --
18 I don't -- I haven't verified this completely,
19 but I believe most of those are a direct result
20 of the reevaluation using the super S model.
21 The evaluation of these cases, though --
22 however, has been slightly more difficult to
23 triage than we thought, and there's two main
24 reasons for that. One is the identification of
25 which of these cases are actually in the SEC --

1 SEC class that's been added at Rocky Flats.
2 That has not yet closed. I think the SEC
3 designation is scheduled to be effective
4 sometime this week. I think probably September
5 6 is the date that comes to mind. But until
6 that's figured out, we really have trouble
7 determining which exact cases to rework. As
8 importantly, however, is -- we've run into a
9 stumbling block as to how to factor in all the
10 other technical changes that have been made in
11 the program, not just the Rocky Flats changes.
12 That is, while we're redoing these things we
13 don't want to do them in a vacuum and evaluate
14 against those three specific changes, but we
15 may as well incorporate all the other various
16 changes that have been made to site procedures
17 and technical documents.
18 With that in mind, we've had discussions --
19 recent discussions with the Department of Labor
20 and it was agreed that we're going to --
21 they're going to send back to NIOSH all Rocky
22 Flats cases that have been denied to date.
23 That would be, by our count -- and not just 610
24 cases, and we will redo those dose
25 reconstructions completely, using not only the

1 Rocky Flats changes, but all changes that might
2 impact them, you know, from other evaluations
3 that have been done. So DO-- Department of
4 Labor will send letters to those claimants as
5 they send them back to us, notifying that
6 that's what's happening, and we will rework
7 these cases almost as a de novo dose
8 reconstruction, complete with a closeout
9 interview and -- and everything else that goes
10 along with that. So that's where we are.

11 **DR. ZIEMER:** And Jim, how about -- is it made
12 very clear to people if you're -- if -- when
13 you're reopening a case like that, you're --
14 you notify people. Correct?

15 **DR. NETON:** Yeah. Well, Department of Labor
16 would send a letter back to them saying that
17 it's been returned to NIOSH for rework.

18 **DR. ZIEMER:** Right. They're making it clear to
19 -- again, you don't want them to get false
20 hopes up and obviously these aren't all going
21 to be successful as far as the POCs and I'm
22 just hopeful that Labor's letter does not raise
23 false hopes in these cases.

24 **DR. NETON:** Yeah, I agree with you, Dr. Ziemer.
25 And that's a concern of ours and we've had

1 numbers of discussions with Department of Labor
2 about this, although I honestly don't know
3 exactly what their letter says but they are
4 certainly sensitive to this issue as well.

5 **DR. ZIEMER:** Yeah. It's their -- it's their
6 call, but we -- it's good that you're having
7 input on that issue so that people understand
8 we are taking another look at this and there is
9 an opportunity but, you know, don't assume that
10 you're automatically now going to have a
11 successful claim.

12 Okay. Thank you. Other -- Board members,
13 other comments on this?

14 **MR. GRIFFON:** Yeah, Dr. Ziemer, Mark Griffon.

15 **DR. ZIEMER:** Yeah. Mark, go ahead.

16 **MR. GRIFFON:** Yeah. I just had a question.
17 Jim, have you wrestled with or -- this question
18 of designating the neutron buildings -- has
19 anyone worked with DOL on how these -- I mean I
20 know this was sort of a side thing but it did
21 come out of our recommendation that -- you
22 know, neutron workers and we left that
23 definition of monitored or should have been
24 monitored for neutrons, you know, purposely
25 vague because we knew there were several

1 buildings -- Building 81 comes to mind --
2 several buildings where we just wanted to make
3 sure that more research was done and the
4 designation was appropriate. We didn't want to
5 try to make a list of buildings at the time.
6 Is there any status on that, on...

7 **DR. NETON:** I knew you were going to ask that,
8 Mark, and unfortunately I wasn't able to track
9 down the exact answer to that question. But I
10 do know that we have provided the Department of
11 Labor a list of all of the Rocky Flats workers
12 who were included in the neutron dose
13 reconstruction project, so they have those
14 names as a start. Now not all those people, of
15 course, would be covered. But they certainly
16 would be considered neutron workers.
17 The second part of the question, which is which
18 buildings, we have evaluated the NDRP buildings
19 and to our estimation, or to our knowledge, the
20 buildings that were included in the NDRP are
21 the ones that should be considered in the
22 class. But I honestly don't know if we've sat
23 down with the Department of Labor and
24 communicated that to them yet. In other words,
25 you know, all the buildings that were in the

1 NDRP that we went through with the working
2 group would be the ones that would be -- the
3 class.

4 **MR. GRIFFON:** Okay. I -- I -- I thought that
5 was our -- our starting point. But I thought
6 there were others that we made at least a good
7 case during our deliberations that there should
8 be others that should be considered for
9 inclusion, such as 81 or the -- or the early
10 sub-critical experiments and so forth.

11 **DR. NETON:** Well, again, I'll have to go back
12 and check with Brant on this. He was -- he was
13 heading that -- that group -- that workup, but
14 I --

15 **MR. GRIFFON:** Maybe you can report back on in
16 October on that.

17 **DR. NETON:** I'll do that. I don't want -- I
18 shouldn't speak without having complete, you
19 know, information.

20 **DR. ZIEMER:** And Lew can -- we'd be sure to put
21 this on the agenda again for October -- a
22 further update on the Rocky in general.

23 **DR. NETON:** Correct.

24 **DR. ZIEMER:** Yeah.

25 **MR. GRIFFON:** Thank you.

1 **DR. ZIEMER:** Very good. Thank you. Other
2 questions or comments for Jim?

3 **MR. CLAWSON:** Yeah. Jim, this is Brad Clawson.
4 When you're talking about the -- the group of
5 people that are classified as neutron workers
6 and stuff like that, are we taking into
7 consideration all the ones that possibly could
8 have, as roving maintenance or anything else
9 like that, or how are we determining which
10 people are -- are the ones?

11 **DR. NETON:** Well, that's a good question, Brad,
12 and you're sort of getting into an area I think
13 that's more appropriate for Department of Labor
14 to comment on. But I can tell you, based on
15 past practices, those types of workers would
16 certainly be considered for addition to the
17 class, and the -- the test that's been applied
18 in the past sites has been was there potential
19 for a worker to receive a hundred million rem
20 exposure. Now how the Department of Labor will
21 end up putting that into practice, I really
22 can't say.

