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

convenes the

WORKING GROUP MEETING

**ADVISORY BOARD ON**

**RADIATION AND WORKER HEALTH**

**BLOCKSON CHEMICAL**

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

**C O N T E N T S**

January 9, 2007


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

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

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P R O C E E D I N G S

(5:30 p.m.)

**WELCOME AND OPENING COMMENTS**

**DR. LEWIS WADE, DFO**

**DR. WADE:** Thank you again. This is Lew Wade, and I have the privilege of serving as the Designated Federal Official for the Advisory Board. And this is a meeting of the work group of the Advisory Board, and this is a work group looking at the Blockson Chemical SEC petition. That work group is chaired by Wanda Munn with members Roessler, Melius, Gibson, and am I correct? Is Brad an alternate or a –

**MS. MUNN**: Brad's an alternate.

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

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

(no response)

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Anyone else on the NIOSH/ORAU team?

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

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

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

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

conflict.

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

Other members of the SC&A team?

(no response)

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

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

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

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

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

(no response)

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

(no response)

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

**MR. SCHOFIELD:** Phillip Schofield.

**DR. WADE:** Welcome.

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

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

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

Thank you again for participating.

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

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

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

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

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

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

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

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

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

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

(no response)

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

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

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

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

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

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

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

We increased the internal doses primarily by looking at bioassay data and considering the 95$^{th}$ percentile coworker intakes, and we also added radon as an internal dose. Ingestion intakes were also added for GI tract cancers, and a new approach was also developed to assign dose from residual contamination.

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

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

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

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

Guys, would you take it on?

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

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

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

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

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

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

where exactly but certainly not in Building 55.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

**MS. MUNN:** Yes.

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

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

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

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

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

**DR. MAURO:** Sure.

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

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

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

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

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

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

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

**MR. ELLIOTT:** Yes.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

to talk to the workers.

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

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

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

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

The dates are the 24th and 25th of January, and they're at the Joliet Municipal Building.

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

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

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

helpful.

**MS. MUNN:** Agreed.

**REVIEW OF DOCUMENTS**

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

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

**MS. MUNN:** Yeah, I understand that.

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

**MS. MUNN:** Yes.

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

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

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

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

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

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

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

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

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

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

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

sort of official sword of Damocles hanging over us.

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

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

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

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

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

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

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

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

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

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

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

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

**MR. GIBSON:** What?

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

**DR. ROESSLER:** I agree.

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

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

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

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

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

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

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

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

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

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

**MS. MUNN:** Jim?

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

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

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

**DR. MAURO:** Yes.

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

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

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

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

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

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

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

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

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

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

**MR. ELLIOTT:** Yes.

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

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

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

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

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

**MS. MUNN:** No.

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

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

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

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

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

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

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

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

**MS. MUNN:** Yes.

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

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

**DR. MAURO:** Will do.

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

**MS. MUNN:** Excellent.

I have no further --

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

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

Anyone else see a problem there?

**MR. GIBSON:** No.

**FUTURE SCHEDULE**

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

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

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

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

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

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

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

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

**MS. MUNN:** Who knows?

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

(no response)

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

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

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

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

**DR. MELIUS:** We understand.

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

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

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

1 **CERTIFICATE OF COURT REPORTER**

**STATE OF GEORGIA**

**COUNTY OF FULTON**

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

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

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

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**STEVEN RAY GREEN, CCR**

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