

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

NEVADA TEST SITE

The verbatim transcript of the Working  
Group Meeting of the Advisory Board on Radiation and  
Worker Health held in St. Louis, Missouri, on June  
23, 2008.

*STEVEN RAY GREEN AND ASSOCIATES  
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June 23, 2008

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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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WHITE, PETER, PETITIONER

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

(10:00 a.m.)

1

2

WELCOME AND OPENING COMMENTS

3

**DR. BRANCHE:** Excuse me, we're going to start now -- hello, hello, hello, could you please un-mute the phone?

4

5

6

**UNIDENTIFIED:** Hello, hello?

7

8

**DR. BRANCHE:** Yeah, that little microphone thing.

9

10

Good morning. I'm Dr. Christine Branche. I have the pleasure of being the Designated Federal Official for the Advisory Board on Radiation and Worker Health, and we are about to begin the Nevada Test Site workgroup meeting. It is Monday, June 23rd.

11

12

13

14

15

Would someone who's on the phone please tell me that you can hear me?

16

17

**UNIDENTIFIED:** Yes, I can hear you.

18

19

**DR. BRANCHE:** Thank you so much. Mr. Green, are you ready?

20

21

**DR. BRANCHE:** Mr. Presley, are you ready?

22

**MR. PRESLEY:** Yes, ma'am.

23

**DR. BRANCHE:** Would all members of the working

1 group -- Board members who are part of the  
2 working group please announce your names?

3 **MR. PRESLEY:** Robert Presley, chair.

4 **DR. ROESSLER:** Gen Roessler.

5 **MR. CLAWSON:** Brad Clawson, no conflict.

6 **MS. MUNN:** Wanda Munn, no conflict.

7 **MR. SCHOFIELD:** Phillip Schofield, no conflict.

8 **DR. ROESSLER:** I have no conflict -- Gen  
9 Roessler.

10 **MR. PRESLEY:** This is Bob Presley, I have no  
11 conflict.

12 **DR. BRANCHE:** All Board members have been  
13 cleared for their conflict on this, but go  
14 ahead.

15 Any other?

16 **UNIDENTIFIED:** Josie.

17 **MS. BEACH:** Josie Beach, no conflicts.

18 **DR. BRANCHE:** Let me go over that number again.  
19 I've got Claws-- excuse me, Presley, Munn,  
20 Schofield, Roessler -- whose name didn't I call  
21 -- Clawson -- is that it in the room?

22 Okay, then we do not have a quorum. We can  
23 proceed.

24 Would NIOSH staff who are in the room please  
25 announce your -- sorry, are there any Board

1 members participating by phone?

2 (No response)

3 Thank you. Would NIOSH staff who are in the  
4 room please announce your names and please  
5 state if you have a conflict with Nevada Test  
6 Site.

7 **MR. ROLFES:** This is Mark Rolfes, NIOSH health  
8 physicist. I have no conflicts.

9 **MS. ADAMS:** Nancy Adams, no conflict.

10 **MS. CHANG:** Chia-Chia Chang, no conflict.

11 **DR. BRANCHE:** Any NIOSH staff participating by  
12 phone, would you please announce your names and  
13 state whether or not you have a conflict for  
14 Nevada Test Site?

15 (No response)

16 Thank you. ORAU staff who are in the room  
17 please announce your names and state if you  
18 have a conflict with Nevada Test Site.

19 **MR. CHEW:** Mel Chew, ORAU -- ORAU staff, no  
20 conflict.

21 **MR. SMITH:** Billy Smith, ORAU staff,  
22 conflicted.

23 **MR. ROLLINS:** Gene Rollins, ORAU staff, no  
24 conflict.

25 **DR. BRANCHE:** ORAU staff participating by

1 phone, would you please announce your names and  
2 state whether or not you have a conflict?

3 **MS. HOFF:** Jennifer Hoff, ORAU team, no  
4 conflict.

5 **DR. BRANCHE:** Thank you. SC&A staff in the  
6 room, please announce your names and state  
7 whether or not you have a conflict.

8 (No response)

9 SC&A staff participating by phone please  
10 announce your names and state whether or not  
11 you have a conflict.

12 **DR. ANSPAUGH:** This is Lynn Anspaugh. I have a  
13 conflict.

14 **DR. BRANCHE:** Thank you, Dr. Anspaugh, for  
15 announcing your name.

16 Other federal agency staff in the room, would  
17 you please announce your name, state whether or  
18 not you have a conflict.

19 **MS. HOWELL:** Emily Howell, HHS, no conflict.

20 **DR. BRANCHE:** HHS staff participating by -- I'm  
21 sorry.

22 **MR. MCGOLERICK:** Robert McGolerick, HHS, no  
23 conflict.

24 **DR. BRANCHE:** Sorry. Any other federal agency  
25 staff participating by phone, would you please

1 announce your names and state whether or not  
2 you have a conflict?

3 **MR. BROEHM:** Jason Broehm, CDC Washington  
4 office, no conflict.

5 **DR. BRANCHE:** SC&A staff in the room, would you  
6 please announce your names and state whether or  
7 not you have a conflict for Nevada Test Site?

8 **DR. MAURO:** John Mauro, SC&A, no conflict.

9 **DR. MAKHIJANI:** Arjun Makhijani, SC&A, no  
10 conflict.

11 **DR. BRANCHE:** Thank you. Are there any  
12 petitioners or their representatives who would  
13 like to announce their names?

14 **MS. GLENN:** Reini Glenn.

15 **MR. FUNKE:** John Funke.

16 **MR. WHITE:** Peter White.

17 **DR. BRANCHE:** Any workers or their -- thank  
18 you. Any workers or their representatives who  
19 -- would you please state your names?

20 **UNIDENTIFIED:** (Unintelligible) --

21 **DR. BRANCHE:** Any -- I'm sorry -- I'm sorry,  
22 sir, would you please announce that again?

23 **MR. WHITE:** Peter White.

24 **DR. BRANCHE:** Are there any members of Congress  
25 or their representatives, would you please

1 announce your names?

2 **MS. OH:** Katherine Oh in Senator Reid's office.

3 **DR. BRANCHE:** Would you please say that again,  
4 please, for the record?

5 **MS. OH:** Katherine Oh, Senator Reid's office.

6 **DR. BRANCHE:** Thank you, Ms. Oh. Are there any  
7 others participating by phone who would like to  
8 announce their names?

9 **MR. ROGERS:** Keith Rogers, Las Vegas Review  
10 Journal.

11 **MR. RICH:** This is Bryce Rich with ORAU team.  
12 I came on just a bit late. I'm conflicted.

13 **DR. BRANCHE:** Thank you for announcing your  
14 name.

15 Before we formally begin I would ask that  
16 everyone participating by phone mute your  
17 lines. It is important for the quality of the  
18 participation for the phone participants that  
19 every single person participating by phone mute  
20 your lines. If you do not have a mute button,  
21 then please use the star-6 to mute your phones.  
22 We would value your interaction and when you  
23 are ready to speak please use that same star-6  
24 to un-mute your phones when you are ready to  
25 speak. Again, it is important that everyone

1 participating by phone mute your lines because,  
2 if you do not, then other people participating  
3 can't hear the infor-- the discussion.

4 As well, for phone participants, if you must go  
5 away from the call, please do not put this call  
6 on hold. That's -- that subjects all of us to  
7 whatever music or sound your hold function has  
8 for us. And I thank you for your cooperation  
9 and your observance of phone etiquette, and  
10 we'll get started.

11 **MR. PRESLEY:** Just had somebody else enter the  
12 room.

13 **DR. BRANCHE:** Would you please announce your  
14 names and tell us if you have a conflict?

15 **DR. ANIGSTEIN:** Robert Anigstein, no conflict.

16 **DR. BRANCHE:** Mr. Presley, you are welcome to  
17 begin.

18 **INTRODUCTION BY CHAIR**

19 **MR. PRESLEY:** All righty. Good morning, I  
20 thank everybody for being here. At this time I  
21 want to open any issues that we have had that  
22 are still on the table in the past for  
23 discussion. John, I think you had one.

24 **ENVIRONMENTAL OCCUPATIONAL EXPOSURE**

25 **DR. MAURO:** Yes, over the past week I read

1 through the new Chapter 4 in the TBD, the one  
2 dealing with environmental occupational  
3 exposure, and -- and -- and I'd like to first  
4 say that it does contain all of the new  
5 strategies that were discussed in the white  
6 papers before, so it's a -- it's basically a  
7 rewrite. And I reviewed it carefully and then  
8 I checked some numbers just to see if -- you  
9 know, if things seemed to ring true. And --  
10 and I did come up with one issue, but it's a  
11 fundamental issue, that I wanted to leave with  
12 the working group. In fact, over the weekend,  
13 given that -- I didn't just want to drop new  
14 information. I did call Jim Neton and Robert  
15 Presley just to brief them about what my  
16 concern is. I'm not s-- now -- so what --  
17 concern goes like this, and correct me if I  
18 misunderstood anything that's in Chapter 4.  
19 The fundamental strategy for doing inhalation  
20 doses from airborne particulate radioactivity  
21 post-1963 is to take advantage of the enormous  
22 amount of air sampling data that was collected  
23 beginning in 1971. And my understanding was  
24 continuous air samples collected in many  
25 locations and -- for pluton-- I'm particularly

1            talking about plutonium-239 right now, 'cause  
2            that's the hook and I like that as your hook.  
3            Now I looked at the numbers and I see that from  
4            site to site -- Area 1, Area 3, 5 -- you know,  
5            all the different areas -- the -- the level of  
6            plutonium in the air is on the order of -- just  
7            a rule of thumb -- about ten to the minus four,  
8            I think it was picocuries per cubic meter. I  
9            got it wri-- in fact, if you give me a second  
10           we can see how I -- yeah, three times ten to  
11           the minus four, five times ten -- anyhow, and -  
12           - and it's area to area, year to -- by year,  
13           and you -- these are air samples, continuous  
14           air samples, as I understand. So you've got a  
15           really good handle starting in '71 of what the  
16           airborne dust loading -- so the way I look at  
17           it is, you know, for -- for reconstructing  
18           inhalation doses from plutonium.  
19           And then on top of that you say okay, what  
20           we're going to do is we're going to use the  
21           plutonium as a hook for the other isotopes by  
22           prorating, 'cause you know what the mixes are,  
23           and that's a good idea and that works.  
24           And so -- and so my first impressions, and this  
25           -- by the -- this is the first time even the

1 SC&A people are hearing this because I really  
2 did this over the weekend, and not everyone --  
3 that's the way it is. You know, there may be  
4 some disagreement. And remember now, it's very  
5 important to realize we're talking about  
6 environmental occupational exposures. These  
7 are areas where people are working and -- and  
8 these are not radiation control areas now.  
9 These aren't areas where -- there's a fence.  
10 There's a contr-- access control. This is just  
11 the area -- and there are people out there  
12 working. So -- so -- so I want to make sure we  
13 make a distinction in this wa-- the reason --  
14 between people who are under some type of  
15 radiation control and people who are working  
16 outdoors doing their jobs and just breathing in  
17 resuspended dust that's blowing all over the  
18 place and it's just out there.  
19 And I say okay, my first perspective is,  
20 starting in '71 it looks like you've got a lot  
21 of data and you've got the wherewithal to  
22 factor in other radionuclides that are in -- in  
23 the air. But then I said let me go back to --  
24 okay, now how are we going to go back to '63?  
25 And here's where I start to run into some

1 problems. I say okay, let me go back and look  
2 at the activity that's on the ground, say, in  
3 becquerels per meter squared, of plutonium-239.  
4 And there's -- I forget the fella's name,  
5 starts with an M, McCaldwell -- there is a --  
6 an author, one of your -- what's his name?

7 **UNIDENTIFIED:** McArthur.

8 **DR. MAURO:** McArthur, McArthur has lots of  
9 reports and we -- we've seen these before where  
10 you have becquerels per miter squared on the  
11 ground, and -- and certain assumptions could be  
12 made to convert that into becquerels per gram.  
13 And in fact you've done that in the past by  
14 assuming what they call a relaxation link over  
15 some two and a half centimeters -- in other  
16 words, some reasonable assumptions, that are  
17 probably accurate within a factor of two or  
18 three, of what the picocuries per gram of  
19 plutonium-239 is in the soil in all the  
20 different areas in 1963.

21 **DR. MAKHIJANI:** McArthur dates from the '80s,  
22 John.

23 **DR. MAURO:** Okay. Whe-- when you look -- the  
24 really reason I felt that you could --

25 **DR. MAKHIJANI:** If I remember it correctly.

1           **DR. MAURO:** Yeah. But the plutonium numbers  
2 seem to be very rob-- the -- the -- in other  
3 words, when you look at the air sampling data,  
4 they're almost like -- they don't change that  
5 much from '71, '72, '73, '74, '75, so -- in  
6 those later years, so -- and that's coming from  
7 resuspension. I mean you have your tables -- I  
8 have them in front of me, in fact, and -- you  
9 know, they vary from ten to the minus four to  
10 ten to the minus five, that's about it, no  
11 matter where you look, no matter what area you  
12 look in. So it's almost like the dust  
13 loadings, starting in '71, are all in the range  
14 of ten to the minus four to ten to the minus  
15 five.