23 **MR. CLAWSON:** Okay. I appreciate it. Thank
24 you.

25 **DR. NETON:** No problem.

1 **DR. ZIEMER:** Other questions or comments?

2 **DR. WADE:** This is Lew. Since that's such an
3 important issue, I think we would -- I'll try
4 to arrange for someone from the Department of
5 Labor to be present in October to be prepared
6 to field those questions.

7 **DR. ZIEMER:** Thank you.

8 **DR. WADE:** No promises, but we'll try.

9 **PRIVACY ACT CLEARANCE PROCEDURES**

10 **DR. ZIEMER:** Okay. Let's proceed then. The
11 next item on the agenda is a report on Privacy
12 Act clearance procedures. We -- we received
13 actually three different procedures which
14 describe how Privacy Act issues are handled for
15 our contractor, SC&A; for (unintelligible) and
16 for -- I guess (unintelligible) NIOSH docket
17 office. Did everybody get those? They were
18 distributed maybe a week or so ago.

19 **MS. MUNN:** Yes.

20 **DR. MELIUS:** I'm a little confused, 'cause I
21 got them and then I got a note saying they were
22 recalled.

23 **DR. ZIEMER:** Well, and then they were resent,
24 or I don't know what change was made. I got
25 the same thing. We got the documents, then

1 shortly thereafter a note saying that the --
2 that e-mail was being recalled and then shortly
3 after that I got another one that appeared to
4 have the same three. Maybe there was a change.

5 **DR. WADE:** I don't think there were any
6 changes. I think the recall was based
7 partially on a broader distribution than was
8 originally intended.

9 **DR. ZIEMER:** Oh, okay. In any event, the
10 documents that were distributed are the ones
11 we're supposed to get.

12 **DR. WADE:** The documents are the same, as I
13 believe.

14 **DR. ZIEMER:** Yeah. Now, there's several items
15 -- and Board members, again I suggest to you,
16 you put a date on it -- on yours' these aren't
17 dated. But -- and I -- I interpret them as
18 descriptions of what is being done -- is that
19 correct -- as opposed to official approved
20 procedures? Well, they are approved, but they
21 -- well, what we have here -- are these
22 documents that have somehow been approved, per
23 se, or are they simply descriptions of what is
24 done?

25 **DR. WADE:** From my point of view they are

1 descriptions of the procedures that we're
2 following.

3 **DR. ZIEMER:** Yes.

4 **DR. WADE:** Obviously, internally we've approved
5 them.

6 **DR. ZIEMER:** Right. Now -- and then the other
7 question I have is, are -- is there any
8 requirement for the Board to approve the SC&A
9 procedures, or are they basically covered
10 because they are under a NIOSH contract or a --
11 the CDC contract?

12 **DR. WADE:** I don't think there is any
13 requirement that the Board approves them. I --
14 I think we're certainly open to suggestions and
15 comments as to how to improve them.

16 **DR. ZIEMER:** Yeah.

17 **DR. WADE:** Yeah. This is a situation that's
18 evolved in the last year in terms of Privacy
19 Act concerns and we have been working to try
20 and put procedures in place so that we -- not
21 only could we follow them, but people could
22 critique them and understand them. And --

23 **DR. ZIEMER:** (Unintelligible)

24 **DR. WADE:** -- I think that's where we are,
25 particularly with the SC&A Document Privacy Act

1 review pieces of paper.

2 **DR. ZIEMER:** Yeah. Well -- and these are all
3 rather brief. I assume, Board members, you've
4 had a chance to read them. Let me just
5 individually ask if there are questions
6 concerning -- let's start with the SC&A Privacy
7 Act review process. Any questions on that?
8 And John Mauro, if you have any comments also
9 on how it's working and so on, that would be
10 fine as well.

11 **DR. WADE:** What we will do -- this is Lew -- at
12 the October meeting we'll start to present you
13 with matrices that will provide you with the
14 status of all such items and we'll be able to
15 identify backlogs that the -- the working end
16 of this is not only to apply the procedure, but
17 to then track performance relative to the
18 procedure. I don't think there's any egregious
19 violations or variations to the procedure, but
20 in October we'll try and give you a listing of
21 everything and the status of everything.
22 That's being worked on now.

23 **DR. ZIEMER:** Again, I'll ask, Board members,
24 are there any questions or comments on the SC&A
25 procedures?

1 **DR. MELIUS:** This is Jim Melius. I mean, I --
2 I was very (broken transmission). I thought
3 these were recalled, so no need to review them.
4 That's -- I got one e-mail with (broken
5 transmission) and then no (broken transmission)
6 explanation.

7 **DR. ZIEMER:** You didn't get the subsequent e-
8 mail where they were redistributed then?

9 **DR. MELIUS:** No.

10 **DR. ZIEMER:** Well, okay.

11 **DR. WADE:** We can certainly talk about these
12 again in October with the updates in front of
13 you.

14 **DR. ZIEMER:** We can -- we can certainly put it
15 back on the agenda if -- you may have discarded
16 them if they appeared to be recalled, so...

17 **DR. MELIUS:** (Broken transmission)

18 **DR. ZIEMER:** Do you wish to have it on the
19 agenda for the October meeting?

20 **DR. MELIUS:** Yeah. I mean I have no objection
21 to discussion of them here, but I'd just like
22 some (broken transmission) be able to reopen it

23 --

24 **DR. ZIEMER:** Yeah, sure.

25 **DR. MELIUS:** -- (broken transmission) October

1 meeting.

2 **DR. ZIEMER:** I think at this point, again, I'll
3 just ask if there are any questions. These are
4 describing how it's being done. There are some
5 -- I think there's been some changes federally
6 in how the redactions are done. At least my
7 understanding is, in terms of redaction of
8 names and so on, it's a little tighter than it
9 has been in past years. But if there's no
10 questions, we'll -- we'll just take this as an
11 informational item for now.

12 **DR. MELIUS:** Well, I don't have a question, but
13 I have a belated concern --

14 **DR. ZIEMER:** Yeah.

