

UNITED STATES OF AMERICA  
CENTERS FOR DISEASE CONTROL

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NATIONAL INSTITUTE FOR OCCUPATIONAL  
SAFETY AND HEALTH

+ + + + +

ADVISORY BOARD ON RADIATION AND  
WORKER HEALTH

+ + + + +

88th MEETING

+ + + + +

WEDNESDAY,  
DECEMBER 12, 2012

+ + + + +

The meeting convened at 8:30 a.m.,  
Eastern Standard Time, in the Hilton  
Knoxville, 501 West Church Avenue, Knoxville,  
Tennessee, James M. Melius, Chairman,  
presiding.

PRESENT :

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HENRY ANDERSON, Member  
JOSIE M. BEACH, Member  
BRADLEY P. CLAWSON, Member  
R. WILLIAM FIELD, Member\*  
DAVID KOTELCHUCK, Member  
WANDA I. MUNN, Member  
DAVID B. RICHARDSON, Member  
GENEVIEVE S. ROESSLER, Member\*  
PHILLIP SCHOFIELD, Member  
LORETTA R. VALERIO, Member  
PAUL L. ZIEMER, Member  
THEODORE M. KATZ, Designated Federal Official

REGISTERED AND/OR PUBLIC COMMENT PARTICIPANTS:

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1 P-R-O-C-E-E-D-I-N-G-S

2 (8:31 a.m.)

3 CHAIRMAN MELIUS: Good morning,  
4 everybody. We'll get started with the second  
5 day of meeting number 88. And, Ted, do you  
6 want to do the introduction?

7 MR. KATZ: Yes. Good morning,  
8 everyone, to the Advisory Board of Radiation  
9 and Worker Health. For people on the phone,  
10 the materials for today's meeting, the  
11 presentations, are all posted on the NIOSH  
12 website under the Board section under today's  
13 -- under meetings, today's date. So you can  
14 follow along with the presentations as they're  
15 given. There is no public comment session  
16 today.

17 And I would ask you all on the  
18 phone to please mute your phones for the  
19 entirety of these proceedings. Press \*6 to  
20 mute your phone.

21 And then we do have two petitions  
22 being presented: Joslyn and Baker Brothers.

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1 And when those are presented, the petitioners  
2 have the opportunity to speak. And those  
3 petitioners, if you are on the line now, you  
4 would take your phone off of mute so that you  
5 can speak when your portion of that session  
6 comes up.

7 Let's just do -- we have no  
8 conflicts. So I don't have to address that  
9 when doing Board roll call, but let's run  
10 Board roll call alphabetically.

11 (Roll call.)

12 MR. KATZ: That's good. We have a  
13 quorum, and we're good to go.

14 CHAIRMAN MELIUS: For those of you  
15 who haven't checked out yet or whatever, we  
16 will fit in a break around 10:00 o'clock,  
17 despite our DFO forgetting to include a break  
18 this morning.

19 So our first item this morning is  
20 Joslyn Manufacturing and Supply, Fort Wayne,  
21 and Sam Glover.

22 DR. GLOVER: All right. So we're

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1 going to talk about Joslyn Manufacturing.  
2 This is one of the earliest sites. This  
3 facility was part of the very earliest war  
4 effort. So this is the beginning of rolling  
5 of uranium. This is where it started.

6 All right. So Joslyn is listed as  
7 an Atomic Weapons Employer for the AEC from  
8 March of 1943 to 1952. The principal  
9 operations include the machining and rolling  
10 of uranium rods with limited thorium machining  
11 operations. Joslyn was primarily a commercial  
12 rolling facility for the AEC. And if you  
13 recall, Simonds Saw and Steel in 1948  
14 essentially took over the commercial rolling  
15 operations for the AEC, but before that, it  
16 was primarily Joslyn.

17 Petition overview. SEC-00200 was  
18 received March 15th, 2012 and qualified on May  
19 10th. Petitioner-proposed Class was all  
20 employees who worked in any area of the Joslyn  
21 Manufacturing and Supply Company in Fort  
22 Wayne, Indiana from 1944 through 1952.

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1 NIOSH extended the Class slightly.