16 I say okay, so this -- this tells me that at  
17 least in those years, what I call the later  
18 years, you've got a pretty good handle on the  
19 airborne dust loading. Now -- and I said what  
20 do I do -- how do -- how do I get a handle on  
21 '63? Now -- 1963 -- the approach, as I  
22 understand it, that NIOSH used -- say listen,  
23 we realize that if you go backwards in time  
24 from '71, when you do have air sampling data,  
25 to '63, which is the time period that starts

1           our area of interest, you've got to bring the  
2           numbers up a little bit because we know that  
3           the availability for resuspension declines as a  
4           function of time, is the -- the Ans-- the Lynn  
5           Anspaugh curve. All right? And you'll -- but  
6           you basically have done, as I understand it, is  
7           say well, we're going to take the airborne  
8           concentration that we observe in 1971 and  
9           multiply it by three -- 3.12, to be exact --  
10          and that's the concentration we're going to  
11          assume is in the air of plutonium-239 in 1963.  
12          Okay, I say -- then I say to myself, and this  
13          is where, if you're following this so far,  
14          where I ran into a problem. I said okay, now I  
15          have -- I have activity on the grou-- on the --  
16          in the soil of one times ten to the fourth  
17          becquerels per meter squared measured in the  
18          later years. I'm going to say, just for the  
19          sake of argument, let's assume that's pretty  
20          con-- that doesn't change that much. Okay?  
21          That -- and that activity is distributed over a  
22          given area and has a certain vertical profile.  
23          Okay? And I realize that is a crude  
24          assumption, but we're talking about less than  
25          an order of magnitude crude assumption,

1 (unintelligible) factors of two or three,  
2 you're never going to get better than that.  
3 Then I say okay, so now I have a handle on the  
4 becquerels per meter squared in the soil in '63  
5 -- 1963. And I have your airborne  
6 concentration that you would predict would be  
7 in the air in 1963, and I -- and I say okay,  
8 what -- then I back out -- what would that  
9 resuspension factor be? In other words, in  
10 effect what I'm solving for is a resuspension  
11 factor, and does it ring true with my  
12 experience -- and it's quite a bit -- with  
13 resuspension factors. And I come up with a  
14 resuspension factor that's on the order of ten  
15 to the minus nine, maybe approaching ten to the  
16 minus eight, per meter. So in effect -- this  
17 is where I ran into a problem.  
18 I came into a problem that says the approach  
19 that's been embraced in the new Chapter 4  
20 effectively adopts a resuspension factor for  
21 the contamination of the plutonium in soil for  
22 1963 that's on the order of ten to the minus  
23 nine to ten to the minus eight. My experience  
24 with resuspension factors outdoors, especially  
25 if there's any type of anthropomorphic activity

1           going on -- like trucks, people walking and  
2           working and digging and whatever it is -- is  
3           closer to ten to the minus five, maybe ten to  
4           the minus six, certainly ten to the minus four  
5           would be conservative.  
6           So I walk away from this saying I would have  
7           come up with air dust loadings that were  
8           several orders of magnitude higher for 1963,  
9           and that -- and when I -- when I run into order  
10          of magnitude disparities, with my experience  
11          and knowledge of a subject, I think that's --  
12          to me, that's -- we've got to zero in on that.  
13          Everything else that I saw in the write-up were  
14          factors of two and three. And I'm not -- and  
15          I've got to say that we could work with that.  
16          We could always say well, maybe we should be a  
17          little more conservative here or -- but when I  
18          see two, three, four orders of magnitude  
19          possibili-- I'm only saying this is a  
20          possibility -- concern, and it's based solely  
21          on my review of literature dealing with  
22          resuspension factors, I get concerned. And I -  
23          - and I called Ji-- and I said -- and I said --  
24          I called Jim and I called Robert and I  
25          expressed this to say listen, I wa-- I don't

1           want you to hear it for the first time at this  
2           meeting, but -- everyone is, but some haven't.  
3           And I also came up with an idea for a way to  
4           find out whether I'm off base or whether maybe  
5           I'm right, and this is my idea. When the air  
6           samples were collected in '71, '72 -- 1971, '72  
7           and '73 to determine picocuries per cubic meter  
8           of plutonium in the air, I'm pretty sure they  
9           must have weighed -- they took the filter paper  
10          off the fil-- off the air sampler and weighed  
11          it, and they know how many milligrams or  
12          micrograms of dust there is in the air per  
13          cubic meter, and these were continuous samplers  
14          collected over the course of a year at all  
15          these locations, many, many of them, so there's  
16          probably out there a pretty rich database  
17          giving you some realistic estimate of what the  
18          milligrams or micrograms -- I mean the numbers  
19          I'm used to seeing are a low of maybe ten to 20  
20          micrograms in a pretty quiescent area to easily  
21          milligrams per cubic meter. Now someplace in  
22          there is probably where typical time-averaged  
23          dust loadings are for the -- for the Nevada  
24          Test Site at any time. So see, I look at the  
25          dust loading in milligrams or micrograms per

1 cubic meter as a characteristic of the site,  
2 whether we're talking 1960s, 1970s, a  
3 characteristic of the site -- of course not  
4 when they were detonating the above-ground, but  
5 after -- you know, we simply have a site with  
6 this normal wind blowing, anthropomorphic --  
7 pomorphic activities going on all the time.  
8 There -- there are dust devils, as I  
9 understand, that happen every so often, and you  
10 have this long-term situation where you -- if  
11 you have a long-term air samples, you could  
12 start to get a pretty good feel of what the  
13 long-term dust loading is in micrograms per  
14 cubic meter.

15 Well, in my mind, if we can get a handle on  
16 that number and its variability and wha-- its  
17 range, maybe it even differs a little bit from  
18 area to area, and we also have becquerels per  
19 meter squared on the ground, I think we go back  
20 and revisit the dust loading approach using  
21 realistic dust loadings.

22 Now previously we had this conversation, about  
23 six months ago, where the idea was embraced but  
24 one of the assumptions that were made was that  
25 well, we'll assume it's five milligrams per

1 cubic meter all the time to all people  
2 everywhere. And I'd be the first to admit,  
3 that's not real. You're going to come up with  
4 a dose that's off by at least a factor of ten.  
5 So I had -- when -- when you decided to, you  
6 know, walk away from that strategy, I fully  
7 appreciated and understood (sic) because  
8 that's not plausible.

9 But what is plausible is something on the order  
10 of -- again, this is -- if you could actually  
11 have the measurements, we're low. It may turn  
12 out the average annual dust loading in the air  
13 is only 20 or 30 micrograms per cubic meter,  
14 and then you've got a rock to stand on. You  
15 say listen, we now it's -- this is the dust  
16 loading and we know the becquerels per meter  
17 squared. We've got a pretty good idea of the  
18 relaxation length over which that plutonium is  
19 distributed, so we have a pretty good idea of  
20 what the upper level of, you know, becquerels  
21 per gram is in the soil in Area 1, in Area 2,  
22 for 1963. We multiply that by a dust loading  
23 and you've got the problem solved. And I think  
24 you're going to come up with exposures which  
25 are several orders of magnitude higher than the

1 numbers you currently have in this report.

2 So that's what I walked away with from reading  
3 this report, and I put that on the table.

4 **DR. ANIGSTEIN:** I'd like to make a couple of  
5 additional comments. First of all, one thing  
6 that they have -- according to this Chapter 4 -  
7 - going back into the '60s is gross alpha  
8 measurements. And so I was surprised that they  
9 didn't think to try to determine what fraction  
10 of those gross alphas were plutonium. For  
11 instance, based on -- assuming that they  
12 continued taking gross alphas after they -- at  
13 the same time they were taking plutonium  
14 samples, then it would be relatively  
15 straightforward to say okay, for this level of  
16 plutonium, this is what the gross alpha count  
17 is. And then when we have only gross alphas,  
18 you could prorate those super-- and to get an  
19 estimate of plutonium.

20 The second point, separate from this, is in  
21 terms of this Arthur data on the inventories of  
22 plutonium on the ground, EG&G did a fly-over  
23 survey in 1982 of -- I happened -- they did  
24 several areas; I happened to look at Area 11,  
25 which is Plutonium Valley -- they call it

1 Plutonium Valley and it's not exactly the same  
2 as Area 11. It's most of Area -- it's part of  
3 Area 11, goes a little bit into Area 3. But  
4 anyway, they came up with inventories that were  
5 ten times higher than -- in the Arthur report  
6 than what is here in Chapter 4, curie  
7 inventories. They came up with something like  
8 240 curies for Area 11, of -- of plutonium, and  
9 this -- and here we have something like 29  
10 curies. So that's a significant difference,  
11 which can't just be dismissed.  
12 They also had a ground -- EG&G had also done a  
13 ground level Fiddler\* survey which came up with  
14 lower numbers, but it was a very much smaller  
15 area. So one of the reasons why the two would  
16 not coincide is the fly-over had a very, very  
17 wide angle of view, so it may not localize pro-  
18 - properly. However, for the ar-- for the area  
19 as a whole, it should be fine.  
20 (Unintelligible) the (unintelligible) be better  
21 'cause it does automatically average this out.  
22 So I think that's something that should be  
23 considered.  
24 And the other point, which is in slight  
25 disagreement with -- I mean (unintelligible)

1 consistent with what John said but perhaps -- I  
2 mean any -- okay. I have another point.

3 **MS. MUNN:** Your voice is very soft in general -  
4 -

5 **DR. ANIGSTEIN:** Oh, I'm sorry.

6 **MS. MUNN:** -- and even for those of us at this  
7 end of the table --

8 **DR. ANIGSTEIN:** Okay.

9 **MS. MUNN:** -- it's a little difficult for us to  
10 hear.

11 **DR. ANIGSTEIN:** I'm sorry.

12 **MS. MUNN:** Project just a little more --

13 **DR. ANIGSTEIN:** Okay.

14 **MS. MUNN:** -- and we will appreciate it.

15 **DR. ANIGSTEIN:** Will do.

16 **MS. MUNN:** Thank you.

17 **DR. ANIGSTEIN:** The air sampling data, whether  
18 it's plutonium or whether it's dust, isn't  
19 area-wide. Now what we're concerned with,  
20 we're -- for dose reconstruction is the  
21 breathing zone sample, which of course weren't  
22 taken. But by -- but conceptually, this is  
23 where the person actually is. If this is where  
24 the person is, he's going to be stirring up  
25 dust. He's going to be walking, he's going to

1 be working, he's going to be digging and  
2 whatever else they do -- driving a vehicle.  
3 There's going to be a lot more dust where that  
4 person is than this wide, empty, uninhabited  
5 space over the course of a year. So  
6 immediately there is a bias there which is  
7 claimant-unfavorable in using either the dust  
8 loading approach or the resuspend or the air  
9 sampling approach.

10 And then finally, in terms of the actual dust  
11 levels, the only thing I would -- I happened to  
12 come across, I only worked on this for a few  
13 days, is a 1993 cost benefit analysis for  
14 cleanup put out by DOE. And there they just  
15 make reference to the fact that, taking four  
16 samples from widely dispersed areas, they said  
17 typical rural dust loadings which would be  
18 applicable to the Nevada Test Site are 20 to 40  
19 micrograms per cubic meter. That's -- it's  
20 just a statement that's in there, but it's --  
21 it's the only place I've found a number -- an  
22 actual number where dust loadings were referred  
23 to, so that's -- that's it.

24 **DR. MAKHIJANI:** If I might -- this is Arjun.  
25 If I might supplement that, Lynn Anspaugh

1 brought up a similar point on a number of  
2 occasions. I believe we actually have  
3 something shows a -- heavy equipment that Lynn  
4 sent around. We haven't printed them out or  
5 anything, it's just part of our review that's  
6 ongoing and -- I don't know -- Lynn, are you on  
7 the phone? I guess he's not --

8 **DR. BRANCHE:** Well, give him a moment to un-  
9 mute. Give him a --

10 **DR. ANSPAUGH:** Yes, I'm here. I just had a  
11 little trouble getting my mute button adjusted.

12 **DR. MAKHIJANI:** Okay, so I -- I didn't know  
13 whether you were on the phone because I came a  
14 little late, so I don't need to stand in for  
15 you.

16 **DR. ANSPAUGH:** Okay. I appreciate the comments  
17 that were just made. In fact, I have some very  
18 similar comments that I made from time to time,  
19 and one -- one of my chief problems that I  
20 mentioned several times is where were these  
21 samples located -- air samples -- where were  
22 they located and what was the purpose for  
23 taking them. And I've read a lot of these  
24 reports and -- for example, in 1964 there were  
25 14 samples -- samplers, and I would just like

1 to read to you the location of these samples.  
2 In Area 3, it was the cafeteria; Area 5 is  
3 (unintelligible), another Area 5 is Gate 250;  
4 Area 6 was dispensary; Area 9 was dispensary;  
5 Area 10 was Gate 700; Area 12 was cafeteria;  
6 Area 16 was dispensary; Area 18 was Camp 17  
7 dispensary; Area 20 was dispensary; Area 23,  
8 which is Mercury, was Building 214; Area 25,  
9 which is NRDS, was LASL H-8 facility; Area 27  
10 was dispensary; Area 51 was dispensary. And  
11 then there was a comment made by the people who  
12 were writing these reports that said  
13 specifically results of environmental  
14 surveillance sampling activity values obviously  
15 cannot be used in calculating personnel  
16 exposure doses.  
17 So I think the comment that people who were out  
18 in the field that -- bulldozers and dragging  
19 drill rigs from one location to another cannot  
20 be represented by these stationary air samplers  
21 that are located mainly in -- adjacent to  
22 cafeterias and dispensaries.  
23 And one other thing I wanted to mention was  
24 that it's frequently stated that atmospheric  
25 testing stopped in 1962, and that's not exactly

1 true. We had four plutonium dispersal tests in  
2 1963 that were just beyond the Test Site, but  
3 nevertheless they did have significant  
4 effluents that were detected even off-site, so  
5 there could have been a -- I'm sure there was a  
6 major perturbation of the plutonium levels --  
7 airborne plutonium levels in 1963.

8 In addition to that, we had five PLOWSHARE  
9 experiments, which were permitted underneath --  
10 under the treaty as long as they didn't cross  
11 international boundaries, and so we had five  
12 tests that took place in the Test Site between  
13 '64 and '68 that substantially contaminated the  
14 area. In fact, some of these shots even  
15 contaminated the drinking water supplies.  
16 So I -- I think Chapter 4 is -- is not claimant  
17 favorable by any means.

18 **MR. ROLFES:** Okay. This is Mark Rolfes.  
19 Before I address some of these questions and  
20 concerns that SC&A has raised, I would like to  
21 thank everyone that has provided information to  
22 NIOSH so that it can be incorporated into the  
23 site profile. I know that John Funke has  
24 specifically been spending a -- a bit of time  
25 to ensure that we have put together the most

1 complete and scientifically valid site profile  
2 to use for EEOICPA dose reconstructions for  
3 Nevada Test Site. I would like to thank him  
4 and the other people that have made  
5 contributions to our work.  
6 The current approach that we have in our Nevada  
7 Test Site environmental intake chapter does  
8 rely upon air monitoring data which started in  
9 1971 at Nevada Test Site. These were ambient  
10 air samplers that were set up in various areas,  
11 as Lynn Anspaugh has mentioned, in Area 1, 2,  
12 3, 5, 6, 7, 9 and 10, 11, 12, 15, 16 -- let me  
13 make sure -- 18 -- excuse me -- 19, 20, 23, 25,  
14 27 and 28. From thousands of air sample  
15 results, in order to be claimant favorable --  
16 now mind you, we do only have air sampling data  
17 in complete sets beginning in 1971 and  
18 continuing through 2001. From those thousands  
19 of air sample results NIOSH has hand-selected  
20 the single highest plutonium ambient air sample  
21 result to use for reconstructing historical  
22 radiation exposures. We have taken that single  
23 air sample result for plutonium and decay-  
24 corrected it back to 1963, so we've chosen the  
25 single highest air sample result which occurred

1 -- it was documented in 197--

2 **MR. ROLLINS:** Area 9 -- Area 9, 1972.

3 **MR. ROLFES:** Okay, thank you, Gene. It was  
4 Area 9, 1972. We have singly -- we have picked  
5 out that single highest sample result, used  
6 that to decay-correct back to 1963, and then  
7 applied a maximum scaling factor to add in  
8 other radionuclides in ratios to the plutonium-  
9 239. So we've taken the highest sample result.  
10 We've applied the highest scaling factor, and  
11 we've also assumed that a worker was exposed to  
12 that concentration for essentially twenty-- is  
13 it 21 --

14 **MR. ROLLINS:** (Off microphone) Forty hours  
15 (unintelligible) --

16 **MR. ROLFES:** -- 40 hours per week --

17 **MR. ROLLINS:** -- (unintelligible) 600 cubic  
18 meters per year.

19 **MR. ROLFES:** Okay. So -- which is roughly --  
20 we basically have assumed --

21 **MR. ROLLINS:** (Off microphone) A standard --  
22 standard breathing (unintelligible) 40 (sic)  
23 hours a day --

24 **MR. ROLFES:** Okay.

25 **MR. ROLLINS:** -- five days a week.