15 **DR. MELIUS:** -- and that's the fact that
16 there's no -- probably because of this Privacy
17 Act issue when those -- and how poorly
18 organized it was and -- and how it was being
19 communicated or not communicated, my -- my
20 concern is with how the public gets information
21 about our deliberations. A lot of times we're
22 having workgroup meetings where there are
23 either reports presented by SC&A or by NIOSH
24 that has not yet undergone Privacy Act or
25 security review, and for those reasons they are

1 not able to be shared with the public. And
2 then they just disappear, so they never -- the
3 public never has -- public, being interested
4 parties -- not a particular site or a
5 particular issue -- never has -- never gets
6 access to them or never knows that they are --
7 are -- are accessible. The web site -- I won't
8 call it a mess, but it's very (broken
9 transmission) to try to track through a
10 particular -- what's happening with a
11 particular site because you -- some -- some
12 SC&A documents are on the NIOSH part of the web
13 site, sometimes they're under -- you know,
14 sometimes documents are under technical (broken
15 transmission), sometimes they're listed under
16 the SEC review, sometimes they're listed under
17 technical documents related to the Board.
18 They're far from being complete. There are
19 many documents that -- in the past, and several
20 that were discussed, for example, for even as
21 recently as Rocky Flats, that were never made -
22 - and have yet to be posted or made available
23 to the public, as far as -- as far as I'm aware
24 of. And I think this is (broken transmission)
25 and I -- I -- I think in -- and I don't know

1 what all the reasons for it are, and whether
2 NIOSH has some prohibition about listing other
3 documents on the -- on their web site or
4 something, but (broken transmission) need some
5 sort of cen-- (broken transmission) --pository
6 where both Board members can go to access
7 something and where (broken transmission)
8 members of the public that are interested.
9 Another (broken transmission) I went to look up
10 something about the Hanford workgroup meeting
11 that we had in March, frankly because I forgot
12 about exactly where we left a particular issue
13 and wanted to refresh my memory. Minutes of
14 that -- transcription, I should say, was not
15 yet listed. Apparently it was available or Lew
16 made it available to me when I asked, though
17 it's not up there, as are the tran-- the
18 transcriptions of several of the other Board
19 meetings that the -- or workgroup meetings that
20 -- that have taken place. And I (broken
21 transmission) this is a -- you know, makes it
22 more difficult for the Board. I think it more
23 importantly makes it very difficult more --
24 much more difficult for interested parties to
25 follow what's going on, and really damages the

1 credibility of the program.

2 **DR. WADE:** All right. This is Lew. I'd like
3 to speak to that in general terms, and I don't
4 disagree with any of Dr. Melius's points. You
5 know, FACA does not require that workgroup
6 meetings be public or that minutes be taken of
7 workgroup meetings or transcripts of workgroup
8 meetings, or that the work products of those
9 meetings be made public. What a workgroup
10 really is is a place where the -- the work is
11 done, the deliberations are done, the -- the --
12 the actual hands-on manipulation is done, and
13 documents are changing all of the time. I
14 think laudably this Board has attempted to make
15 all of its meetings opened, transcripts of all
16 their work products available.
17 The one dilemma that comes to us is that the
18 Board could decide, based upon Dr. Melius's
19 comments, that it would not want to hold a
20 workgroup unless all of the documents discussed
21 were cleared. And we could do that and make
22 that our procedure. It might in some cases
23 delay a workgroup meeting as we're going
24 through these kinds of reviews, but it's
25 certainly doable. Again, I think we need to

1 live consistent with our desire to be
2 transparent in all that we do. And again, on
3 that issue I have to seek the Board's guidance.
4 Would you like there to be no discussion of
5 documents at a workgroup meeting until those
6 documents are publicly available? That's not
7 the procedure we've been following. We've been
8 trying to clear documents, but we've not been
9 delaying workgroup meetings. So I think that's
10 an issue for discussion, doesn't have to be
11 decided here. We can do it again in October,
12 but it is something that we wrestle with.
13 All of the other points Dr. Melius makes really
14 are about good staff work, and we need to do
15 better staff work. But -- but this is one
16 sticking point that I think needs some
17 discussion.

18 **DR. MELIUS:** This is Jim Melius. I have no
19 (broken transmission) I spoke or you were just
20 making another observation, Lew, but I was not
21 asking that all documents become public (broken
22 transmission) they're discussed at a workgroup
23 meeting. However, I think that the --
24 certainly before the Board makes a decision
25 based on -- I think what I would refer to as

1 major documents, which would be an SCA -- an
2 SC&A report or a NIOSH response that --
3 response to that report, that those ought to be
4 (broken transmission) be publicly available to
5 interested parties in a -- a timely manner.

6 **DR. WADE:** I agree with that.

7 **DR. MELIUS:** And so -- that. Secondly, I think
8 that there ought to be some information
9 available about what documents were discussed
10 at a workgroup meeting. This would not
11 necessarily be delayed until the -- you know --
12 until the meeting's been transcribed and -- and
13 posted, but it should be noted, and that those
14 documents are under review or there's some
15 limited availability of those documents. I
16 mean I think there are documents that are put
17 on, for example, on the O drive that are
18 difficult to make public and -- and may -- in
19 most cases not necessary to make public. But
20 at least people ought to be aware that there is
21 a report or something that's -- some sort of
22 product that's been discussed at those meetings
23 and that's currently undergoing Privacy Act
24 review. And I think with the proce-- (broken
25 transmission) talked about in terms of the

1 sched-- (broken transmission) that it would --
2 you know, being available, discussed at each
3 meeting, I -- I (broken transmission) more
4 transparent and more helpful to both the Board
5 members and the outside interested parties.

6 **DR. WADE:** I don't have a mechanism for that.
7 We'll have to develop one.

8 **DR. MELIUS:** Exactly. Well, and finally, I
9 really do think the web site is the way to make
10 this information available, and it needs to be,
11 you know, maybe reorganized in some way, or
12 indexed in some way. You know, right now if
13 you search for something on the -- on the web
14 site, you end up -- unless I'm doing it wrong -
15 - back at the general CDC search. And you
16 know, if you search for Blockson, it's not on
17 the index. So you get relatively little
18 information about it. That's not certainly
19 NIOSH's fault, but it's -- it is problematic
20 and I think a better organized web site would
21 be a possibility, or we, you know, charge our -
22 - you know, another option would be to have
23 SC&A develop such a web site. It seems to me
24 that's duplicative and -- of -- of what NIOSH
25 is doing, and I'm not sure it doesn't -- you

1 know, which wouldn't be of -- cause of more
2 problems and more and more confusion.

3 **DR. WADE:** I agree with that. We do have on
4 October schedule the discussion of the web
5 site. The one issue embedded in what you said
6 that I really have got to think about is how do
7 we let the public know about documents in
8 process under discussion, and I really have to
9 think about that. And we'll have some
10 proposal, though, in October.