2 We extended that through March 1, 1943, in  
3 part, because there were changes in the Class.

4 As time went along we found new documentation  
5 that was provided to the Department of Labor,  
6 and they changed the covered period.

7 The total number of claims  
8 submitted. I was shocked when I put this  
9 slide together because it doubled in the last  
10 two months. We had 36 just a short time ago,  
11 and now we have 62. So DOL outreach worked  
12 pretty well. They had an outreach meeting not  
13 very long ago, and we were out there as well.

14 So of the 62 cases, 36 have a DR  
15 at DOL. Number of claims with internal or  
16 external records is zero. And number of  
17 claims with a PoC greater than 50 percent is  
18 27.

19 Joslyn Manufacturing is obviously  
20 located in Fort Wayne. And they have a long  
21 history of producing stainless steel. They  
22 participated in a number of radiological

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1 operations for the MED and later AEC,  
2 including hot rolling, quenching,  
3 straightening, cooling, grinding, waste  
4 burning, abrasive cutting of natural uranium  
5 billets into metal rods.

6 Background continued. Much of the  
7 early work at Joslyn, pre-'48, was related to  
8 the production of uranium for the Hanford  
9 site. They were also used for numerous  
10 experiments to develop procedures for rolling  
11 uranium metal for use in nuclear reactors,  
12 performed rolling operations associated with  
13 testing of uranium metal rods at the Chalk  
14 River reactors in Canada. They prepared  
15 uranium metal for the British government.

16 This is just kind of a simple  
17 diagram. When you go to the facility, it  
18 makes a lot more sense, and I think of it sort  
19 of turned on its side here because of how you  
20 come into it.

21 But basically the entire facility,  
22 this stuff was trucked through it for one part

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1 or another. Between the grinding operations  
2 and the handling and the packing, it pretty  
3 much all made its way through the whole plant.

4 Not every part of the plant was as highly  
5 contaminated, let's say, like in the burning  
6 areas of the rolling mills, but it did make  
7 its way through quite a bit of the plant.

8 So, sources of exposure.  
9 Principal source of exposure include the  
10 inhalation and ingestion of natural uranium  
11 oxide from the production and shaping of  
12 uranium metal rods. Joslyn was a hand  
13 operated shop. People grabbed. As the stuff  
14 came through the rolling passes, they used  
15 tongs and actually pulled it through and drug  
16 it back around and manually reinserted it. So  
17 they were manually reinserted into the mill.  
18 There was no automatic roller like Bethlehem  
19 Steel.

20 And they did that the number of  
21 times required. And that may be 20-25 passes  
22 to get a rod down to shape. Then they would

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1 drag it to the next mill and do that again.  
2 And then they would drag it to the third mill  
3 and do that again until they got the right  
4 size and shape.

5 So there were three mills, all  
6 sort of in this one big room. They had an  
7 18-inch basically to crush it down from really  
8 big sizes, the 12-inch mill, and 9-inch  
9 finishing mill. Basically they would just run  
10 this. And they needed to let it cool down in  
11 certain phases. So they would let them rest  
12 and start with the next one so they would keep  
13 them in the right metallurgical phases.

14 Rolling of uranium was conducted  
15 on rollers which had water-cooled bearings.  
16 And this is very unusual. And they would  
17 interact with this. So the steam would  
18 explode and caused, you know, extra  
19 contamination in the air. So they had high  
20 levels of contamination. It was an unusual  
21 process compared to other facilities.

22 Additional machining and

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1 preparation steps. They did centerless  
2 grinding, cutting, heating, quenching, and  
3 threading. So they threaded these uranium  
4 rods so they could be put into a reactor and  
5 get good contact. They were carried out on  
6 uranium metal prepared at Joslyn as well as  
7 other facilities.

8 They also had a long-term billet  
9 storage. I actually was able to go on site.  
10 And they walked me around the facility, showed  
11 me where the billet storage area existed. It  
12 didn't exist anymore, but you could still see  
13 the outlines of the area that they had set up.  
14 But they would keep those on site for  
15 experiments as Hanford needed them done.