1           **MR. ROLFES:** So for the entire year we have  
2 assumed that that individual was exposed to  
3 that air concentration, that single highest  
4 result with the single highest multiplication  
5 factor, scaling factor, for other  
6 radionuclides. We haven't taken any credit for  
7 respiratory protection. And that was our basis  
8 for dose reconstructions.

9 I'd like to call everyone's attention to the  
10 revision on page -- oops, let me -- on page 75  
11 of the Technical Basis Document we have  
12 compiled a list of the organs for which  
13 internal doses are calculated that had in  
14 excess of one millirem from 30 years of  
15 inhalation and ingestion at this level. And  
16 Table B-1 shows the internal doses resulting  
17 from these ambient intakes at the Nevada Test  
18 Site. If you take a look, for example, the  
19 lower large intestine dose would be one  
20 millirem per year from this level of exposure  
21 for 30 years of exposure.

22 We do acknowledge that there's uncertainty  
23 associated with the measurements that we have  
24 used. However, we feel that this -- this  
25 approach is claimant favorable and that it's

1           defensible, meaning that we've hand-selected  
2           the single highest ambient air sampling result.  
3           We can look into additional information that  
4           would allow us to refine our dose estimates.  
5           However, the amount of work that would be  
6           necessary would not significantly contribute to  
7           higher internal doses.

8           I believe -- Gene, do you have any additional  
9           information --

10          **MR. ROLLINS:** Let me make one --

11          **MR. ROLFES:** -- to add to that?

12          **MR. ROLLINS:** -- one observation. I -- in  
13          addition to assigning intakes for plutonium-  
14          239, if you go to Table 4.4-6 on Table 23,  
15          we're also assigning intakes of other  
16          radionuclides, and one of those happens to be  
17          cobalt-60. If we -- just as a -- as a thought,  
18          if we increase those intakes shown in this  
19          table by a factor of 100, then those intakes  
20          would be readily seen by whole body counting,  
21          and we have no evidence that any positive  
22          cobalt-60 whole body counts were observed at  
23          NTS. So I don't think it's a factor of 100,  
24          John. It's something lower than that.

25          **DR. MAKHIJANI:** Well, I have a question for --

1 couple of questions for Mark, just on what you  
2 said. When you say decay-corrected for  
3 plutonium back eight years, what decay  
4 correction?

5 **MR. ROLFES:** Not very much.

6 **MR. ROLLINS:** (Off microphone) Most of those  
7 decay corrections were (unintelligible) to all  
8 the others here.

9 **DR. MAKHIJANI:** Okay, so for plutonium anyway  
10 there's no decay -- essentially no decay  
11 correction. The -- the other thing is, the  
12 other radionuclide question has been raised --  
13 and again, this was raised by Lynn but I don't  
14 want it to fall between the cracks -- that  
15 there's a fractionation problem in terms of  
16 relative amounts of various radionuclides. I  
17 don't know whether you use the Hix\* Tables --

18 **MR. ROLLINS:** That's been corrected.

19 **DR. MAKHIJANI:** It's been corrected.

20 **MR. ROLLINS:** It's been corrected.

21 **DR. MAKHIJANI:** I just wanted to --

22 **MR. ROLLINS:** We've enriched the  
23 (unintelligible) field with refractors.

24 **MR. ROLFES:** Right.

25 **DR. MAKHIJANI:** Okay, so that's been -- is that

1 on the old --

2 **MR. ROLLINS:** (Off microphone) (Unintelligible)

3 **DR. MAKHIJANI:** Oh, it's in there, okay. I  
4 haven't looked. Thank you.

5 **DR. MAURO:** Let me pick up on that 'cause  
6 that's good. I didn't realize -- if I'd read  
7 more carefully -- in effect, I looked at the  
8 table, the -- the central numbers for all these  
9 couple of hundred numbers here, around ten to  
10 the minus four, you picked ten to the minus  
11 three. That's the highest number in the table.

12 **MR. ROLLINS:** Yeah.

13 **DR. MAURO:** So you're about a factor of ten  
14 higher --

15 **MR. ROLLINS:** Yes.

16 **DR. MAURO:** -- right off the bat. Now -- and -  
17 - okay, now -- but still -- and -- and that --  
18 you know, that's good that you're trying to  
19 find a way to accommodate the uncertainties,  
20 accommodate this time variant issue. But in my  
21 mind, you don't have to resort to that. You  
22 could just go back and look at what the dust  
23 loadings are if they're out there. In other  
24 words, every single one of these samples  
25 probably has a microgram per cubic meter, a

1           number that ti-- we'll start to get a sense for  
2           what is the average annual dust loading at the  
3           site -- notwithstanding Lynn's point, by the  
4           way. I wasn't aware that, you know, there was  
5           this concern that perhaps the air samples were  
6           not taken where the people were doing this  
7           mechanical work. I mean that's -- that's a  
8           separate issue.

9           Right now I'm operating on the premise, given  
10          that the air samples that were collected were  
11          collected at a place where people are and is  
12          generally representative of the dust loadings  
13          that people experienced -- given that, and I'm  
14          not -- now from what Lynn said, that may not  
15          entirely be the case. But if it is, and if you  
16          do actually have information on what the real  
17          dust -- when I say dust loading, milligrams or  
18          micrograms per cubic meter, you don't have to  
19          resort -- it may turn out that that's too  
20          conservative. You see, I'm ready to go to the  
21          point where I say I might be entirely wrong for  
22          the reason you just said, but everything I know  
23          about resuspension factors tells me that ten to  
24          the minus nine, ten to the minus eight, is not  
25          a good number.

1           **MR. ROLLINS:** May I comment on that?

2           **DR. MAURO:** Yeah.

3           **MR. ROLLINS:** This is Dr. Anspaugh's own model  
4 based on empirical data from the Nevada Test  
5 Site. And you've seen this curve --

6           **DR. MAURO:** I -- and I --

7           **MR. ROLLINS:** -- and you see what the number  
8 is.

9           **DR. MAURO:** And I see why it happened. It  
10 drops three orders of magnitude within the  
11 first hundred days, (unintelligible) --

12          **MR. ROLLINS:** Let me -- let me comment on that.

13          **DR. MAURO:** Yeah.

14          **MR. ROLLINS:** The last ato-- the last  
15 atmospheric shot was July 17th, 1962. If we're  
16 starting our area of interest in 1963, that's  
17 practically 180 days. We're off the hump --

18          **DR. MAURO:** But I don't buy this --

19          **MR. ROLLINS:** -- according -- according to his  
20 -- to his model.

21          **DR. MAURO:** See, I don't necessarily agree that  
22 this curve is -- is applicable to the problem  
23 that we're talking about where we have people  
24 physically -- and we have Lynn on the line.  
25 Lynn, please, you cor-- I mean we -- this is

1 the first time we -- we're engaging this issue,  
2 but --

3 **DR. MAKHIJANI:** No, we -- we did this before.

4 **DR. MAURO:** We -- no -- yeah, and we -- we did,  
5 okay. We did do it before.

6 **MR. PRESLEY:** Yeah, this -- this -- let me tell  
7 y'all something -- this is Bob Presley. This  
8 discussion started in March of 2007. This  
9 issue was closed in December of 2007, so this  
10 has been discussed before, and a lengthy  
11 discussion.

12 **DR. MAURO:** It -- it was closed when it was  
13 five milligrams per cubic meter. Then a --  
14 then a reversal occurred.

15 **UNIDENTIFIED:** Well, let's --

16 **DR. MAURO:** And that's okay --

17 **UNIDENTIFIED:** -- let's --

18 **DR. MAURO:** -- that a reversal occurred, but  
19 now -- so we're really back -- okay, we're  
20 returning to the resuspension factor approach.  
21 And granted, Lynn's curve is here. I'd like to  
22 hear a little bit -- in effect, according to  
23 Lynn's curve, you've got this enormous elbow  
24 that occurs at 180 days, and we -- and -- and  
25 you take -- and it's working very -- serving

1           you very well 'cause your adjustment factor's  
2           only three.

3           **DR. ANIGSTEIN:** But --

4           **DR. MAURO:** In fact, if you -- okay, Bob.

5           **DR. ANIGSTEIN:** But Lynn just said the testing  
6           did not stop in '62. There were tests in '63  
7           and through '68 that -- that were responsible  
8           for -- they may not have been violations of the  
9           treaty, but responsible for dispersion of the  
10          plutonium, particularly the safety -- the  
11          safety tests, by definition, were not nuclear  
12          bomb tests 'cause they did not have a  
13          detonation.

14          **DR. MAURO:** And that --

15          **MR. SMITH:** Those detonations were not on the  
16          Nevada Test Site.

17          **DR. ANIGSTEIN:** Oh.

18          **DR. ANSPAUGH:** Those detonations were just off  
19          the Nevada Test Site, but Billy, they were  
20          detected off-site and they certainly were  
21          detected on-site.

22          **MR. SMITH:** Lynn, the wind blows generally  
23          northeast, so they couldn't have -- they could  
24          not have been detected on-site.

25          **DR. ANSPAUGH:** Well, they were.

1           **DR. MAURO:** Well, see -- wait, wait, see, we're  
2           operating (unintelligible).

3           **DR. ANIGSTEIN:** The safety -- according to the  
4           DOE report, the safety tests were done in -- in  
5           Plutonium Valley.

6           **MR. SMITH:** That's Area 11 on the Nevada Test  
7           Site.

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

9           **MR. SMITH:** He's talking about a place that's  
10          off of the Nevada Test Site.

11          **DR. ANIGSTEIN:** But the safety tests were --

12          **DR. ANSPAUGH:** No, we're -- we're -- we're con-  
13          - we're confusing the tests in 1955 and those  
14          in 1963.

15          **DR. MAURO:** Wait a minute, we -- Lynn, there's  
16          layers of issues that -- I -- in other words,  
17          you're raising issues related -- on one level.  
18          I have a really fundamental issue. My  
19          fundamental issue is that a resuspension factor  
20          of five times ten to the minus nine --  
21          basically that's what you effectively adopted -  
22          - is being applied to the surface  
23          contamination, notwithstanding whether we --  
24          you know, given that the surface contamination  
25          in becquerels per meter squared is in fact a

1           robust, reliable model, and given the  
2           assumption that you can establish a vertical  
3           profile for that -- which I believe you can --  
4           I find it very hard to believe that  $N$  to the  
5           minus -- five times ten to the minus nine is a  
6           good resuspension factor for this circumstance,  
7           notwithstanding Lynn's curve. So I might right  
8           now be, you know, crashing heads with Lynn. I  
9           don't buy that resuspension factor as applied  
10          to this situation. I think the resuspension  
11          factor is going to be closer to ten to the  
12          minus six.

13         **MR. ROLLINS:** Comment.

14         **DR. MAURO:** I mean and that's what I'm saying.

15         **MR. ROLLINS:** Com-- comment, please. My model  
16          does not assume a resuspension factor. The  
17          only time I bring in resuspension factors is to  
18          account for short-lived fission products,  
19          fission and activation products. My model is  
20          built on empirical air measurements.

21         **DR. MAURO:** But -- but your model, in the end,  
22          results in a resuspen-- in other words, yeah --

23         **MR. ROLLINS:** It's an implied resuspen--

24         **DR. MAURO:** It's an imp-- of course, and that's  
25          how I checked the number and I said -- whenever

1 I check a number I say does it ring true, how  
2 do I come at this number, and ask myself does  
3 it ring true for me. 'Cause on face value in  
4 your -- this looks great. But then I said but  
5 I know something about resuspension factors,  
6 and I say does it hold up. And I went back and  
7 I did a calculation and I said my goodness,  
8 they got a resuspension factor that's -- that's  
9 -- well, I didn't work with the 4.3 to the  
10 minus three, by the way. I worked with the 3.7  
11 -- I worked with one of the numbers and just  
12 checked it, and I came up with five times ten  
13 to the minus nine as a resuspension factor.  
14 And at that point I said I've got a problem.  
15 And it wasn't some, you know, deep, penetrating  
16 -- I says that just doesn't sound right to me,  
17 and that's when I immediately wanted to  
18 communicate this concern, this -- to Jim and to  
19 Robert, and I wanted to put it on the table.  
20 So -- and now -- now on top of that, obviously,  
21 we've got other layers and -- see where I'm  
22 starting. I'm starting at giving -- basically  
23 accepting a lot of information. I'm accepting  
24 the becquerels per meter squared number. I'm  
25 accepting the air sampling data as being taken

1 in the right areas and -- and are  
2 representative. Given all that -- I mean  
3 accepting that --

4 **UNIDENTIFIED:** You mean for the sake of  
5 argument.

6 **DR. MAURO:** For the sake of argument, I'm  
7 accepting it. For the sake of this discussion,  
8 let's just start at the simplest level, and at  
9 the simplest level I'm saying even accepting  
10 all that or on -- on face value, I have a  
11 problem with the resuspension factor that's  
12 implied in the model.

13 Now, you know, once we could get by that -- and  
14 maybe we can, and one way to get by that is to  
15 check what the dust loadings actually were,  
16 which I believe the numbers are out there --  
17 and we may find out, if you pull the records  
18 from when they took those air samples in  
19 '71/'72, that we know what the milligrams or  
20 micrograms per cubic meter is and we may find  
21 out that your approach is right on the button.  
22 Or we may find out that no, you're low by two  
23 orders of magnitude. And we could find that  
24 out.

25 Now whether or not that data are available, but

1           -- but in my mind, it should be -- that data  
2           should be available because every time I ever  
3           took an air sample I always weighed it. I take  
4           the Wattman filter paper, you know, you -- you  
5           weigh it before, you weigh it after, so it's  
6           got to be in there somewhere. If it's not,  
7           that's the end of my story. But if it is,  
8           you've got a hook on -- on what the dust  
9           loading is. And once you've got a hook on what  
10          the true milligrams per cubic meter are in the  
11          air at this site, you have a very, very strong  
12          platform to stand on, say now we're going to  
13          apply that to what we know to be the activity  
14          in the soil of plutonium-239.

15          Now we do have some questions and maybe we  
16          don't know what the plutonium is, but that's  
17          now a second -- to me, now we're moving up the  
18          ladder on the -- on -- but the very beginning -  
19          - to me, the ground -- the rock you're standing  
20          on is -- is that, you know, you believe you  
21          have an appreciation for what the potential for  
22          resuspension is, and I'm saying I don't think  
23          you do.

24          **MR. CHEW:** John, to -- to -- to move a path  
25          forward -- go forward on -- picking up in your

1 discussion here, we have to make some --  
2 probably some big assumptions here that, number  
3 one, they weighed it. Okay?

4 **DR. MAURO:** Yeah, that's --

5 **MR. CHEW:** And then -- and then secondly, if  
6 they didn't weigh it and then we have to either  
7 go find those samples, probably no longer exist  
8 here, and the reweigh them -- right? And so I  
9 just asked Billy -- I said Billy, do you happen  
10 to know the knowledge of the very fact that --  
11 did they weigh those samples or not?

12 **MR. SMITH:** No --

13 **DR. MAURO:** They don't weigh --

14 **MR. SMITH:** -- they were not weighed. The  
15 activity was based on the air volume that went  
16 through the air sampler so the activity was  
17 activity per cubic meter of air.