11 **MS. MUNN:** This is Wanda, and Jim, my -- and my
12 engineer brain jumps to the same issue that Lew
13 raises there. It sounds really good, but the
14 question -- my next thought is -- and gee,
15 who's going to be the suckee to get that done
16 in a format that can be put on the web site,
17 and how do we go about doing that? It doesn't
18 seem appropriate that it would be the
19 responsibility of anyone other than perhaps the
20 chair of the working group, which is always
21 problematical to -- as you know, anyone who
22 chairs a working group has a -- a -- Mark might
23 be happy to speak to that. But the fact that
24 the issue of when uncleared documents can be
25 made public is one that has dogged us for a

1 long, long time. One I've been particularly
2 concerned with was the clearance of contractor
3 documents that were released long before they
4 were in fact cleared. And although, had they
5 been particularly good about making sure that -
6 - that their notification that clearance had
7 not yet occurred -- they've been very good
8 about that. But it still bothers me that that
9 information goes out to such a broad
10 distribution of people prior to the time that's
11 done. And yet without that, the information --
12 as you point out -- is not available on a
13 timely manner.

14 I certainly would welcome and I think all of
15 the -- I can't speak for everybody, but it is
16 difficult to find items you want to find on our
17 web site. I've had to fall back on more than
18 one occasion and ask someone from NIOSH to tell
19 me where I can find this document. And it
20 would be helpful if we could really do some --
21 some heavy duty thinking and perhaps have the
22 advantage of having a web site organizational
23 expert available for a few sessions on the
24 issue of exactly how best to do that,
25 especially when we have procedures that are

1 necessary for the workgroups to pursue, which
2 are not available because they're not
3 completely cleared yet, and we still need to
4 have access to them. And how to do this, where
5 to go if they are not associated with a
6 specific site, is a real question I think.

7 **DR. ZIEMER:** Thank you. Other -- other
8 comments?

9 **DR. WADE:** This is Lew. I'd just like to go
10 back to my dilemma and just share it with you
11 and then possibly some ideas or some future
12 discussion. At a workgroup meeting, for
13 example, it might be that SC&A will put
14 together a white paper, a brief analysis of a
15 certain point. NIOSH might develop a -- you
16 know, a back-of-the-envelope kind of analysis,
17 comparing this and that. The SC&A products
18 will eventually make their way into an SC&A
19 report. The problem with that is it's late.
20 It could be that the report doesn't see the
21 light of day and the public's eye until well
22 after the discussion is cold. In the case of
23 the NIOSH documents, they might not make their
24 way into a NIOSH procedure for quite some time,
25 if at all. So the question really is to -- how

1 to make the public aware of such products
2 without sharing those work products, 'cause --
3 or you could have those work products Privacy
4 Act reviewed, and that will take time as well.
5 So I'm not sure -- exactly sure how to solve
6 the problem that Dr. Melius raises, although I
7 understand it. I agree that in a world of
8 total transparency, we need to solve that
9 problem but I don't have a quick solution.

10 **DR. ZIEMER:** Yeah. Well, actually, I think
11 today -- part of our job today is to stimulate
12 some thinking about this. And obviously we're
13 going to have to -- when we get into detailed
14 discussion, not only on the web site but these
15 related issues of tracking, because it's not
16 just these documents but it's -- it's our whole
17 -- the whole scheme of things. How do we keep
18 from -- things from falling through the cracks
19 that need attention?

20 **DR. WADE:** Right, and --

21 **DR. ZIEMER:** I think many of these things, if
22 we give some creative thinking to it, we can --
23 we can have a way of tracking even working
24 papers. I think, as I understood what Jim
25 said, he wasn't necessarily insisting that all

1 working papers be made public, but at least
2 that there could be an identified place that
3 said at this workgroup meeting, you know, work
4 paper such-and-such developed by SC&A dealing
5 with something -- you know, neutron/gamma
6 ratios -- was utilized and maybe eventually,
7 although that's initially not public, maybe as
8 a collection of these develop they can -- they
9 can be somewhere on the site and become public
10 information. There is a provision in these --
11 in the procedure that if it's strictly
12 technical information, it doesn't necessarily
13 have to go through the redaction process. I
14 think SC&A, as I recall, is even authorized to
15 make that determination themselves.

16 **DR. WADE:** That's correct. But oftentimes
17 these are -- the documents are closer -- more
18 difficult calls than that.

19 **DR. ZIEMER:** Yeah. Well, obviously we -- you
20 know, we've stimulated some -- some issues that
21 we need to think about. I -- I -- I would like
22 to think it's doable.

23 **DR. WADE:** It's certainly doable. And again,
24 always the Pollyanna, the good thing about this
25 is this Board does all of its business,

1 including its workgroups, in the open. And if
2 we didn't, then this problem goes away, and we
3 don't want the problem to go away. But the
4 solution of it, in a systematic way, is
5 something that we have to institute and I have
6 to think some about. I hate to burden
7 (unintelligible).

8 **DR. ZIEMER:** There already is a tremendous
9 amount of information on the web site, and I
10 think part of that is cross-referencing, being
11 able to track it, being able to search if
12 necessary. Part of that's an organizational
13 thing, I suppose, that we need to give some
14 thought to.

15 **DR. WADE:** Enough of my comments. We'll --
16 we'll work this out as best we can and talk to
17 you about it in October.

18 **MS. MUNN:** One comment I would like to make
19 before we move away from this, however, is to
20 remind all of us that our purpose in workgroups
21 is quite different than our purpose in our
22 public meetings. Our purpose in our workgroup
23 from the outset was intended to be a setting
24 where our technical folks could work in a
25 collegial manner together to try to resolve the

1 issues that had been brought up in the public
2 forum, and that need to be resolved for the
3 public forum. And it's -- if we place so many
4 requirements with respect to reporting out of
5 the workgroup that we obscure that opportunity
6 to do technical work on a technical colleague
7 basis, then we may lengthen the process unduly
8 and, as best I can determine, no one wants
9 that.

10 **DR. ZIEMER:** Thank you, Wanda. Now the other -
11 - the other point, and Jim Melius, correct me
12 if I heard this wrong, but I think you were
13 saying that if there is a workgroup product
14 that ends up being a major determinant in how
15 something is handled at the full Board level,
16 then we need to make sure that at that point
17 such product is available to the public as
18 well. If we say that, you know, we're making -
19 - we're voting on something on the basis of
20 this particular work product, but oh, by the
21 way, it's not available to the petitioners,
22 then we have a problem.