16 Uranium waste was noted to be  
17 collected and burned outside. They actually  
18 were -- it became evident they talked about a  
19 drum of it blowing up. And they explained why  
20 it happened. It got wet. And they didn't  
21 properly dry it. And at their transfer  
22 station in Joslyn, this thing exploded. So

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1 that sort of caught my attention, but it also  
2 caught my attention that they were burning  
3 this in an open area.

4 So they had a person collect it.  
5 And I've seen different things described, but  
6 they would burn this stuff on a metal plate.  
7 And that area is still contaminated.

8 So grinding operation is described  
9 as being conducted inside of a shed. They  
10 call these buildings sheds. They're really  
11 big metal, you know, big standard mills-type,  
12 you know, sheet metal facilities, but they  
13 called them sheds. So, you know, it can be  
14 between which author you listen to what they  
15 really mean. They call it a shed inside of  
16 another shed. I also heard it called tenting,  
17 that they tented over these things. So there  
18 are some descriptive back and forth of what  
19 different operation they were doing.

20 But by putting these structures  
21 over this, they sort of contained it, but they  
22 also entrapped the workers in this

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1 contaminated area.

2 So they describe also the grinder  
3 had an overhead hood, which discharged inside  
4 the larger building. So it didn't even  
5 discharge outside.

6 Machining operations were noted to  
7 be conducted with a heavy flow of coolant  
8 fluid over the cutting and grinding surfaces  
9 to reduce sparking. And, as I said, they  
10 discussed tenting of areas to prevent  
11 broad-scale contamination, but people worked  
12 in that area. So that would stop normal  
13 dispersal of materials.

14 So, for all operations, Joslyn was  
15 further responsible for packaging, handling,  
16 and loading. And they noted that they -- I  
17 guess when they had switched to other places,  
18 the QC that Joslyn did associated was not  
19 necessarily seen at some of the other area  
20 facilities. And so they took a lot of time to  
21 do that work.

22 Manhattan Engineer District kept

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1 strict records of materials. And they sought  
2 to regain as much of the material as possible.  
3 And so they were responsible for cleanup and  
4 accounting of the materials. And you see that  
5 in the records.

6 Documents do describe that there  
7 was required medical surveillance blood work  
8 as well as X-rays.

9 Just to give you a feel, you can  
10 see here the big push. In the early '44-'45  
11 time frame, you've got -- and I just did it in  
12 six-month intervals. And I put "approximate"  
13 because I see that there are a lot of  
14 different documents to try to go through. But  
15 this is the bulk of the million-plus pounds of  
16 stuff. There's probably some new stuff that I  
17 missed, but this kind of gives you a feel for  
18 the throughput.

19 And so you see the '44-'45 push  
20 for the war. And then you see the 1948.  
21 Hanford in 1948 quite using extruded uranium  
22 rods. This is why Bethlehem Steel was

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1 engaged. This is the start of the big rolling  
2 program in 1948.

3 The extruded rods were -- as they  
4 ramped the power up in the Hanford reactors  
5 they were fracturing and shutting the reactors  
6 down. So they thought the rolling mills would  
7 provide a more stable source of uranium that  
8 would hold up better in this neutron flux. So  
9 that's why Joslyn got engaged in 1948. And  
10 you can see they roll about 600,000 pounds of  
11 uranium in that first half of 1948. And after  
12 that, it was much smaller. Simonds Saw and  
13 Steel took over.

14 Joslyn has two recorded  
15 thorium-related processing, both before 1948.  
16 You see they had straightening and centerless  
17 grinding of six thorium rods and another in  
18 '47. They had centerless grinding of five  
19 extruded thorium rods.

20 This is external monitoring  
21 programs. We have no evidence that a routine  
22 monitoring program existed. Extremely few

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1 measurements are available. This would have  
2 to be a source term basis, basically a  
3 TBD-6000 approach. We do have a Survey by  
4 Health and Safety Lab of some contamination  
5 levels and dose rates in several areas.

6 And for internal dosimetry, again,  
7 there is no routine air monitoring or bioassay  
8 program. We have limited air samples on three  
9 occasions: December 1943, May of '44, and  
10 October of '51. These are very limited in  
11 scope, mostly GA samples.