18 **DR. MAURO:** But the sam-- once you pulled the  
19 piece of paper --

20 **DR. ANSPAUGH:** I'd like to make a few comments  
21 on that, if I might. I think the resuspension  
22 factor of ten to the minus eight, ten to the  
23 minus nine, is okay for the -- for the  
24 conditions under which those air samplers were  
25 taken, which was nearby a cafeteria or a

1 dispensary. I -- I agree with John that if  
2 we're dealing with a bulldozer operator or a  
3 construction guy or somebody dragging a drill  
4 rig across the desert, that value is not  
5 appropriate and a mass loading approach would  
6 be much better.

7 I -- I also think Billy's absolutely right that  
8 those filters were not weighed, and in order to  
9 get representative values we probably would  
10 have to go (unintelligible) the material that  
11 was done for the -- the Yucca Repository where  
12 they did make a lot of measurements of mass  
13 loading and so forth in order to build the  
14 predictive models. So there are results  
15 available very close by the Test Site that were  
16 taken at later times on mass loading.

17 **DR. MAURO:** (Off microphone) I think  
18 (unintelligible).

19 **MR. CHEW:** I'm just trying to -- John, we need  
20 to probably discuss what -- what the  
21 appropriate path forward here to resolve this  
22 issue here because, you know, we -- let's say  
23 example we have -- we -- we cannot find those  
24 samples again to weigh them. That would be --  
25 that would be another thing that we could -- is

1           that -- what -- and then I'm just listening to  
2           Lynn about finding some representative -- then  
3           that's got to be something that we need to  
4           agree upon, that's got to be representative of  
5           what we're (unintelligible) --

6           **DR. MAURO:** Unfortunately, what I'm hearing is  
7           that --

8           **MR. CHEW:** -- that's not easy.

9           **DR. MAURO:** -- even if we were able to get this  
10          mass loading --

11          **MR. CHEW:** Right.

12          **DR. MAURO:** -- associated within -- it may not  
13          serve us well because --

14          **MR. CHEW:** Exactly right.

15          **DR. MAURO:** And so maybe it is my id-- my idea  
16          of how to come at this thing may not work if in  
17          fact the samples -- the air samples were taken  
18          at locations where -- that were quiescent, when  
19          in fact we're interested in the areas that  
20          weren't quiescent, areas where there is  
21          physical activity going on.

22          **MR. CHEW:** Well, I think we need to go back to  
23          the conservatism that Mark has been talking  
24          about, taking the highest samples, assuming  
25          that the people were there continuously here,

1 and there are several factors -- orders of  
2 magnitude built into that, too, as you well  
3 know.

4 **MR. ROLFES:** We haven't considered the other 99  
5 percent -- or greater than 99 percent of the  
6 data which indicated lower air concentrations.

7 **DR. MAURO:** No, but you're only a factor of ten  
8 -- in other words, you see, I would have been  
9 okay with that. In other words, what I -- we --  
10 -- in fact, as soon as you said that, I went  
11 right to the --

12 **MR. ROLFES:** Sure.

13 **DR. MAURO:** -- and I said --

14 **MR. ROLFES:** Sure, but that would still --

15 **DR. MAURO:** -- that would, yeah.

16 **MR. ROLFES:** The other -- the other  
17 conservatisms that are built into that are the  
18 assumption that that individual was exposed for  
19 his entire year of employment in that area --

20 **DR. MAURO:** That's true. That's true. I agree  
21 with that.

22 **MR. ROLLINS:** Let me --

23 **DR. ANIGSTEIN:** But wait --

24 **MR. ROLLINS:** -- let me make one more comment.

25 **DR. ANIGSTEIN:** -- there's a --

1           **MR. ROLLINS:** How many square miles is NTS?

2           **MR. SMITH:** 1,350 square miles.

3           **MR. ROLLINS:** 1,300 square miles. Now these  
4 source terms are spread rather -- rather well,  
5 from what I can tell, based on these air sample  
6 results. It's spread pretty much over the  
7 1,300 square miles. So at any point in time  
8 most of it's going to be quiescent and the  
9 resuspension's going to be occurring over  
10 quiescent areas. So the -- the site -- that's  
11 the average, but we've chosen the highest.

12          **DR. ANIGSTEIN:** I have -- I have a comment on  
13 that.

14          **DR. ANSPAUGH:** Well, you -- you've chosen air  
15 sampler that may have been located by a  
16 dispensary or someplace that does not represent  
17 the situation that would be claimant favorable.

18          **MR. ROLLINS:** Let me make a comment on that,  
19 and Dr. Anspaugh mentioned in 1964 what the  
20 sampling locations were, but as I understand  
21 it, the air sampling program was in its infancy  
22 in 1964 and they were just coming to the  
23 conclusion that they maybe needed to start  
24 measuring what the actual ambient  
25 concentrations were out there in areas that

1           were not affected by testing. And this is a  
2           quote that came out of the 1971 annual report,  
3           and it says (reading) In 1964 REECo established  
4           an environmental surveillance program at NTS  
5           that was designed to measure radiological  
6           conditions throughout the site, without regard  
7           to nuclear testing. That is, the collected  
8           data was not -- was not to relate to specific  
9           tests, but general conditions of radiation.  
10          The short-term objective of the program was to  
11          minimize casual personnel exposure to radiation  
12          by locating and identifying localized  
13          radiological environmental conditions by type  
14          and quantity of contamination.  
15          In other words, they were concerned that people  
16          might be being exposed to -- to areas that they  
17          didn't -- that they were working in that were  
18          not known to be contaminated. So it seems to  
19          me that they were trying to design a program to  
20          prevent this type of casual exposure. And I  
21          don't think putting air samples inside a  
22          dispensary would -- would accomplish that  
23          objective.

24          **UNIDENTIFIED:** I don't think we're --

25          **DR. ANSPAUGH:** Well, the -- I -- they were

1           located -- the location is given as dispensary  
2           or cafeteria for more than half of the samples.

3           **MR. ROLFES:** That's exactly what ambient  
4           exposures -- that's exactly where you would  
5           want to sample for ambient exposures. These --  
6           these are not occupational internal exposures  
7           per se. For individuals that were working  
8           directly with radioactive material and were  
9           exposed to airborne radioactive material, those  
10          people were typically participants in a  
11          bioassay program.

12          **DR. ANSPAUGH:** We have -- we have serious  
13          questions about that, too.

14          **DR. MAURO:** We'll get to that next.

15          **MR. ROLFES:** Okay. The air samples that were  
16          set up that we are using, these would be  
17          reflective of essentially background  
18          concentrations that an individual that was not  
19          working in a radiologically-controlled area  
20          would have been exposed to.

21          **DR. ANIGSTEIN:** But it's -- but that still  
22          neglects --

23          **DR. ANSPAUGH:** Well, I -- I -- I certainly  
24          agree with that statement, but what is the  
25          definition of a radiologically-controlled area?

1           It certainly doesn't include everywhere that  
2           these people were out in the field driving  
3           bulldozers.

4           **DR. MAURO:** What I'm hearing is maybe Bob -- I  
5           mean Bob pointed this out to me over the  
6           weekend, this alpha -- gross alpha. See, what  
7           we're struggling with right now is we have  
8           these air samples and what do they really mean  
9           and can they serve our purposes, and lots of  
10          questions have come up. One angle of trying to  
11          come to grips with it would be if we can track  
12          down the dust loading. I'm hearing that can't  
13          be done. And even if we can do it, it may not  
14          mean very much if those air samples were taken  
15          in places where people were not working.  
16          Now Bob, you had mentioned that you ac-- saw,  
17          which I wasn't aware of, gross alpha  
18          measurements were collected in 1963 --

19          **DR. ANIGSTEIN:** Right.

20          **DR. MAURO:** -- which is the time period we're  
21          interested in.

22          **DR. ANIGSTEIN:** Yeah, that's what it says in  
23          the report.

24          **DR. MAURO:** And -- right, and any sense of wh--  
25          why they were taken and where they were taken?

1           **DR. ANIGSTEIN:** Yeah, they were taken -- I  
2           don't know where, I'm just getting it out of  
3           Chapter 4, but they were taken for the same  
4           purpose. That was the initial environmental  
5           monitoring and then they went -- got more  
6           refined and started doing radiochemical  
7           analysis of plutonium. So it would certainly  
8           help, but it would still have the same  
9           limitation. It's only as -- in other words,  
10          these are very good results for -- they were  
11          very good measurements of what they were  
12          measuring, and they were measuring the air  
13          concentration in that particular location. And  
14          all of these -- you know, we had this same --  
15          the same problem looking at things like  
16          Bethlehem Steel. Breathing zone samples are  
17          the only thing that means anything  
18          (unintelligible) that's where the person  
19          actually is. The person stir-- the presence of  
20          the person, regardless of what he's doing,  
21          stirs up dust, particularly in a desert  
22          environment where the soil is very loose.  
23          Walking, driving a bulldozer, driving a truck  
24          stirs up dust. You know when the -- you know,  
25          you can look off in the distance and before you

1 see the truck -- before you realize there's a  
2 truck coming, you see the cloud of dust -- oh,  
3 there must be a truck coming.

4 **DR. MAURO:** You see, I think that originally  
5 you -- we were very much in agreement when you  
6 had the five milligram per cubic meter  
7 strategy. But we also agreed right around the  
8 table that that was off the charts high to  
9 assume someone has got five milligrams per  
10 cubic meter eight hours a day, you know, 2,000  
11 hours a year.

12 **DR. ANIGSTEIN:** Maybe not, if he's really  
13 working. If he's really -- if he's working  
14 earth-moving machinery --

15 **DR. MAURO:** But that -- we (unintelligible)  
16 they also put it at the worst place. There was  
17 one -- all these different areas. You had one  
18 area that was by far the worst area so you  
19 assume that area with that activity  
20 (unintelligible) --

21 **DR. ANIGSTEIN:** In that particular year. It  
22 changes year by year.  
23 Also I had a question about that. You made the  
24 statement that you picked the worst of the  
25 worst, the highest of the highest. That's not

1           according to what this -- looking at Attachment  
2           A; what it says here in the footnote to Table  
3           A-1 is for the site maximum -- values represent  
4           the maximum of the average area concentrations  
5           for '71 through '78 and the maximum of the  
6           maximum for '89 through 2001. So that's only -  
7           - that statement was only half correct.

8           **MR. ROLFES:** Well, that's correct. I believe  
9           what we've done with those, we've taken --  
10          these are compilations of air samples that were  
11          collected -- was it -- Billy, was this monthly  
12          air samples that were compiled?

13          **MR. SMITH:** Yes.

14          **MR. ROLFES:** And we've taken the average of  
15          those monthly results, I believe.

16          **MR. ROLLINS:** Monthly or weekly?

17          (Unintelligible) weekly.

18          **MR. SMITH:** Monthly.

19          **DR. ANIGSTEIN:** In one place it said weekly.  
20          (Whereupon, Mr. Rollins, Mr. Smith and others  
21          conversed among themselves.)

22          **MR. SMITH:** I'm not sure relative to the  
23          environmental surveillance program. Some of  
24          the air samples ran for a month, some ran for  
25          shorter periods of time. For instance, if you

1 look at the volume of the air that we pulled  
2 you can estimate the period of time that they  
3 ran, based on the flow rates, but I think it  
4 was monthly -- as I recall.

5 **MR. ROLFES:** Okay, what you're referring to is  
6 footnote B on page 51 of the --

7 **DR. ANIGSTEIN:** Correct.

8 **MR. ROLFES:** -- Chapter 4.

9 **DR. ANIGSTEIN:** Correct.

10 **MR. ROLFES:** And it says values represent the  
11 arithmetic average of the area average  
12 concentrations for years 1971 through 1988, and  
13 the arithmetic average of the area maximum  
14 concentrations for the years of 1989 through --

15 **DR. ANIGSTEIN:** No, I'm --

16 **MR. ROLFES:** -- 2001.

17 **DR. ANIGSTEIN:** -- referring to -- I was  
18 referring to footnote C.

19 **MR. ROLFES:** Okay, I'll get to that in just a  
20 second. But anyway, that was the footnote  
21 pertaining to the site average.

22 **DR. ANIGSTEIN:** Yes.

23 **MR. ROLFES:** Footnote C pertains to the site  
24 maximum, and footnote C reads (reading) Values  
25 represent the maximum of the average area

1 concentrations for years '71 through '88 and  
2 the maximum of the maximum area concentrations  
3 for the years of 1989 through 2001.

4 Once again, we've ignored thousands of previous  
5 results which indicated lower exposures.

6 **DR. ANIGSTEIN:** But the one that was used for  
7 the early years is really the -- the 1972 site  
8 maximum, which happens to be Area 9, so what --  
9 so what you took was the average for Area 9 to  
10 characterize 1972. If you look under 1972  
11 column for -- column under 9, so that's the  
12 average.

13 **MR. ROLFES:** Okay.

14 **DR. ANIGSTEIN:** And then you took -- so  
15 basically the assumption was that it's the  
16 average concentration in the worst area for  
17 that year.

18 **MR. ROLFES:** Okay. Sure, okay.

19 **MR. ROLLINS:** Let me ask a question. As I  
20 pointed out a few moments ago, if we increased  
21 these intakes by a factor of a hundred, now we  
22 -- now we're into the range where the cobalt  
23 would be easily detected in whole body  
24 counting. So if we believe that, then we must  
25 understand that we -- we're not off by more

1 than a factor of 100.

2 **DR. MAURO:** When were the whole body counts  
3 taken and how many people were  
4 (unintelligible)?

5 **DR. MAKHIJANI:** They were not -- there were al-  
6 - there are almost no whole body counts before  
7 1967.

8 **MR. ROLLINS:** Fine, but there were plenty  
9 afterwards.

10 **UNIDENTIFIED:** Sure.

11 **MR. ROLLINS:** But when -- if this phenomenon  
12 was going on, it would continue.

13 **DR. MAKHIJANI:** No, no, no. We're talking  
14 about exposures in 1963 and whether -- if the  
15 exposures were at the level that John was  
16 talking about, the cobalt would have been  
17 detected. We're not talking about the cobalt  
18 exposures in 1972 from the measurement you have  
19 in the site profile.

20 **MR. ROLLINS:** I think I can demonstrate to you  
21 that that would still be detectable.

22 **DR. MAKHIJANI:** It would be detectable, but it  
23 wouldn't have been detected because there were  
24 no whole body counters so you have no way of  
25 actually calibrating against -- with an actual

1 measurement whether the plutonium result that  
2 you're talking about is correct or John -- John  
3 is talking about is correct because the cobalt  
4 reference of hundred times being detectable by  
5 whole body counting is unverifiable. There's  
6 no measurement to calibrate this assertion.

7 **MR. ROLLINS:** (Off microphone) (Unintelligible)  
8 whole body counting start at NTS, Bill?

9 **MR. ROLFES:** It was roughly 1966 and it was  
10 operated by PanAmerican. We had spoken with a  
11 health physicist regarding --

12 **DR. MAURO:** So 13 years later --

13 **MR. ROLLINS:** '66?

14 **MR. ROLFES:** '66.

15 **MR. ROLLINS:** '66, right.

16 **DR. MAURO:** Oh, '66?

17 **MR. ROLFES:** '66.

18 **DR. MAURO:** Okay.