23 **DR. WADE:** Correct. I mean, everything that
24 the Board discusses at a Board meeting should
25 be available to the public and on the table in

1 the back of the room.

2 **DR. ZIEMER:** So part of the -- part of this is
3 the timeliness of -- you know, it may not be
4 clear during a workgroup meeting, but by the
5 time we make -- are at the full Board meeting
6 making the decision, we need to make sure that
7 those documents have been made available, and
8 not just the day of the meeting.

9 **DR. MELIUS:** Correct. This is Jim Melius. To
10 disagree with Wanda a little -- surprise,
11 surprise -- but our -- the workgroups are not
12 just technical. The workgroups result in a,
13 you know, formal recommendation quite often to
14 the full Board. And so -- so they have meaning
15 beyond just, you know, technical discussion
16 among experts. And for that reason I think,
17 you know, a certain amount of transparency's
18 appropriate.

19 I also would add that this transparency's also
20 important for other Board members. A lot of
21 times when I'm listening to a workgroup
22 reporting back or making recommendation, I'll
23 refer back to their, you know, either
24 information or an SCA report that they refer
25 to, and it certainly -- and so my frustration

1 is not being able to access that very readily.
2 You know again, maybe the most egregious
3 example is Chapman, where SC&A review of that
4 site was, you know, somehow lost in process for
5 many months and was not made available to
6 anybody. And we were about to take (broken
7 transmission). So I think again, it's just --
8 I think we need to be reasonable about it. I
9 think we need to sort of improve on the -- our
10 handling of this and how we organize this and
11 how we make it available.

12 **DR. ZIEMER:** Okay. Thank you. Further
13 comments?

14 (No response)

15 Okay. So we'll have a chance to revisit these
16 issues again. Shall we proceed?

17 **CHAPMAN VALVE**

18 We have next an update from Lew on contacts
19 made to the Department of Energy and Labor
20 relative to the Chapman Valve situation.

21 **DR. WADE:** Right. This is Lew. Again, I -- I
22 tried to provide you with the materials. As
23 you instructed me, I did write to DOL and DOE
24 on Chapman Valve. I ran the drafts by the
25 Board and then, based upon Board comment, sent

1 those drafts out. They were mailed on August
2 8. We've received one response on August 22
3 from the Department of Labor, and I've sent
4 that to you. I am not aware of a response from
5 the Department of Energy, although I told -- I
6 am told that one is forthcoming quickly.
7 Again, remember we invited these five people to
8 the October meeting, and therefore I wouldn't
9 consider anyone late at this point. But I just
10 wanted to share with you the materials that I
11 sent out and the response that I've received.
12 And then if there's any guidance the Board
13 would like to -- to provide anyone leading up
14 to the October meeting, I would be pleased to
15 hear that.

16 I'm also aware that there is a petitioner on
17 the line, a Mary Reale, I believe, who might
18 want to make a brief comment regarding this
19 issue. But first, Dr. Ziemer, to hear from the
20 Board on -- this is the status and then I would
21 wait for the letter from DOE and then provide
22 it to you. And then we've asked those
23 representatives to come for a dialogue in our -
24 - at our October meeting.

25 **DR. ZIEMER:** Okay, Board members, any questions

1 or comments?

2 **DR. LOCKEY:** Lew, Jim Lockey. I read that --
3 from a Labor letter -- are they going to be at
4 the Board meeting? Did they commit to that?

5 **DR. WADE:** I don't know. Jeff Kotsch is on the
6 line. They usually are. I assume that they
7 are, but I don't know that for a fact. Jeff,
8 can you speak to that?

9 **MR. KOTSCH:** Yeah, Lew. We'll -- it will
10 probably be me, but somebody will be there.

11 **DR. WADE:** Okay. Thank you.

12 **DR. LOCKEY:** And somebody will be there from
13 the Department of Labor to address the issue
14 that Lew outlined in his letter?

15 **DR. WADE:** We will work very hard to see that
16 that's the case. Is anyone on the line from
17 the Department of Energy?

18 (No response)

19 We will work hard to see that that's the case,
20 Jim.

21 **DR. LOCKEY:** Well, I'd like to hear it from the
22 Department of Labor representative.

23 **DR. ZIEMER:** Department of Energy, you mean.

24 **DR. LOCKEY:** Well, the Department of Labor
25 representative -- they said somebody would be

1 So that will be on the agenda for the meeting.

2 WORKGROUP UPDATES

3 Are we ready for the workgroup update? We have
4 a lot of workgroups. And they are now all
5 listed on the web site, including Linde, which
6 was originally omitted, I think. But shall we
7 go down the list and get an update from the
8 various chairmen -- chairpersons? We've --
9 we've put the subcommittee in this category, as
10 well as workgroups, so Mark, do you have any
11 comments from the dose reconstruction
12 subcommittee?

13 **MR. GRIFFON:** Yes, just briefly, we're having a
14 meeting next week on September 12, in
15 Cincinnati. Main focus will be the fourth,
16 fifth and sixth sets of cases. We have
17 matrices out on all three of those and they're
18 in different stages of comment resolution. The
19 sixth set we have not yet received NIOSH's
20 responses back, but we hope to receive those
21 very soon, hopefully by the end of this week,
22 distribute them to the subcommittee and then
23 have our meeting next week. And I think that -
24 - that's really it. We'll have -- we hope to
25 have closed out at least one of those matrices,

1 if not two of those matrices, by the October
2 4th meeting -- the full Board meeting.

3 **DR. ZIEMER:** Very good. And also I noticed
4 that Kathy now has scheduled -- Kathy Behling
5 has scheduled the -- the dose reconstruction
6 tasks for the various Board teams for set
7 seven.

8 **MR. GRIFFON:** Right. I think people should
9 look at that schedule and e-mail Kathy and make
10 sure they can be available for those phone
11 calls.

12 **DR. ZIEMER:** Yeah. So those will be taking
13 place in the next few weeks.

14 **MR. GRIFFON:** Yes.

15 **DR. ZIEMER:** Okay.

16 **DR. WADE:** Mark, this is Lew. Do we have a
17 sense of who will attend next week?

18 **MR. GRIFFON:** I -- I -- it's been going back
19 and forth a little bit. I was not aware of the
20 -- the other meeting in Chicago on the same
21 day, so I think Mike is not (broken
22 transmission) to attend.