12 Early data was taken with  
13 equipment, maybe using electrostatic  
14 precipitators. This was the first time --  
15 I've also looked at the difference when we  
16 looked at Electro Met, why HASL came in and  
17 found very different air samples four years  
18 later. Rochester was using electrostatic  
19 precipitators as best as we can tell. And  
20 they described that in this series of  
21 documents. So there's a very different  
22 fundamental air sampling, and it gave very

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1 different results when you come in and compare  
2 these results to what they did in 1952.

3           There was a much larger study, as  
4 I say here, January 8th, 1952, where HASL came  
5 in and conducted a time-weighted average study  
6 of various operations at Joslyn. And I'll  
7 show you that data shortly.

8           So, approach to bounding doses.  
9 So from January 1, 1948 through December 31st,  
10 1952, NIOSH proposes to use the data from  
11 TBD-6000 and known rolling days to determine  
12 internal and external dose and will use a  
13 standard approach to medical X-ray dose.

14           So, the post-1947. So what I'm  
15 saying here is that before that date, we don't  
16 believe we can do dose reconstruction for  
17 internal dose. TBD-6000. So the tabulated  
18 data converted per calendar day to rolling  
19 days, there are tabulated inhalation exposures  
20 for various operations.

21           And this is for a rolling  
22 operation, a roller. And so if we convert

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1 that to a per-day and then use the number of  
2 rolling days, you can see here we have 42  
3 rolling days and 48 and a substantially  
4 smaller in '49, '51, '50, '52. You can use  
5 those inhalation rates and ingestion rates to  
6 determine the intakes.

7 And also we have both rolling days  
8 and non-rolling day intake rates. Those are  
9 directly out of TBD-6000.

10 So this was the air concentration  
11 data. All of the air data as compared to --  
12 actually, this just shows the 95th percentile,  
13 show how it compares to TBD-6000 in a second.  
14 You see it's a very nice log-normal fit. This  
15 is both the GA samples as well as the  
16 breathing zone samples from that 1952 study.

17 And you can see here this is a  
18 summary of the table that HASL came up with.  
19 If you remember, 50 micrograms per meter  
20 cubed, which would be about 70 dpm per meter  
21 cubed, would have been the limit. And you can  
22 see here, they're up to the nine-inch

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1 finishing mill on the east side. That's the  
2 side that you would insert the rod at over  
3 16,000 picocuries per meter cubed. So if you  
4 multiply that 2.22, you're in around 32-35  
5 thousand dpm per meter cubed. That's a pretty  
6 healthy inhalation in 1952 after we have  
7 learned quite a bit.

8 But it compares. If you look at  
9 TBD-6000, what are the rolling data that they  
10 found from that time frame? The TBD-6000,  
11 that blue line, shows you the rough rolling  
12 geometric mean. And the red line shows you  
13 the 95th percentile. You can see there the  
14 data is fairly consistent, actually slightly  
15 below what TBD-6000 shows.

16 And this is also these are the BZ  
17 data from the operation. So these were  
18 actually only data from the BZ samples.

19 So the external dose rate factors  
20 for rolling days and contaminated surfaces  
21 will be applied. Billets were stored on site  
22 for an extended amount of time. And,

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1 therefore, for the purpose of dose  
2 reconstructions, we're going to for every  
3 rolling day assume ten hours of exposure to a  
4 long billet at one foot for each rolling day.

5 And so for the billet storage area, for the  
6 rest of the non-rolling days, we're going to  
7 assume a ten-hour exposure to a long billet at  
8 one meter. You can see that the dose rate per  
9 day is about seven millirem per day versus one  
10 millirem per day.

11 So, just to describe a summary of  
12 the monitoring gaps. External, we have no  
13 film badge results. The source term and  
14 operational information is required. And we  
15 have detailed materials from the history of  
16 the site, the rolling days and operations that  
17 were on site.

18 For internal, we have no bioassay.

19 We have very limited air monitoring samples,  
20 pretty much for single operations, especially  
21 before 1951. Early data is not representative  
22 of the varied operations and was obtained

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1 using non-standard equipment, particularly  
2 compared to HASL. Back extrapolation of 1952  
3 air sample data to support operation exposure  
4 prior to 1948 we do not believe is  
5 appropriate. This accounts for experiences  
6 gained and undocumented changes in procedures  
7 and oversight.