19 **DR. MAKHIJANI:** We've -- we've -- we've taken  
20 your Table 7-1 in the evaluation report in  
21 which there are 100 cases and compiled the data  
22 for 53 of the hundred, every -- every alternate  
23 one plus three test compilations, just to get  
24 the tables in order, and there are a couple of  
25 measurements before the mid-'70s -- and I don't

1           have the exact number in front of me. We're --  
2           we're still compiling all this data and  
3           proofing it. But there are very, very few  
4           whole body counts before the mid-'70s and, as  
5           Billy said, you know, it started in '66 so it's  
6           moot before 1963 anyway.

7           **DR. MAURO:** I would -- I would agree that if  
8           there was widespread whole body counting  
9           looking for cobalt-60 in 1966, and you see  
10          nobody with a body burden that's substantially  
11          higher -- in other words -- in other words by a  
12          couple of orders of magnitude -- yeah, that  
13          means my -- my --

14          **MR. ROLFES:** Uh-huh.

15          **DR. MAURO:** -- my intuition --

16          **MR. ROLFES:** Uh-huh.

17          **DR. MAURO:** -- and experience that these  
18          resuspension factors could be at least a  
19          hundred, probably more of a thousand times  
20          higher, would be disproved.

21          **MR. ROLFES:** Uh-huh.

22          **DR. MAURO:** Now -- but -- so I'm not -- I'm  
23          going to -- I -- I mean my reaction to this,  
24          and this is, you know, a real time discussion -

25          -

1           **MR. ROLFES:** Uh-huh.

2           **DR. MAURO:** -- my reaction to this is that  
3           heck, you show up and you show me a large  
4           number, a large fraction of the workers that  
5           were out there running around out in the field,  
6           doing all the things that they do, and you have  
7           a significant fraction of those workers had a  
8           whole body count looking for cobalt-60, and  
9           you're not seeing any cobalt-60 when you would  
10          have seen it if it was at the levels that we're  
11          talking about -- that I'm talking about, you've  
12          just -- you just shot -- you just blew -- you  
13          know, just -- just shot down my argument. I  
14          mean and I'm -- I'm fine with that.

15          **MR. CHEW:** No, we didn't -- we're not shooting  
16          down your ar-- we're refining it.

17          **DR. MAURO:** No, no, no, I'm okay with that.  
18          I'm okay with that. I mean to me -- see, when  
19          I see something that just doesn't ring true, I  
20          say geez, it doesn't ring true and it's  
21          bothering me. But if you could show me why  
22          it's true because you come at it from that  
23          angle, I -- I walk away immediately. I say  
24          you're right, I'm wrong. But right now I don't  
25          have that.

1 Now I've got to tell you, we've been looking at  
2 the -- the inte-- the bioassay and whole body -  
3 - in other words, the internal dosimetry  
4 issues, gathering a lot of data -- yeah, we'll  
5 get to that, and it's pretty sparse, and I'm  
6 going to -- I -- I'll stick my neck out a  
7 little -- okay.

8 **DR. MAKHIJANI:** (Off microphone)  
9 (Unintelligible) get to it (unintelligible).

10 **DR. MAURO:** Okay, I won't leap yet, but I would  
11 agree with the argument you just made if that -  
12 - that record exists.

13 **DR. ANIGSTEIN:** Now what about -- does the  
14 cobalt necessarily stay with the plutonium in  
15 the soil?

16 **DR. MAURO:** My sense is yeah. In other words,  
17 they're going to be -- they're going to be --

18 **DR. ANIGSTEIN:** It doesn't migrate --

19 **DR. MAURO:** They're -- they're both --

20 **DR. ANIGSTEIN:** -- to different --

21 **DR. MAURO:** -- relatively refractory.

22 **DR. ANSPAUGH:** I think you have to be careful  
23 about generalizing about cobalt-60 because  
24 there were some shots that were deliberately  
25 loaded with cobalt-60 and there a large amount

1                   around, whereas other shots had almost none.

2                   **MR. ROLFES:**   What's your source for that, Dr.  
3                   Anspaugh?

4                   **DR. ANSPAUGH:**   What's my source for what?

5                   **MR. ROLFES:**   For -- for the loading of a device  
6                   with cobalt-60.

7                   **DR. ANSPAUGH:**   Well, for ex-- for example, the  
8                   Sedan event was loaded with, I don't know,  
9                   maybe a hundred cobalt-60 sources of -- a curie  
10                  or so, because they were going to do some  
11                  diagnostics on the -- the bay surge\* and the  
12                  throw out\* and all that stuff, and it just so  
13                  happened that of approximately a hundred  
14                  sources that were contained there, they never  
15                  could find more than one or two of them.

16                  **MR. CHEW:**    You're right, Lynn, they did do that  
17                  in Sedan.

18                  **MR. ROLFES:**    Thank you.

19                  **MR. CHEW:**    But -- but that doesn't keep us from  
20                  going path forward.   I'm just trying to figure  
21                  out how we're going to resolve this thing here,  
22                  John, because the arguments -- talking about  
23                  conservativism, several factors of ten, and  
24                  even using -- people spending the entire time  
25                  there is probably another factor of ten, so --

1           **DR. MAURO:** Well, not exactly. Remember, we're  
2 talking about -- we're talking about this wide  
3 area, a big area -- we're not talking about  
4 controlled areas. People -- I don't know how  
5 many people are working out there, and you've  
6 got numbers that -- it could be -- for example,  
7 let's just look at Area number 9. You've got  
8 numbers that range -- there are several places  
9 where they're on the order of ten to the minus  
10 three, in Area 9 -- number 9, as a function of  
11 time. You've got a lot of areas in number 9 --  
12 in Area number 9 that are on the order of ten  
13 to the minus four, and a couple that are on the  
14 order of ten to the minus five. So as a  
15 function of time, it's highly variable by -- I  
16 would say we're talking one to two orders of  
17 magnitude, just in that one area. Right off  
18 the bat, that alone belies Lynn's curve. Now  
19 it was Lynn's curve that predict-- you know,  
20 it's -- you know, you saw the li-- how it  
21 curves. It's a flat line. Well, obviously  
22 it's not. I mean it's all over the place.  
23 It's a couple of orders of magnitude -- that's  
24 just in one area. And then when you go between  
25 areas, I see more or less the -- a variability

1           that goes from ten to the minus four to ten to  
2           the minus five, and a couple of places ten to  
3           the minus three. So in a funny sort of way, in  
4           looking at this table, Table -- very important  
5           table, Table 7-2, what we have is your  
6           estimates of airborne activity, which shows  
7           that, whether you within group or cross group,  
8           the dust loadings spread from ten to the minus  
9           three to ten to the minus five. I don't care  
10          whether you're going within group as a function  
11          of time or across group. And you went ahead  
12          and picked a ten to the minus three number,  
13          something that certainly errs on the side --  
14          and I would say in general that would do it for  
15          me, except that I know that a resuspension  
16          factor of ten to the minus nine is not -- it  
17          could be off by three, maybe four, orders of  
18          magnitude if in fact there are people working  
19          in an area disturbing the soil, even moderately  
20          -- even moderately. We -- I've seen  
21          resuspension factors on the order of ten to the  
22          minus two in areas that are heavily disturbed.

23          **MR. ROLLINS:** Episodic events.

24          **DR. MAURO:** They're very much episodic --

25          **UNIDENTIFIED:** Yes, they are.

1           **DR. MAURO:** -- that's correct, and I agree with  
2           that. But what I'm saying is that -- so it's  
3           no-- I would not have even brought this up if I  
4           -- we were not talking about many orders of  
5           magnitude concern, which could be put -- on --  
6           and I'm looking for a way to put this to bed,  
7           and I thought I might have found it by the dust  
8           loading approach, but what I'm hearing is  
9           that's not going to do it.

10          **UNIDENTIFIED:** Well, we've driven down this --

11          **DR. ANSPAUGH:** I -- I'm not so sure about that,  
12          John, and you know, obviously there's no  
13          perfect solution to this problem because we  
14          don't have the data we'd really like to have.  
15          However, I -- I think the present calculational  
16          method is -- we can argue on several bases that  
17          it's not claimant favorable, and I believe that  
18          we would -- most of us would feel more  
19          comfortable with the mass loading approach in  
20          terms of it being claimant favorable, although  
21          that's not perfect, either. But I think it's  
22          much more claimant favorable than what we've  
23          got right now.

24          **DR. MAURO:** Yeah, I would say if there's a way  
25          to place a plausible upper bound on the chronic

1 dust loading over the course of a protracted  
2 period of time, in milligrams or micrograms per  
3 cubic meter -- originally when you picked the  
4 five milligrams per cubic meter, my sense was  
5 that's pretty high. I mean I -- I don't see  
6 that often. I see that as a transient  
7 situation, although Bob might argue -- others  
8 might argue that well, people are working in an  
9 area, that's what you get. I don't --

10 **DR. ANIGSTEIN:** There would have been  
11 measurements various places, like unloading  
12 trucks full of soil or gravel on the surface  
13 and other places that close to five is not  
14 uncommon.

15 **DR. MAURO:** While that activity is going on,  
16 yeah.

17 **DR. ANIGSTEIN:** Yeah, while -- yeah, while the  
18 activity's going on. Usually I haven't seen  
19 anything higher than five, but three to five is  
20 no-- you know, measured data is not uncommon.

21 **DR. ANSPAUGH:** Those -- those data have been  
22 reviewed extensively by the Yucca Mountain  
23 people and there are nice summaries of that  
24 data available, so we can use it.

25 **DR. MAKHIJANI:** We -- wha-- I'd just like to

1           just point out some order of magnitude things.  
2           If we're talking about the difference between  
3           ten to the minus nine and ten to the minus  
4           three or ten to the minus two, we've got six  
5           orders of magnitude. And it doesn't -- it  
6           doesn't help to say you're assuming somebody's  
7           present for 2,000 hours a year because that's  
8           three orders of magnitude -- still got another  
9           three orders of magnitude. That's one issue.  
10          The other issue that I'm a little concerned  
11          about is there's a difference between what Lynn  
12          was saying and what John was saying. Lynn was  
13          saying we can find a more claimant favorable  
14          approach, and that may be okay but -- in the  
15          TBD context. But also we're dealing  
16          simultaneously with a Special Exposure Cohort  
17          petition. And if there is no solution, then  
18          that is a solution. And I just -- I just want  
19          to say that this -- if -- if there -- I don't  
20          have a position on this 'cause I'm not  
21          reviewing it, you know. Joh-- John, you're the  
22          point person for this, so it's not my call.  
23          But if there isn't a scientifically valid way  
24          to put an upper bound on this based on the  
25          available measurements, and if a back

1           extrapolation from '72 backwards, for instance,  
2           is not -- not a sensible way to do it, I'd be  
3           interested in seeing what the monthly  
4           variations were if this -- if 1972 was an  
5           average for the -- for the whole year, it would  
6           be interesting to see if, on the same spot, the  
7           monthly variation was a factor of two, factor  
8           of five, or two orders of magnitude. That  
9           would make quite a lot of difference, and I  
10          presume that we have -- we have the raw data  
11          for that.

12         **DR. MAURO:** Well, we actually have the annual -  
13         -

14         **DR. ANIGSTEIN:** Well, the annu-- the annual  
15         variation is tenfold --  
16         (Whereupon, Drs. Mauro, Anigstein, Makhijani  
17         and others spoke simultaneously.)

18         **DR. ANIGSTEIN:** But the annual variation is  
19         tenfold and it doesn't -- and it's not steady.

20         **UNIDENTIFIED:** Sorry?

21         **DR. ANIGSTEIN:** The annual variation for a  
22         given area varies by a factor of ten over these  
23         years in the 1970s.

24         **DR. MAKHIJANI:** No, what I'm talking about --

25         **DR. ANIGSTEIN:** No, I know you're talking about

1 monthly.

2 **DR. MAKHIJANI:** -- on what you said is if, for  
3 any year in a particular spot, the number is an  
4 average for that spot and that year, it would  
5 be instructive to see what the monthly  
6 measurement variation was for that spot and  
7 that year because it -- it may show you under  
8 different weather conditions --

9 **DR. MAURO:** (Off microphone) (Unintelligible)

10 **DR. MAKHIJANI:** -- which might -- which might  
11 be buried in the annual average, what the  
12 resuspension in the absence of -- in the  
13 absence of equipment and worker disturbance  
14 was. That's -- that's all I'm saying. So  
15 there are -- so there are multiple --

16 **DR. ANIGSTEIN:** Why would monthly be better  
17 than annual?

18 **DR. MAKHIJANI:** No, al-- all I'm saying -- I'm  
19 not saying one's better than the other. All  
20 I'm saying is putting the monthly data on the  
21 table allows you to see how the resuspension  
22 varies within the year, even though the  
23 measurement in itself is a monthly average. If  
24 we're talking about episodic exposures, and we  
25 would be talking about episodic exposures, you

1           may be talking about somebody that is exposed  
2           for a few hours a month so a few tens of hours  
3           a year they may be dragging heavy equipment. I  
4           wouldn't go anywhere near a thousand hours, or  
5           2,000 hours, but if you're talking many orders  
6           of magnitude, then -- then none of the other  
7           adjustments make any difference because you  
8           can't get there from here. And then the  
9           question is do we have a scientifically  
10          sensible way of going from an average  
11          measurement for a year for one spot, even if  
12          it's maximum, backwards. I would suggest at  
13          least that we look at the monthly variations  
14          for the spot that you've picked to see what  
15          those variations are. It won't solve the  
16          problem, but there is -- I just want to say but  
17          there is a solution, we can't solve the  
18          problem.

19          **MR. PRESLEY:** Y'all excuse me but we need to  
20          take about a five-minute break. We will be  
21          back in here at 20 minutes after. One thing  
22          (electronic interference) that I am going to  
23          remind you all of that we have to be out of  
24          this room by 12:00 o'clock and that gives us  
25          approximately 40 minutes -- would somebody

1 please mute their telephone?

2 **DR. BRANCHE:** All right, I'm going to cut the  
3 line and dial back in, so we're going to close  
4 off and come back in -- fortunately someone --  
5 no, we're going to start all over again.

6 **MR. PRESLEY:** Everybody's got five minutes.  
7 We're going to start --

8 **DR. BRANCHE:** At 11:20?

9 **MR. PRESLEY:** -- at 11:20.

10 (Whereupon, a recess was taken from 11:15 a.m.  
11 to 11:20 a.m.)

12 **DR. BRANCHE:** We've dialed back in. Can  
13 someone who's participating by phone please let  
14 me know that you can hear me?

15 **UNIDENTIFIED:** We can hear you.

16 **DR. BRANCHE:** Thank you very much. I'm going  
17 to ask again that everyone participating by  
18 phone please mute your phones until you're  
19 ready to speak. If you do not have a mute  
20 button, then please dial star-6 and then you  
21 would use that same -- same star-6 to unmute  
22 your line. Again I stress how important it is  
23 that everyone participating by phone mute your  
24 phones so that everyone can hear. Believe me,  
25 even the slightest click of your mouse or your

1 keyboard interrupts the sound for the people  
2 participating by phone.

3 And again, please do not put us on hold. Thank  
4 you.

5 **MR. PRESLEY:** This is Bob Presley, chairman.  
6 At this time I'm going to call a halt to the  
7 discussions that we have had.