23 **DR. WADE:** Right.

24 **MR. GRIFFON:** But Wanda will be there at least
25 part of the meeting, via phone. And Bob

1 Presley and Brad are going to be there, and
2 myself.

3 **DR. WADE:** So we're fine with a quorum?

4 **MR. GRIFFON:** Yes. So we're fine with a
5 quorum, and I have not heard from John Poston
6 yet, but I'm (unintelligible).

7 **DR. WADE:** If I might just make one small
8 comment on the record. Subcommittee meetings
9 are different from workgroups and they have to
10 be *Federal Register* noticed, and that's not an
11 easy task. I -- I'd like to just particularly
12 thank Zaida for her work on Friday to -- to go
13 through an unbelievable hoop to get this
14 subcommittee scheduled. I think we owe her a
15 debt of gratitude. So thank you, Zaida, for
16 that, and it speaks of good things to come in
17 the future.

18 **MS. BURGOS:** Thank you.

19 **MR. GRIFFON:** Yeah, I appreciate that as well
20 and I'll -- I'll try to give a little longer
21 notice next time. It was a hard time getting a
22 date this time, so I apologize.

23 **DR. WADE:** No problem at all. It all worked,
24 and thanks again to Zaida.

25 **DR. ZIEMER:** Okay. Thank you. Next, Blockson

1 -- and Wanda, you're the chair of that.

2 **MS. MUNN:** Yes. We met in Cincinnati last week
3 on the 28th and had what I think is a
4 productive discussion. We came out with a few
5 action items. I had hoped that we might be
6 able to get a little further along the way, but
7 there are several crucial questions that
8 haven't been put to bed yet. One of the things
9 that was of most concern to us was the fact
10 that the process itself at Blockson has not
11 been as thoroughly identified as would be
12 desirable, especially in light of our being
13 able to define exactly what transpires during
14 the chemical reactions of each phase of that
15 process.

16 There's going to be an attempt to meet with the
17 Blockson workers again on the 12th to try to
18 clarify exactly what some of their memories
19 might tell us with respect to chemical process
20 and their reactions from it.

21 Because there were several of those issues,
22 what we did was spend some time during our
23 meeting framing three specific questions to put
24 on the table, which we will have in the hands
25 of some of the petitioners well in advance of

1 the meeting so that they'll have an opportunity
2 to think about those. Of course no one intends
3 to limit the discussion to those three, but
4 during the course of the discussion we're
5 asking that anyone who has knowledge of those
6 three items focus on them a little bit so that
7 we might be able to come away from that work --
8 working meeting with any additional that would
9 be helpful for putting these final questions to
10 bed.

11 We have a list of work items for NIOSH,
12 including their -- their action items to check
13 the literature about other productions, the
14 data that might be available, the same type of
15 operation. That's been done to a great extent
16 already, but then there's going to be a final
17 sweep to make sure that there's no outstanding
18 information that hasn't been incorporated into
19 the background data. They are going to contact
20 the union representatives before the 12th of
21 September meeting to get those questions in
22 their hands, and some of the folks are working
23 with them to provide names of contact people
24 there.

25 We're going to try to get minutes redacted and

1 the position paper out the door by the October
2 meeting, and NIOSH is going to do a white paper
3 on -- on the -- whether to address the -- the
4 products there as type M or type S.

5 SC&A is going to respond to the question of is
6 the dataset of uranium robust (broken
7 transmission) have already. And even though
8 that is considered to be a non-SEC issue, it's
9 one of the things that we need to look at to
10 have ready come October. So we'll hopefully
11 have some feedback from the meeting with the
12 workers in Joliet in -- next week, and we'll
13 have a more hopefully thorough report available
14 come October.

15 **DR. ZIEMER:** Thank you very much. Board
16 members, as we proceed here, if you have
17 questions just chime in. I'm going to
18 otherwise move ahead. The next workgroup is
19 Chapman Valve and we've discussed Chapman with
20 respect to the actions and the -- taken with
21 DOE and DOL. Anything else from the workgroup?
22 Gen Roessler, are you -- I don't think the
23 workgroup has met since our last meeting, have
24 they?

25 **DR. ROESSLER:** I have -- this is Gen -- I've

1 heard nothing from Dr. Poston, who's the chair
2 of the workgroup, so I think the update that
3 was given earlier in our meeting is all that we
4 have.

5 **DR. ZIEMER:** Yeah. Okay. Let's see, conflict
6 of interest policy -- Lockey?

7 **DR. LOCKEY:** In relationship to that, I haven't
8 heard anything from Legal, so we are waiting
9 directions.

10 **DR. ZIEMER:** We're waiting.

11 **DR. WADE:** That's on hold.

12 **DR. LOCKEY:** That's on hold? And do you know
13 when it'll be taken off hold?

14 **DR. WADE:** Don't know. I don't know if or
15 when, but we'll keep you posted.

16 **DR. LOCKEY:** Okay, thanks.

17 **DR. ZIEMER:** Fernald Site, Brad Clawson.

18 **MR. CLAWSON:** Yeah, we met approximately about
19 a month ago. We were able to work ourselves
20 through the matrix. This was the original
21 first meeting of the Fernald workgroup for the
22 SEC petition. When we arrived there, we come
23 to find out that NIOSH had numerous new
24 information and so forth that we haven't really
25 been able to go over, so since that time NIOSH

1 has got a lot of -- Mark Rolfes got a lot of
2 this put onto the O drive. Now we're basically
3 kind of waiting to be able to go through a lot
4 of this information and set up another meeting,
5 give SC&A a chance to be able to look at the --
6 some of the information that has now come out
7 and so forth, and then we're going to be
8 setting up another workgroup meeting here
9 shortly after everybody's had an opportunity to
10 go through some of the information.

11 **DR. ZIEMER:** Okay. Thank you. Hanford Site
12 profile, Jim Melius.

13 **DR. MELIUS:** Hanford Site profile -- we are
14 waiting on NIOSH's -- I believe their
15 evaluation report on sort of further (broken
16 transmission) of the SEC out there. So it's
17 another SEC evaluation report I believe is due
18 out shortly. And then we will -- based on
19 that, we will be getting together, but there've
20 been a number of changes made and we have some
21 additional comments from SC&A, so I think we'll
22 -- should be able to engage fairly rapidly, but
23 it didn't make any sense until the evaluation
24 report comes out.

25 **DR. ZIEMER:** Thank you. Los Alamos site

1 profile and SEC, Mark?