8 John, I have one question. I would like to  
9 know what it will take to satisfy SC&A on this  
10 issue, so think about that where that we can  
11 come up, we need -- this -- this is a question  
12 that we've beat to death. We need to come up  
13 with some type of a answer and move on.

14 Arjun, I understand that you have another  
15 problem that we need to discuss?

16 **MR. ROLFES:** I did want to -- before we leave  
17 that, I just wanted to point out that this is  
18 an occupational ambient source of exp--

19 **MR. ROLLINS:** (Off microphone) (Unintelligible)

20 **MR. ROLFES:** Okay, excuse me, an ambient source  
21 of exposures for individuals that worked at  
22 Nevada Test Site. This is typically not going  
23 to affect compensation decision for a claim.  
24 This level of dose is very small in comparison  
25 to that which we would assign to an individual

1           who worked in a radiologically controlled area  
2           and was directly handling radioactive  
3           materials. That would be considered  
4           occupational internal exposures. That would be  
5           the larger source of internal exposures that an  
6           individual would likely receive at the Nevada  
7           Test Site.

8           **DR. MAURO:** And Robert, if it's acceptable to  
9           you, I'd very much like to work with Mark and  
10          Gene and others to pursue this together as  
11          strategies for, you know, finding a way to lock  
12          this thing up. The cobalt-60 might be the  
13          answer. The answer may be, no matter what  
14          assumption we use, the doses are going to be  
15          less than a millirem a year, I don't know. So  
16          -- but I'd be happy to do that and we could try  
17          to do that quickly.

18          **MR. PRESLEY:** I would appreciate that, very  
19          quickly.

20          **DR. MAKHIJANI:** You might want to do a  
21          technical call, which is -- which is properly  
22          summarized --

23          **DR. MAURO:** Oh, absolutely.

24          **DR. MAKHIJANI:** -- (unintelligible) working  
25          group.

1           **DR. MAURO:** And -- and if anyone on the working  
2 group wants to sit in on any of these technical  
3 calls, I certainly will announce it or -- Gene  
4 -- or --

5           **MR. PRESLEY:** Would like to do that --

6           **DR. MAURO:** -- Mark would do that.

7           **MR. PRESLEY:** -- and I would like to have the -  
8 - the announcement for the call more than a few  
9 hours, please. If we set the call up, we need  
10 to give everybody a chance to kind of adjust  
11 their schedules. Arjun?

12           **INTERNAL DOSE SITE PROFILE**

13           **DR. MAKHIJANI:** Yeah, Mr. Presley, I don't have  
14 a problem, I was just following up on the  
15 direction that we got last time in May when we  
16 met, I believe it was a Board call, and NIOSH  
17 had said that they would publish new versions  
18 of their site profiles, and we got a direction  
19 to take a look at them. So whatever I'm saying  
20 is -- is not -- you know, not a carry-over from  
21 some previous working group meeting but  
22 essentially a new internal dose site profile  
23 was published and I was tasked with beginning  
24 to review that.

25           As you know, we've also been simultaneously

1           looking at the SEC evaluation report and the  
2           internal dosations associated with Table 7-1.  
3           We have a pretty careful review of the data in  
4           Table 7-1 of the evaluation report because  
5           there it just said that these are the workers  
6           for whom we have sufficient workers. Looking  
7           at -- we had some issues -- we have not  
8           finished our evaluation or review of the new  
9           TBD -- it's a complete rewrite of a pretty  
10          difficult area of inquiry at NTS for all the  
11          periods -- but I can give you some preliminary  
12          -- preliminary comments. In looking at the  
13          internal dose data from -- and maybe John will  
14          pass that summary around. This is not even a  
15          complete summary. This is something we've put  
16          together. What I'm handing out is -- is fairly  
17          preliminary. We are looking at -- we've  
18          looked, as I mentioned, at 53 of the hundred  
19          cases. We've compiled all of the internal dose  
20          data available for those 53 workers. And we  
21          looked specially at plutonium and iodine data  
22          to examine adequacy and completeness issues for  
23          dose reconstruction. And this is a preliminary  
24          set of comments that I'm making. Obviously you  
25          can see there are a lot of blank -- blank

1 columns, we haven't finished our compilation,  
2 but just based on the 53 out of a hundred, the  
3 -- the data for plutonium for 1963-'67 are --  
4 are quite sparse. Of the 53 workers, I think  
5 50 or 51 workers actually worked in that  
6 period.

7 **DR. MAURO:** Say -- say, Arjun?

8 **DR. MAKHIJANI:** Out of -- out of 53 workers  
9 that -- for whom we compiled the data for --  
10 from Table 7-1, 51 actually worked in the '63-  
11 '67 period, and out -- out of 51, only six had  
12 any plutonium bioassay data in that period, and  
13 so it's less than 12 percent -- less than one  
14 in eight workers had any plutonium bioassay  
15 data. The -- the total number of workers  
16 indicate -- last time we discussed what might a  
17 routine sampling be, and I believe Billy Smith  
18 said that that would mean at least an annual --  
19 annual sampling for -- for plutonium, if I  
20 remember it correctly, those who were part of  
21 the routine sampling program. And in the '63  
22 to '67 we did not find any worker who had an  
23 annual plutonium. There were -- there were  
24 other bioassay results; I'm just focusing on  
25 plutonium.

1           The iodine data were even more sparse. I think  
2           only -- don't know where my result went here --  
3           only two workers had any iodine data in the '63  
4           to '67 period. So we found that period to be  
5           prelim-- on a preliminary basis -- now this is  
6           not sorted by occupation. As -- as we noted by  
7           NIOSH, most of the results -- most of the  
8           results are for rad-safe health physics type of  
9           personnel, and these are said to be  
10          representative of the group with the highest  
11          exposure potential.

12          Did I get that right, Mark?

13          **MR. ROLFES:** Yes, correct. Yeah. Uh-huh.

14          **DR. MAKHIJANI:** And -- so we're trying to find  
15          how that statement can be validated and  
16          (unintelligible) little bit of our time because  
17          the results for other categories of workers are  
18          very sparse. And that's why you see a lot of  
19          effort being put into actually compiling the  
20          data for other categories of workers, so we can  
21          actually make some comparisons. That work is  
22          not complete. In fact, that work is more or  
23          less at the beginning. And I -- we've designed  
24          a program so we're able to make some reliable  
25          statements about that.

1           So that's -- that's sort of one set of issues.  
2           The other -- the other issue that there was a  
3           reference in the site profile, the new site  
4           profile document, version one, to a REECo  
5           document from 1993 that said that this was the  
6           protocol for sampling from 1970 onward. I  
7           can't -- you know, I haven't had time to review  
8           -- it's a -- it's a pretty complex document. I  
9           haven't read every word of it, but I tried to  
10          go through it and, from what I could tell, the  
11          REECo document really states this -- states the  
12          protocol as of the date of that document, '90 -  
13          - early '90s. So-- for some things you can  
14          discover that it -- the measurement protocols  
15          or equipment go back to the early '80s and it's  
16          stated in the document.  
17          Now for the -- for the minimum detectable  
18          amounts, NIOSH actually has extensive  
19          documentation as to what they were, going quite  
20          far back. And I found that the TBD has quite  
21          extensive reference-- I haven't checked all of  
22          them, but I presume that those references would  
23          check out. But for who was monitored and what  
24          the monitoring protocol was, I -- I could not  
25          validate that it went back to 1970. So this --



1           your comments 'cause I read them rather -- I  
2           got -- only got them last night and I read them  
3           rather rapidly, so I -- I'd prefer if -- if you  
4           went through your comments rather than me  
5           trying to represent --

6           **DR. ANSPAUGH:** (Unintelligible)

7           **DR. MAKHIJANI:** -- a quick reading.

8           **DR. ANSPAUGH:** Okay. Now this is related to  
9           iodine -- potential iodine exposure in  
10          Baneberry, and if I understand the TBD  
11          correctly, on page 52 the comment was made that  
12          Baneberry was the most significant venting and  
13          you used that to make your bounding calculation  
14          on the concentration for iodine dose estimates.  
15          Correct?

16          **MR. ROLLINS:** That's what it said.

17          **DR. ANSPAUGH:** Okay. And again, as I  
18          understand it, you used one measurement of an  
19          air concentration at Camp 12 which was taken on  
20          December 24th, 1970, and then you decay-  
21          corrected that back to December 18th, but the  
22          critical assumption was made that the  
23          concentration, except for radioactive decay, on  
24          December 24th was the same as it was on  
25          December 18th. And this is not a -- a

1 reasonable assumption because Baneberry was a  
2 very prompt, massive event, and it had stopped  
3 venting in 24 hours, according to the REECo  
4 report on the subject. So assuming that a  
5 concentration six days later represents what  
6 was there on December 18th is not a reasonable  
7 assumption.

8 And it goes on -- on page 38 there's a comment  
9 that this leads to a dose of less than one  
10 millirem to the thyroid, and that is supposed  
11 to be a bounding calculation. But the actual  
12 data from the Baneberry event where people --  
13 900 people were evacuated and they all had  
14 their thyroids screened and the actual  
15 calculated thyroid dose based on the screening  
16 was 3,730 millirem, not the one millirem that  
17 was assumed for the bounding calculation.  
18 And then there were other situations where  
19 there were some very high values of thyroid  
20 doses that -- for example, in Uba the dose was  
21 593,000 millirem and there was another  
22 situation on the Merlin event where there was a  
23 dose of about 30,000 millirem, and also the  
24 Wishbone event, which -- and maybe Bryce Rich  
25 is on the phone, but he -- he was very much

1           involved in that, which again was a dose of  
2           about 9,000 millirem. So if I have understood  
3           what your bounding calculation was intended to  
4           be, then I -- I don't think it's a bounding  
5           calculation at all but it's a very serious  
6           underestimate of some of the doses that were  
7           observed, even following the Baneberry event  
8           itself.

9           **MR. ROLFES:** Dr. Anspaugh, this is Mark Rolfes,  
10          and we certainly do acknowledge that there were  
11          other exposures that exceeded what we've put in  
12          our ambient environmental exposure Technical  
13          Basis Document.

14          **MR. ROLLINS:** (Off microphone) (Unintelligible)  
15          Chapter 5.

16          **MR. ROLFES:** Oh, this is Chapter 5, okay, thank  
17          you. The cases that you have mentioned where  
18          there were larger iodine exposures, we're  
19          certainly aware of that, and those individuals  
20          participated in the bioassay program. That's  
21          how we know that there were such large  
22          exposures, because those individuals did have  
23          thyroid scans and participated in a urinalysis  
24          program to screen for gamma emitters and  
25          fission products. Yes, there were, for

1           example, the Uba event where they had drilled  
2           back into -- into some contamination and there  
3           was a radioiodine release. The DOE response  
4           files that I've received for the people that  
5           were involved in that event did indicate that  
6           there were in fact large thyroid exposures.  
7           That information is typically contained within  
8           an individual's DOE response file which NIOSH  
9           receives for every claimant, and that would be  
10          the most important piece of information, rather  
11          than the information in the Technical Basis  
12          Document. The information that's contained  
13          within an individual's DOE dosimetry response  
14          would be the most important piece of  
15          information for us to reconstruct that  
16          individual's dose.

17          **DR. ANSPAUGH:** Well, you are using that as the  
18          bounding calculation and your bounding  
19          calculation was a factor of 4,000 off just for  
20          the Baneberry people themselves.

21          **MR. ROLLINS:** Comment -- comment on that. It  
22          was meant to be a bounding calculation for  
23          someone who was unaware that they had been  
24          exposed.

25          **DR. ANSPAUGH:** Right.

1           **DR. MAKHIJANI:** Okay. I mentioned earlier in  
2           our discussion that -- you know, we -- we took  
3           our cues in the more general investigation of  
4           internal dose from Table 7-1 of the evaluation  
5           report where the internal dose data was said to  
6           be sufficient to calculate internal dose and  
7           there was a relationship between external dose  
8           potential and internal dose potential -- there  
9           are a number of statements that are made over  
10          there. When we actually compiled more than  
11          half of the cases in the Table -- we're going  
12          to do all of them, but so far we've compiled,  
13          more or less randomly, you know, choosing every  
14          alternate one and then three more than that.  
15          As I said, for 1963-'67 we found only two  
16          workers who had any iodine monitoring at all.  
17          I think -- we did not find very extensive  
18          evidence that people were checked -- people's  
19          thyroids were checked or screened on exit from  
20          tunnel areas, independent of job  
21          classification. So how -- so leaving aside the  
22          people who, during the Uba incident and the  
23          Baneberry incident -- which I agree are  
24          documented and you can find these doses, so  
25          obviously --

1           **MR. ROLFES:** Correct.

2           **DR. MAKHIJANI:** -- we know what the doses were

3           --

4           **MR. ROLFES:** Sure.

5           **DR. MAKHIJANI:** -- I have no argument with  
6           that.

7           **MR. ROLFES:** Of course.

8           **DR. MAKHIJANI:** I don't -- I don't have a  
9           problem with what you've just said. But for  
10          more general -- for -- for a more general case,  
11          we are -- at the present time, as I said, we  
12          haven't finished our data compilation. I'm  
13          only giving you a preliminary look, just to  
14          report where we are in what turned out to be a  
15          more complex investigation than imagined, that  
16          in terms of plutonium and iodine, specially for  
17          the earlier period just after the SEC has  
18          already been declared, up to the end of '62,  
19          we're having a hard time finding a significant  
20          amount of data for either iodine or plutonium  
21          monitoring. And -- and that's just -- it's  
22          just a -- in term-- in the spirit of what Mr.  
23          Presley asked me to do, I'm just putting the  
24          issue on the table before having concluded.  
25          The other -- the other issue that I mentioned

1           in regard to whole body counting, which we  
2           already discussed, there -- the whole body  
3           counting really seems to have gotten underway  
4           in the mid-'70s in terms of more frequent  
5           counting. Out -- off these 53 workers that  
6           we've looked at, there were only two workers  
7           who had any whole body counting information,  
8           only two counts in -- in the earlier period  
9           before the mid-'70s, and so it's not of much  
10          help in terms of determining who should have  
11          been monitored further or -- as an indication  
12          of where you might go with bioassay samples.  
13          That gives you kind -- kind of an idea of -- of  
14          -- of the state of our investigation.

15         **DR. MAURO:** Arjun, I -- I'd like to go over  
16          this table that was circulated.

17         **DR. MAKHIJANI:** Sure.

18         **DR. MAURO:** Everyone sh--

19         **DR. ROESSLER:** First could I ask a question?

20         **DR. MAURO:** Sure.

21         **DR. ROESSLER:** On that table, where do I find  
22          Table 7-1? I was -- I'm on the internet on the  
23          CDC/NIOSH -- no, where in there do I find that  
24          table so I can look at the table from which you  
25          derived this data?

1           **DR. MAKHIJANI:** Dr. Roessler, it's in the  
2           evaluation report for the second SEC petition,  
3           which is dated September 25, 2007 -- and I'll  
4           give you a page number, if I remember it's  
5           page --

6           **MS. MUNN:** Page 34 -- 33, 34.

7           **DR. ROESSLER:** Okay, that'll help.

8           **DR. MAURO:** The reason they --

9           **DR. ROESSLER:** Okay.

10          **DR. MAURO:** Yeah, and I think I -- that's --  
11          that's --

12          **DR. MAKHIJANI:** It starts on page 36, the --  
13          the table.

14          **DR. MAURO:** That table is very funda-- our  
15          understanding is that's fundamental to being  
16          able to do dose -- internal dose  
17          reconstructions post-1962. And our mandate was  
18          let's take a look at the data, let's see what  
19          kind of bioassay data are out there. And it's  
20          -- it's really not an interpretation of data,  
21          let's just get the facts correct, and since  
22          there's -- so -- so that's what we're doing.  
23          Now the table I handed out captures perhaps  
24          hundreds of pages of database in one page, and  
25          let me explain what you're looking at so you

1           can understand what it is we're doing. What  
2           you're looking at is -- there's a column that  
3           says cases from Table 7-1. What we did here is  
4           say okay, we went in -- and Table 7-1  
5           effectively has 100 workers who had the highest  
6           external exposure, and those 100 workers are  
7           the workers that are -- the data represent the  
8           workers whose bioassay data are being used as a  
9           core\* model for all workers between '63 and I  
10          guess '67 and beyond. All right?  
11          So our first question is okay, let's take a  
12          look at that data and what is -- what -- and  
13          now how robust, how rich is it, what does it  
14          cover, and we -- and for each worker we have  
15          pages upon pages of his records in our database  
16          and I -- the author of the-- this work, two of  
17          the folks who work for SC&A, have -- I asked  
18          them to -- could you please summarize this vast  
19          amount of information on one page, which was  
20          quite a -- an achievement. The first column  
21          you're looking at basically says listen, row  
22          number one, there are 100 claimants in Table 7-  
23          1. Row number two said to date SC&A has  
24          captured, downloaded and put into a relational  
25          database all the bioassay data for 53 of those

1 100 randomly --

2 **DR. MAKHIJANI:** Near--

3 **DR. MAURO:** -- selected --

4 **DR. MAKHIJANI:** -- nearly all.

5 **DR. MAURO:** Near--

6 **DR. MAKHIJANI:** (Off microphone) A couple of  
7 cases that were (unintelligible) are not  
8 totally (unintelligible).

9 **DR. MAURO:** Okay, so --

10 **MR. CHEW:** Yeah, I get...

11 **DR. MAURO:** -- that's where we -- so you get an  
12 idea on where we are on that.

13 **MR. CHEW:** Uh-huh.

14 **DR. MAURO:** Then we go on -- then we say okay,  
15 the number of bio-- you can see column after  
16 column -- basically this is sort of a way to  
17 summarize the data that we're capturing and  
18 putting in place, without any interpretation,  
19 just a way to reveal to the working group and  
20 the Board what's out there. So -- and you  
21 march down and you'll see, out of the ca--  
22 twen-- 53, we looked at the number that have  
23 whole body counts, the number that have whole  
24 body counts between '63 and '67 -- an important  
25 time period, as we know -- the number of

1 plutonium analyses. Well, out of the 53 we see  
2 there was six. We -- then underneath that, we  
3 have the highest result in microcuries per cc.  
4 The highest number we saw, 6.13 minus seven  
5 microcuries per cc -- and so on down the row.  
6 So what we've done here in a -- very much a  
7 summary form is try to capture the essence of  
8 what kind of information we have in that Table  
9 7-1.

10 Now one of the criticisms -- or not criticisms,  
11 one of the concerns SC&A has, and I think the  
12 working group had, was how do we know that  
13 those 100 workers who were selected based on  
14 the highest external exposure do in fact  
15 capture the workers that had the highest  
16 internal exposure.

17 **MR. CHEW:** Uh-huh.

18 **DR. MAURO:** So we came up with a strategy -- in  
19 fact, I think it was Dr. Lockey who came up  
20 with the strategy; he recommended it and then  
21 we followed up; I believe it was part of the  
22 discussion in one of the work meetings -- why  
23 don't you go and sample according to different  
24 categories of workers, because Table 7-1  
25 doesn't really make an effort to look at

1 miners, radiation safety personnel, laborers.  
2 It goes in and just grabs the workers who have  
3 the highest external exposure -- okay? And  
4 it's possible that there is a limited  
5 relationship -- maybe it is a very weak  
6 relationship, we don't know -- between external  
7 exposure and internal exposure, we don't know.  
8 And so on -- on -- so it's important to find  
9 that out because if it turns out that that  
10 presumption -- high external also means high  
11 internal --

12 **MR. CHEW:** Uh-huh.

13 **DR. MAURO:** -- if that presumption turns out to  
14 be not entirely correct, we've got a problem.

15 **MR. CHEW:** Uh-huh.

16 **DR. MAURO:** That means the population of  
17 workers would not necessarily represent your  
18 bounding set and therefore it's going to be  
19 difficult to use them as your coworker model.  
20 So in order to test that, we went in -- now  
21 there are 1,500 claimants in the database for  
22 '60 -- post-'63 -- I think '63 to '67, or post-  
23 '6-- I'm not sure exactly the time period. And  
24 we said okay -- and it turns out you can go  
25 into the database and sort and say download --

1 very quickly, download for me all the miners,  
2 all the workers that claim they are miners and  
3 we -- and you say -- and we got a whole bunch  
4 of those. Then we went in and randomly  
5 selected 20 miners, and that's what the second  
6 column is.

7 These are -- and now we're into SC&A's work.  
8 SC&A went in and said well, let's go grab 20  
9 miners and create the same -- and -- same  
10 record --

11 **MR. CHEW:** Uh-huh.

12 **DR. MAURO:** -- database, and summarize it in  
13 this column. And one of the things it tells  
14 you right off the bat -- I mean one of the  
15 interesting things -- it gives you an idea of  
16 how many miners were -- what percentage of the  
17 miners that we sampled were bioassayed, what  
18 percent were bioassayed for plutonium, and also  
19 what the result is. And you can see -- and --  
20 well, first interesting observation -- all  
21 preliminary, by the way; all preliminary, and  
22 this is just -- let the data speak to you. In  
23 other words, we're not saying it, the data's  
24 saying it. All right? It says okay, we're  
25 looking at the highest miner that we saw, at

1           least in that -- in the sample of four cases  
2           that we grabbed out of the 20 'cause only four  
3           out of the 20 miners had bioassay data -- was  
4           orders -- the concentration was lower.

5           **DR. MAKHIJANI:** Be -- be -- be careful. The  
6           one -- the one doesn't have a volume unit  
7           attached to it and -- and this -- and the other  
8           does, and --

9           **DR. MAURO:** Oh, no, I'm looking at miners, not  
10          radiation safety.

11          **DR. MAKHIJANI:** Yeah, but you're comparing the  
12          miners to the radiation safety --

13          **DR. MAURO:** No, no, I'm not, I'm comparing the  
14          miners -- see, to me, I think it's important --

15          **DR. MAKHIJANI:** -- or you're comparing the  
16          miners --

17          **DR. MAURO:** -- miners -- see, to me, the way I  
18          look at it is --

19          **DR. MAKHIJANI:** -- between the other --

20          **DR. MAURO:** -- there's a lot of things that  
21          this data could sh-- to tell us, that's why I  
22          think it's important and I think we have to  
23          finish it. One is -- one question is well,  
24          listen, if we picked those 100 -- if you,  
25          NIOSH, picked those 100 in Table 7-1, what

1 confidence do we have that, for plutonium,  
2 we've got the -- we've got the big hitters?  
3 Well, take -- you look -- right off the bat we  
4 say well, let's take a look at the -- let's do  
5 another sample of miners. Well, so far our  
6 miner sample -- by the way, none of this has  
7 been QC'd; this is right hot off the press over  
8 the weekend, produced over the weekend. Well,  
9 to the extent that -- you know, it's -- we've  
10 got -- we've captured the data reliably and  
11 faithfully. It says that well, at least in the  
12 sample that we looked at in miners, it sure  
13 looks like the miners' plutonium concentration  
14 was well below. The highest -- the highest  
15 miner plutonium concentration was well below  
16 the highest concentration of the workers in  
17 Table 7-1.

18 But when you -- now we -- we go over to the  
19 next column called radiation safety, we did the  
20 same thing. We went into the 1,500. We  
21 sampled 20 out of the 1,500 and we sampled 20  
22 workers who were radiation sa-- designated as  
23 either radiation safety, radiation monitor or  
24 health physicist, and we compiled all their  
25 data and summarized it here.

1                   And here -- again, just for the sake of  
2                   discussion -- it looks like that the highest  
3                   plutonium concentration -- that's in  
4                   microcuries, now -- not -- it's not microcuries  
5                   per cc. I'm not quite sure what that means  
6                   right now.

7                   **DR. ANIGSTEIN:** Is that just a misprint, do you  
8                   think?

9                   **MR. CHEW:** I don't think the cc -- you know, is  
10                  in either the miner or the case, it's just  
11                  microcuries.

12                  **DR. MAURO:** Okay, here -- so -- but -- but I  
13                  think the impor--

14                  **DR. ANIGSTEIN:** So -- so what -- what would --  
15                  excuse me, what would that be, just the entire  
16                  sample?

17                  **DR. MAURO:** I don't know. In fact, I won't  
18                  even speculate right now. There's no need to  
19                  do that. You see, what we --

20                  **DR. MAKHIJANI:** (Off microphone)  
21                  (Unintelligible)

22                  **DR. MAURO:** We will eventually. We will  
23                  eventually.

24                  **DR. MAKHIJANI:** (Off microphone)  
25                  (Unintelligible) to hand this out because --

1           **DR. MAURO:** No, no -- no, Arjun, I think it's  
2           important because we want the working group to  
3           understand what we're doing.

4           **MR. CHEW:** I know where you're going.

5           **DR. MAURO:** You know what we're doing. See, I  
6           -- we're doing -- now, we -- we're -- we're in-  
7           - we're going to be finishing up this table,  
8           laborer, so in the end -- everyone -- now --  
9           and after we QC and check it and everything,  
10          we're all going to sit around a table, we're  
11          going to look at this data and tell -- ask  
12          ourselves what does this tell us, because in  
13          the end this is it. This -- this table's going  
14          to say, one, do we really have a robust set of  
15          data for internal dosimetry to reconstruct not  
16          only the workers who have data, but to build a  
17          coworker model. Second -- out of the Table 7-  
18          1. Second, does the workers from Table 7-1, do  
19          they appear to be the bounding ones. Right now  
20          I'd say, you know, we really can't tell yet  
21          but, you know, at least, you know, if you -- if  
22          you start to compare the tritium -- for  
23          example, you know, there might -- they may be  
24          okay, that's what I'm getting at. Table 7-1,  
25          when you start to compare the other categories

1           -- what -- remember what we asked ourselves, do  
2 we feel confident that the workers in Table 7-1  
3 do in fact capture the high end workers. And  
4 by -- by looking at these other categories,  
5 sorting the data from a different direction, by  
6 worker category, it'll start to give us what I  
7 call the weight of evidence. You start to get  
8 comfortable. And every-- in other words, if  
9 every one of the mi-- all the miners, radiation  
10 safety, laborers -- if all their plutonium  
11 concentrations for everyone that we were able  
12 to capture are lower than the highest one for  
13 the one that's from the Table 7-1, you know,  
14 you start to get a warm and fuzzy feeling, not  
15 bad.

16           Now -- now that doesn't mean you've got  
17 yourself a really good database, but it means  
18 that when you picked that Table 7-1 workers,  
19 it's looking pretty good.

20           If we see there's a -- one of the -- let's say  
21 one of the -- the welders, we didn't get to the  
22 welders yet, but we find out the highest welder  
23 is two orders of magnitude higher in some  
24 category than the highest 7-1, we've got a  
25 problem. We've got to talk about it.

1           So that's what we're doing what we're doing.  
2           And I think in the end we -- it'll be in front  
3           of everybody to look at. And of course behind  
4           this is hundreds of pages and -- and then we  
5           can do any sorts you can imagine on it. We --  
6           we just sorted this way for the purpose of this  
7           meeting so that everyone can have a good idea  
8           of what it is we're doing and why we're doing  
9           it, and that's all I wanted to communicate  
10          right now.

11          **MR. CHEW:** (Unintelligible)

12          **DR. MAKHIJANI:** One -- one other comment, and I  
13          presented some of the data earlier, I think the  
14          data need to be divided into periods because,  
15          at least from the first 53 that we've compiled  
16          from Table 7-1, it seemed there's a dif--  
17          significant difference in the period as to how  
18          much plutonium monitoring went on. I'm not so  
19          sure whether the different -- about iodine  
20          monitoring, but in plutonium monitoring it does  
21          appear to be a difference. And so we will  
22          probably have to parse this (unintelligible) --

23          **MR. CHEW:** John, I -- I'd like to -- I'd like  
24          to speak to what you were discus-- I'd  
25          appreciate it. I just want to correct the

1 first thing technically, then I'll talk about  
2 the whole program and set you -- how we got  
3 this started here, and -- and by the way, it  
4 cannot be three times six times ten to the  
5 minus 11 microcuries 'cause that's two orders  
6 of magnitude below the limit of sensitivity  
7 'cause you -- look -- think about it. At -- at  
8 five times ten to the minus seven, that's about  
9 a tenth of a picocurie. Okay? And that's  
10 about a -- less than a dpm. You can't count  
11 that low.

12 **DR. MAURO:** Per cc.

13 **MR. CHEW:** Yeah.

14 **DR. MAURO:** Per cc, but the samples are  
15 (unintelligible) liter.

16 **MR. CHEW:** Well -- yeah, but for -- for a full  
17 liter, exactly right (unintelligible) --  
18 (Whereupon, Dr. Mauro and Mr. Chew spoke  
19 simultaneously.)

20 **DR. MAURO:** So you've got to multiply by 1,000.

21 **MR. CHEW:** By 1,000, right, right, and so we've  
22 got to, you know, compare equals.

23 Well, let's start to think about the -- where  
24 the program started from. When -- when we  
25 first -- looking I says where can we find -- in

1 the lack of going back to individual records  
2 and polling to do a full coworker study, we  
3 actually went to -- says let's go look at NOCTS  
4 and see what's there. All right? And so we  
5 said there's probably a fairly good assumption,  
6 and I'm sure we can argue about this, that, you  
7 know, Nevada Test Site different than plutonium  
8 facilities like Rocky Flats -- Nevada Test  
9 Site, people were exposed -- exposure to  
10 probably the highest gamma exposures probably  
11 equates to potentially internal exposure,  
12 'cause that's the kind of activity that went on  
13 at the Test Site. Obviously Lynn will say  
14 there's a couple of safety things, shots, that  
15 may be an exception there, but we started with  
16 that particular premise. All right?  
17 Now we look at the program at that particular  
18 time, there was clearly -- you can see -- Billy  
19 can assert to this -- that the -- the people  
20 who were monitored for bioassay -- they was  
21 trying to get a -- represent sev--  
22 representation of who was po-- potentially the  
23 highest exposure because there was -- as you  
24 said, there was many people at the Test Site.  
25 And at that time, I think -- Billy, please

1 correct me if I'm wrong -- but the radiation  
2 safety, the health physicists who were there  
3 pretty much for all the shots were -- were  
4 probably a good representation because you well  
5 know the majority of the Test Site did things  
6 to pre-- prepare for the shots and not  
7 necessarily were participating in the events.  
8 Okay? And so the health physicists  
9 (unintelligible) representation.