2 **MR. GRIFFON:** Yeah, we -- I have not had a
3 meeting with the Los Alamos workgroup yet. I'm
4 hoping to have one right after the next Board
5 meeting, sometime in October --

6 **DR. ZIEMER:** Okay.

7 **MR. GRIFFON:** -- I hope now, so no update at
8 this time.

9 **DR. ZIEMER:** Okay. Linde Ceramics, Gen
10 Roessler?

11 **DR. ROESSLER:** Yes, I do have an update on
12 Linde. This just came out last Friday
13 afternoon, so some of the workgroup members are
14 not aware of it yet. But let me review a
15 little bit. We had our last workgroup meeting
16 on March 26. At that time we looked at SC&A's
17 review of the Linde site profile documents.
18 Some data -- urinalysis data was identified
19 that needed to be looked at before we could
20 continue with this. NIOSH and ORAU were going
21 to be looking at this on July -- we had hoped
22 to have this resolved by the end of June, have
23 another workgroup meeting, but we were notified
24 at the -- I think it was July 9th -- there was
25 a delay. There were some funding issues and

1 that the site experts were changed. Since that
2 time we are -- according to the update that we
3 got last Friday from Chris Crawford at NIOSH,
4 Joe Guido is now working on this data. The
5 urinalysis data was located at Oak Ridge and is
6 in the process of being declassified. The
7 information we have is that they'll look at
8 this data very soon, within the next week or
9 so. They'll need some time to review and
10 analyze it, and once we have this information
11 we will then schedule another workgroup
12 meeting.

13 **DR. ZIEMER:** Thank you. Nevada Test Site.
14 That would be Mr. Presley, who may not be on
15 the line at the moment. Brad or Wanda or Jim
16 are in that workgroup. Anything else to report
17 on Nevada Test Site?

18 **MS. MUNN:** If Bob's not there --

19 **DR. LOCKEY:** Not that I'm aware of.

20 **MS. MUNN:** I -- I can report only that we do
21 have a meeting scheduled for October 25th for
22 the workgroup. It's my understanding that some
23 of the material that was being generated for
24 our use will not be available prior to that
25 time, and that's the reason we've chosen that

1 date. So October 25 is on the calendar in
2 Cincinnati.

3 **DR. ZIEMER:** Very good. Thank you. Rocky
4 Flats, Mark?

5 **MR. GRIFFON:** Rocky Flats? I have no update on
6 the Rocky Flats workgroup.

7 **DR. ZIEMER:** Okay. Savannah River Site is also
8 yours, Mark.

9 **MR. GRIFFON:** Yeah, and the same status as the
10 Los Alamos. We -- we've made some progress on
11 some action items that were generated from the
12 meeting down at Savannah River looking at some
13 classified databases, but we have not yet
14 reconvened the workgroup to consider some of
15 those -- some of that information. So work has
16 been going on in the background by NIOSH, but
17 we need to reconvene the workgroup shortly, and
18 probably post the Advisory Board meeting is
19 when we'll do that.

20 **DR. ZIEMER:** Okay. Workgroup on SEC issues,
21 including the 250-day issue, Jim Melius.

22 **DR. MELIUS:** Yeah, we have recently gotten some
23 of the information we were seeking on Nevada
24 Test Site. It's been made available -- had
25 discussions with Arjun last week about this and

1 are hoping to set up a workgroup meeting either
2 later in September or around the -- or around
3 the time of our -- our Board meeting -- got to
4 figure out schedules and so forth, so we should
5 be able to meet shortly on that.

6 **DR. ZIEMER:** Thank you. Use of surrogate data,
7 Jim, that's also you. Our newest workgroup,
8 actually, just formed recently.

9 **DR. MELIUS:** And the plan to go forward with
10 that is I have been in discussion with John
11 Mauro, and he is currently doing an inventory
12 of procedures, site profiles and so forth,
13 where surrogate data has been used. And this
14 is a simple inventory, but it is just to try to
15 get sort of the general -- be able to identify
16 the general types of use of surrogate data.
17 That could be ready I think within the next
18 week or two, if I understand John right. And
19 then our plan is to hold a conference call of
20 the workgroup to plan out what further work
21 SC&A needs to be done before the workgroup has
22 a meeting, hoping to have that workgroup
23 conference call before the October meeting.

24 **DR. ZIEMER:** Very good. Thank you.

25 **DR. MAURO:** Jim, this is John Mauro. We're --

1 we're in the home stretch of putting that
2 report together. We -- we have all the
3 information before us and we're writing --
4 preparing tables. Here's a good example of the
5 process again. Normally what we would do at
6 that -- once we have this draft report ready,
7 it goes for PA review. Now typically the
8 process involves delivering a non-PA-reviewed
9 version to the working group, and
10 simultaneously deliver the draft report for
11 NIOSH PA review. So we usually move in
12 parallel steps. I presume we will continue in
13 that mode, and therefore the document you will
14 have in your hands for the working group
15 meeting -- depending on the timing, I guess --
16 may or may not be PA reviewed at the time of
17 the meeting.

18 **DR. ZIEMER:** Right. Right. Understood.
19 Right. Okay. Let's see. Worker outreach,
20 Mike Gibson.

21 **MR. GIBSON:** Yeah. Paul, we -- we've submitted
22 a -- a request for some information to OCAS,
23 and Larry Elliott has appointed J. J. Johnson
24 to be our point of contact, and he's putting
25 together that material right now. And J. J. is

1 also scheduling some training on a WISPR
2 database that tracks worker comments so we can
3 -- he's involved in that. And that training's
4 also going to be for the -- Wanda's workgroup
5 on Blockson, and he said that's scheduled to
6 happen some time in mid-September. And then
7 I'm also going to be attending the worker
8 outreach meeting in Joliet to get a better feel
9 of how the meetings go and so we can have some
10 input and try to get this workgroup going.

11 **DR. ZIEMER:** Mike, when is that Joliet meeting?

12 **MR. GIBSON:** September 12th.

13 **DR. ZIEMER:** And I think we have one or two
14 other Board members who are going to join you
15 there as well, right?

16 **MR. GIBSON:** Yes. Gen's --

17 **DR. ROESSLER:** This is Gen Roessler. I'll be
18 there.

19 **MR. GIBSON:** -- supposed to be there.

20 **DR. ZIEMER:** Gen and -- okay.

21 **DR. ROESSLER:** I think Brad might be.