10 We also did look at the first 100, as you said  
11 in the -- and that's where you first -- your  
12 starting point, and then that's probably why --  
13 and these are only in NOCTS. Okay? These are  
14 only in the people who are claimants. But they  
15 are also the top highest exposed people, too.  
16 Okay? And --

17 **DR. MAURO:** Yes.

18 **MR. CHEW:** -- and -- and out of that particular  
19 --

20 **DR. MAURO:** Highest external expos-- right.

21 **MR. CHEW:** External exposure, correct. And so  
22 -- so that -- the reason probably why you would  
23 not see as many of the other categories in  
24 those highest exposure that did bioassay,  
25 because that's not how the program was set up

1 to monitor who for bioassay. Now Billy, maybe  
2 you want to speak to that, huh?

3 (Unintelligible) saying this correctly here?

4 **MR. SMITH:** Yes.

5 **MR. CHEW:** Okay. And so --

6 **DR. MAURO:** But that would argue for your  
7 approach --

8 **MR. CHEW:** Right.

9 **DR. MAURO:** -- you see -- you know, when we  
10 fini-- see, when we finish fleshing this table  
11 out and we -- and we may very well find that  
12 the num-- the laborers, the wiremen -- you look  
13 at the actual bioassay numbers for that, and we  
14 could look at the highest value  
15 (unintelligible) distribution --

16 **MR. CHEW:** And there'd be only a very few,  
17 that's what I'm saying --

18 **DR. MAURO:** Only a few --

19 **MR. CHEW:** -- exactly right.

20 **DR. MAURO:** -- and the highest ones, if they  
21 continue to consistently come in lower than  
22 let's say your Table 7-1, I would say that --  
23 that starts to give weight to your approach.

24 **MR. CHEW:** Now for the people who were in the  
25 other categories who were bioassayed, they were

1 probably due to or most likely is due to an  
2 episodic event. Okay? We know that they got -  
3 - potentially was involved with some exposures,  
4 that's why they did that. Right? But in order  
5 to do what you (unintelligible) say to -- to  
6 represented as a coworker -- right? -- then the  
7 health physicists and the radiation people are  
8 probably truly representative 'cause they were  
9 the highest exposure and they were the ones who  
10 were monitored, and that's basically how the  
11 program was set up. I think we -- we need to  
12 go back to think about how and why the program  
13 was set up that way, because of the limited  
14 bioassay that was -- that was done.

15 **DR. MAURO:** Well, would -- would this table  
16 show us that, demonstrate it? I mean in effect  
17 what I'm hearing is the premise that you're  
18 working on, which may be well-founded, should  
19 reveal itself in this table. In other words,  
20 we will find that the highest exposures, the  
21 most thoroughly monitored -- bioassay monitored  
22 -- would be the radiation safety people and  
23 they -- and the numbers we get for them would  
24 be comparable to the ones in Table 7-1 in terms  
25 of the bioassay, and we should also be able to

1 use this very same information to draw  
2 correlations between external exposure and  
3 internal. And for example, I could see a plot  
4 of external exposure versus plutonium levels in  
5 bio-- in -- in urine. Other words, it -- so it  
6 -- what I'm getting at is ultimately -- lots of  
7 statements made, presumptions made, perhaps on  
8 very good grounds, that are in the evaluation  
9 report and site profile, this table will  
10 basically either tend to support those  
11 conclusions and say yes, it looks like all  
12 those generalizations or judgments that were  
13 made were well-founded, or there's going to be  
14 sufficient disparity revealed by tables like  
15 this that will say hmm, maybe some of those  
16 assumptions don't exactly ring true, and it  
17 should come out from here.

18 Now if -- if you don't believe this database  
19 generation -- by the way, I'd like to point  
20 out, just so you know, 'cause there's a budget  
21 involved here. It takes about four hours per  
22 case. We're doing 120 cases, so what's that,  
23 480, so we're investing 480 work hours to do  
24 this.

25 **MR. CHEW:** And we did the same thing, too, by

1 picking the top 100 and not just --

2 **DR. MAURO:** And I was very favorably impressed.  
3 I was surprised that they were able to do that  
4 in four hours. So in my mind, for relatively  
5 modest cost, we're going to get to the bottom  
6 of this thing. And when we're done I think  
7 we're going to be able to say something very  
8 insightful about the power of the Table 7-1 or  
9 its limitations and be able to present it to  
10 the Board and the Board's going to make its own  
11 judgments. The table will speak for itself.

12 **DR. BRANCHE:** To the Board or to the workgroup?

13 **MR. PRESLEY:** Yeah.

14 **DR. BRANCHE:** To the Board or to the workgroup?

15 **MR. PRESLEY:** To the workgroup.

16 **DR. MAURO:** I'm sorry, the workgroup. Of  
17 course I mean the workgr-- I -- the workgr--  
18 other words, I'm trying to get to the place  
19 where the data speaks to the workgroup, and  
20 each member of the workgroup could look at it  
21 and we could all sit around and look at the  
22 data and discuss it and understand it, and you  
23 could lend your insight into why this number's  
24 here and this number's there, so -- so rather  
25 than us making judgments and speculating like

1 we just did before -- one of the problems with  
2 the conversation we just had is a lot of  
3 speculation -- worried about this, worried  
4 about the suspension factor, all the -- but  
5 this is not that. This is (unintelligible) --

6 **MR. PRESLEY:** John --

7 **DR. MAURO:** -- data, this should answer  
8 questions for us.

9 **FUTURE ACTIONS**

10 **MR. PRESLEY:** -- excuse me. It's 12:00  
11 o'clock. We have to break. It's obvious to  
12 the chair we are not -- I repeat, not -- going  
13 to be able to come up with any kind of a  
14 decision that I had hoped to do and give to the  
15 Board this time. What I would like to ask --  
16 and Christine, correct me if I'm wrong -- I  
17 would like to ask SC&A and NIOSH to discuss  
18 their concerns and findings and make sure that  
19 everything is taken care of. At this time I am  
20 not going to ask for a scheduled meeting. I  
21 want to give both sides time to think about  
22 what they're going to do. Let's get -- let  
23 them get together, iron out the situations,  
24 problems, issues, whatever you want to call  
25 them. But the next time that we get back to

1 work as a working group, I would more -- and I  
2 want to bring all the issues to the table and  
3 let's make a decision on this. We have people  
4 that are not being paid, they're not being  
5 compensated, they're dying. I want to get this  
6 issue taken care of so these people can get  
7 their due.

8 **DR. BRANCHE:** Point of order, Bob. There was a  
9 discussion about a technical call. Who from  
10 your workgroup do you want to participate in  
11 that call --

12 **MR. PRESLEY:** I want --

13 **DR. BRANCHE:** -- as they schedule it?

14 **MR. PRESLEY:** I want the whole workgroup  
15 notified about that --

16 **DR. BRANCHE:** Okay.

17 **MR. PRESLEY:** -- so that the workgro-- anybody  
18 on the workgroup can be on that technical call  
19 if they want to be on it. And agr-- and again,  
20 I ask you to please not call at 9:00 o'clock in  
21 the morning and expect somebody to be on an  
22 11:00 o'clock technical call that day. We all  
23 have very, very busy schedules. So when you  
24 schedule these, give us two or three days to  
25 correct our schedules.

1           **DR. BRANCHE:** Who from -- who from NIOSH and  
2           who from SC&A will essentially handle the  
3           scheduling of this technical call? Mark, I  
4           presume.

5           **MR. ROLFES:** I -- I would be the NIOSH point of  
6           contact to coordinate with whoever from SC&A.

7           **DR. BRANCHE:** Looks like John.

8           **DR. MAURO:** Just call me and I'll make sure our  
9           folks are available.

10          **MR. ROLFES:** I would like S-- I think it would  
11          be appropriate for SC&A to do the scheduling.  
12          I think that that would be the easiest thing to  
13          do, so...

14          **MR. PRESLEY:** Yeah.

15          **DR. MAKHIJANI:** Well, this is a point of  
16          information. I think -- I think it might be  
17          useful -- we also have Joyce Lipsztein working  
18          on this because she is our --

19          **DR. BRANCHE:** You -- okay, you all can dis--  
20          sounds like Mr. Presley -- giving you pres--

21          **MR. PRESLEY:** Yeah, this is (unintelligible) --

22          **DR. MAKHIJANI:** (Off microphone) I  
23          (unintelligible) the -- I (unintelligible) the  
24          schedule so it might be a few weeks before we  
25          can actually get to the point of having a

1 substantive (unintelligible) --

2 **DR. BRANCHE:** Well, I think Mr. Presley's  
3 simply asking that you give sufficient notice -  
4 -

5 **DR. MAKHIJANI:** Sure.

6 **DR. BRANCHE:** -- and ample dates.

7 **MR. PRESLEY:** That's why I have not scheduled a  
8 meeting. I want everything to be completed.  
9 Now, does any Board member have a comment?  
10 Wanda?

11 **MS. MUNN:** Just -- just a question, and I was  
12 going to bring up the issue of what time frame  
13 we're actually discussing here. You've just  
14 said a few weeks. A few weeks, to me, can mean  
15 anything from two to nine, and I'd like very  
16 much to be able to put a tighter frame on that.  
17 If we're talking about 480 hours of work, I  
18 assume it's distributed among a variety of  
19 people, so what are we thinking in terms of  
20 completion of this table?

21 **DR. MAURO:** This table in particular, I would  
22 say we're a month away from completing the  
23 table. Okay? But, once the table is  
24 completed, it goes to Joyce 'cause Joyce is  
25 going to say well, what is -- what

1 (unintelligible) -- we have this data here,  
2 what can we do with it? Can we reconstruct  
3 doses? So -- so -- I would -- we -- but that  
4 doesn't mean we can't -- once the table's  
5 completed doesn't mean we can't talk. So  
6 between now and a month from now I'd like to be  
7 able to engage Mark with our folks in -- in  
8 working the table, but actual --

9 **DR. BRANCHE:** Okay --

10 **DR. MAURO:** -- (unintelligible) table to  
11 database (unintelligible) --

12 **DR. BRANCHE:** Okay --

13 **DR. MAURO:** -- is going to take a month. We're  
14 not done yet. We just -- we're -- in effect,  
15 now we've got the dataset in front of us. Now  
16 we have to --

17 **MR. PRESLEY:** Hey, John --

18 **DR. MAURO:** -- interpret that data.

19 **MR. PRESLEY:** -- the table and all that we're  
20 talking about is SEC stuff and not site --

21 **DR. MAURO:** Yes, we are.

22 **MR. PRESLEY:** -- profile. Okay?

23 **DR. MAURO:** Yes, we are.

24 **MR. PRESLEY:** So let's don't get these two  
25 mixed up. We are trying to get the site

1 profile completed and recommended to the Board.

2 **DR. MAKHIJANI:** Mr. Presley, I'd like some  
3 clarity on -- on that because I -- I -- I must  
4 admit I'm a -- I'm a little confused, because  
5 in -- in the TBD there's a dose reconstruction  
6 method put forward, and if there's a finding  
7 that the dose reconstruction method put forward  
8 does-- doesn't have sufficient information to  
9 be able to do a good dose reconstruction, it's  
10 -- automatically overlaps with the SEC issue  
11 because it can't be resolved within the  
12 framework of the TBD and -- which is why we're  
13 actually proceeding with the two documents in -  
14 - in parallel because -- or almost overlapping  
15 because that's the only way that we see these  
16 reviews can be efficiently done in terms of the  
17 claims that NIOSH has already put on the table  
18 about how internal dose calculations are to be  
19 pursued. So I'm quite confused about that.

20 **MR. ROLFES:** What confused me, Arjun, was that  
21 I felt we were going to have a discussion to  
22 address the environmental exposures. I thought  
23 that was --

24 **DR. MAURO:** We did.

25 **MR. ROLFES:** -- the whole purpose of our call,

1 to address the site profile issue. This is a  
2 separate issue. This is now the SEC issue, so  
3 --

4 **DR. MAURO:** I think we need to talk about both.  
5 Other words --

6 **MR. ROLFES:** Okay.

7 **DR. BRANCHE:** There are two -- there are two  
8 issues.

9 **MR. PRESLEY:** Yes, there are two issues.

10 **DR. MAURO:** I think we need to talk -- there's  
11 a third -- we didn't even talk about -- I hate  
12 to do this to you, but there's still the badges  
13 left behind.

14 **DR. MAKHIJANI:** Well, that's an SE--

15 **DR. MAURO:** That's --

16 **MR. ROLFES:** Once again, that's --

17 **DR. MAURO:** -- purely an SEC issue.

18 **MR. ROLFES:** -- an SEC issue.

19 **DR. BRANCHE:** But it --

20 **DR. MAURO:** I understand you don't -- we don't  
21 engage that issue in the -- within this  
22 particular framework that we're talking about  
23 now, just the two issues, Chapter 4, Chapter 5  
24 -- basically, environmental dose and internal  
25 dose using -- basically using Table 7-1 -- even

1           those 7-1 is in the ER, it is certainly an  
2           internal dose reconstruction issue.

3           **DR. BRANCHE:** All right, gentlemen, we do have  
4           another point of business. We do need to --

5           **MR. PRESLEY:** Brad --

6           **DR. MAURO:** Mark, we'll talk.

7           **MR. PRESLEY:** -- Brad, do you have anything?

8           **MR. CLAWSON:** No, we --

9           **MR. PRESLEY:** Phil, do you agree with what  
10          we're doing?

11          **MR. SCHOFIELD:** Yeah, let's get --

12          **MR. PRESLEY:** Gen?

13          **MR. SCHOFIELD:** -- some discussion --

14          **MR. PRESLEY:** Do you have a problem? Is  
15          everything all right?

16          **DR. ROESSLER:** I don't understand what we're  
17          doing, but I think we need to --

18          **MR. PRESLEY:** Yeah.

19          **DR. ROESSLER:** -- pick a time where these  
20          people get together and -- and --

21          **DR. BRANCHE:** Is there someone who's going to  
22          outline what the technical call's going to be  
23          about and send it out to the workgroup?

24          **MR. CHEW:** Yeah, I was going to say, what's the  
25          bottom line?

1           **DR. MAURO:** I would be happy to put together a  
2 draft of my perspective on the path forward --

3           **MR. PRESLEY:** Do that.

4           **DR. MAURO:** -- and I'll work with Mark on that,  
5 making sure we both agree on what the path  
6 forward is and get it off to the workgroup.

7           **MR. PRESLEY:** Okay.

8           **DR. BRANCHE:** Okay, that -- that sounds --

9           **MR. PRESLEY:** Let's call an end to this  
10 meeting.

11          **MR. CHEW:** What are we trying to achieve?

12          **DR. MAURO:** That's all (unintelligible)  
13 framework of what we're trying --

14          **DR. BRANCHE:** We're going to close this call.  
15 The meeting's adjourned.

16          (Whereupon, the meeting was adjourned at 12:07  
17 p.m.)

18

19

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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 June 23, 2008; 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 10th day of Aug., 2008.

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