22 **DR. ZIEMER:** Brad, were you also planning to be
23 there?

24 **MR. CLAWSON:** No, I'm going to -- I'm going to
25 be in Cincinnati with Mark.

1 **DR. ZIEMER:** Okay. Okay. He has too many
2 things going on here. Okay. Very good. Thank
3 you, Mike.

4 Procedures review, Wanda Munn?

5 **MS. MUNN:** Our group has a pretty heavy duty
6 paper load and more than one matrix to deal
7 with. We went through our current matrix only
8 partially during the --

9 **DR. ZIEMER:** Then you met?

10 **MS. MUNN:** -- during the meeting that we had --

11 **DR. ZIEMER:** Recently.

12 **MS. MUNN:** Yes, we had our meeting on
13 Wednesday, the 29th of August, in Cincinnati.
14 We did not get through the items that we wanted
15 to cover in the current matrix. We did,
16 however, work through many of the outstanding -
17 - all of the outstanding items from the first
18 matrix. Fortunately SC&A was able to bring us
19 up to date pretty clearly on those. We have
20 very few items left outstanding from that, but
21 they are outstanding.

22 We devised action items lists before we left
23 containing a total of 14 items. A large number
24 of them are NIOSH actions. One was my action
25 to -- to request that OTB-54 be reviewed by

1 SC&A during this Board call, so I've taken care
2 of my major action item. Those action items
3 will be in the hands of the entire workgroup
4 yet this week so that NIOSH and SC&A will have
5 a clear picture of what we have yet to do.
6 We do not have plans at this particular time
7 for another meeting until we get to Naperville,
8 and it is expected that the Tuesday prior to
9 the Naperville meeting this group will meet
10 again at that site, 9:30 in the morning,
11 Tuesday October 2nd. We'll see how many of the
12 action items we can clear, and be taking up the
13 remainder of the matrix items we did not have
14 an opportunity to address. During the interim
15 between now and then NIOSH is anticipated to
16 complete responses to many of the outstanding
17 items on that matrix, so we anticipate a
18 productive meeting at that time.

19 **DR. ZIEMER:** Okay. Very good. Thank you. We
20 had -- we have another workgroup listed, which
21 is the workgroup on SEC petitions that did not
22 qualify. That was Dr. Lockey's group and they
23 have completed their work and have already made
24 their final report to the Board.

25 I think that is all of the workgroups and

1 subcommittees. Did I leave out any?

2 **DR. WADE:** I don't think so, Paul.

3 **DR. ZIEMER:** Okay. Thank you very much for
4 those updates. We have a lot of things going
5 on and I look forward to progress from all.

6 **FUTURE BOARD ACTIVITIES**

7 The next item on the agenda is status of and
8 plans for future Board activities. Now part of
9 this status issue we talked about last time is
10 how to keep track of what's going on, where we
11 are on various reviews -- site profile reviews,
12 SEC reviews -- who's doing what. I've been
13 working with Lew to develop the -- the master
14 matrix that will help us track that. Last week
15 Lew and I looked at kind of an early version of
16 this and so, we -- it -- it -- it currently is
17 an Excel spreadsheet, which has lots of
18 columns, and it continues to expand and
19 hopefully will be in a form that, once we have
20 it in place, we can update it monthly and keep
21 track of where we are on -- on all the sites
22 and all the reviews and -- and related issues.
23 So that's part of future activities, we'll be
24 able to track what's coming down the pike and -
25 - as well as where we need to take action and

1 haven't.

2 Also Lew, in that connection, do you want to
3 talk about calendar at all?

4 **DR. WADE:** Only that we have already everything
5 scheduled for October and it's -- hopefully
6 everyone's received the notification of hotel.
7 We have our calendar out I think through next
8 June. I think in October I'll try and extend
9 it out through next October with some proposed
10 dates. We're well scheduled. The workgroups
11 and subcommittees happen, you know, quickly and
12 I think that's fine, and we should continue to
13 -- to use those mechanisms to advance the work
14 for the Board.

15 The only last item I have is that Dr. Christine
16 Branche has identified herself as being on the
17 call. Dr. Branche is working with me to -- to
18 learn the business of DFO and other activities,
19 and will gradually be moving into the chair.
20 She and I will share those responsibilities for
21 months and months to come. But just so
22 everyone knows, she's been at several workgroup
23 meetings and some of you have met her. You'll
24 all get to meet her in October and I look
25 forward very much to Christine's assistance.

1 **DR. ZIEMER:** Yes, we again welcome you,
2 Christine, to this meeting as well as others.

3 **DR. BRANCHE:** Thank you very much.

4 **DR. ZIEMER:** Now are -- Board members, any --
5 any questions or comments on future activities?
6 Keep in mind always as we come to meetings, if
7 you have issues that you think need to be on
8 the agenda and got overlooked, please -- and I
9 know you do -- please help us with that. Lew
10 will always send out an early draft to give you
11 an opportunity to comment and have input.
12 So...

13 **MS. MUNN:** This is Wanda. My -- my question is
14 one that is a continuing issue. I know we try
15 to be as flexible as possible in planning where
16 we're going to have our meetings. We've --
17 have several on our calendar already. But the
18 issue of where we're going to have them is
19 often not established for quite some time. Is
20 there any possibility that we can consider a --
21 a brief discussion about the January meeting,
22 where that might be held?

23 **DR. WADE:** Sure, now would be good. We can
24 finalize it in October.

25 **MS. MUNN:** We have it on the calendar for the

1 **DR. ZIEMER:** Seconded?

2 **DR. LOCKEY:** Second.

3 **DR. ZIEMER:** Do we need a roll call?

4 **MS. MUNN:** I don't think so.

5 **DR. ZIEMER:** I think we're going to sort of say
6 all in favor, hang up or something.

7 **DR. WADE:** There was never a loud dial tone.

8 **DR. ZIEMER:** I'm going to take it by consent
9 that we have finished our business and are
10 ready to adjourn. Thank all of you for your
11 time today. We look forward to seeing you all
12 in October in Naperville.

13 **DR. WADE:** Thank you all. Bye now.

14 **DR. ZIEMER:** Bye-bye.

15 (Whereupon, the meeting was concluded at 1:09
16 p.m.)

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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 Sept. 4, 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 14th day of Oct., 2007.

STEVEN RAY GREEN, CCR**CERTIFIED MERIT COURT REPORTER****CERTIFICATE NUMBER: A-2102**