8           There was also a change in the  
9 maximum allowable limits, which the MED to the  
10 AEC in 1948 limits the switch from 150  
11 micrograms per meter cubed to 50 micrograms  
12 per meter cubed. So we actually had limits on  
13 the allowable, the permissible allowable  
14 limits during that time.

15           So NIOSH proposes the following  
16 Class. All atomic weapons employees who  
17 worked in any building or area owned by the  
18 Joslyn Manufacturing and Supply Company or  
19 subsequent owner in Fort Wayne, Indiana from  
20 March 1, 1943 through December 31st, 1947 for  
21 a number of workdays aggregating at least 250  
22 workdays, occurring either solely under this

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1 employment or in combination with workdays  
2 within the parameters established for one or  
3 more other Classes of employees included in  
4 the Special Exposure Cohort.

5 So why the Class? Workers were  
6 potentially exposed to uranium and thorium who  
7 were not monitored. Nor does a suitable dose  
8 reconstruction method exist prior to 1948 at  
9 Joslyn. The decision was based on lack of  
10 adequate biological monitoring data,  
11 sufficient air monitoring data information,  
12 and difference in operational characteristics  
13 from other metal working facilities which were  
14 monitored after 1948. Therefore, no  
15 appropriate surrogate data exists.

16 Why everyone? Based on reports by  
17 the AEC and facility layout, the process areas  
18 were broadly distributed, and controls for  
19 preventing movement in these areas was not  
20 enforced.

21 What about employees not included  
22 in the SEC? NIOSH intends to use any internal

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1 monitoring data that may become available for  
2 any individual claim and that can be  
3 interpreted using existing dose reconstruction  
4 processes or procedures. Therefore, dose  
5 reconstructions for individuals employed at  
6 the Joslyn site during the period March 1,  
7 1943 through December 31st, 1947 but who do  
8 not qualify for inclusion in the SEC may be  
9 performed using these data as appropriate.

10 We will also use the external --  
11 we may be able to use the external doses, it's  
12 primarily internal. I'll show that in a  
13 second. So NIOSH may be able to reconstruct  
14 external doses from March 1, '43 through '47  
15 using the known rolling days and TBD-6000  
16 approaches, similar to the proposed approach  
17 post-1947. Further, NIOSH intends to estimate  
18 doses from medical X-rays.

19 So why stop in '48? NIOSH feels  
20 that surrogate data from TBD-6000 coupled with  
21 the known operational data and source term  
22 information provides support that a realistic

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1 dose can be determined.

2                   So           the           standard           health  
3 endangerment evidence reviewed in the case  
4 that some workers may have accumulated chronic  
5 radiation exposures through intakes of  
6 radionuclides and direct exposure to  
7 radioactive materials. Consequently, NIOSH is  
8 specifying health may have been endangered.

9                   A summary slide. So the dose  
10 reconstruction is not feasible for uranium or  
11 thorium for internal from March 1, '43 through  
12 December 31st, 1947, but for uranium, it is  
13 feasible from January 1, 1948 through December  
14 31st, 1952. And we are saying that external  
15 gamma and beta and occupational X-rays are  
16 doable for all the years, may be doable for  
17 all years.

18                   Thank you very much.

19                   CHAIRMAN MELIUS: Thank you, Sam.

20                   Do Board Members have questions?

21                   Yes, Paul?

22                   MEMBER ZIEMER: I noticed in the

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1 specification of the Class, that you used a  
2 term which I don't recall us using before.  
3 And that's the ownership of the facility in  
4 Fort Wayne. And it just occurs to me that  
5 it's quite possible that the company could  
6 have owned property that was not part of this  
7 site. Is that ownership statement something  
8 new?

9 DR. GLOVER: I think what we  
10 usually include, that's for residual. There  
11 was actually not a residual period at Joslyn.

12 And I think I need to make sure that as we  
13 write that, whether that should be included in  
14 your definition, that it perhaps is a word  
15 that stayed in there that may not. We will  
16 need to check with that. It's a nuance that  
17 usually is because during residual periods,  
18 ownership can change. And, therefore, people  
19 -- so that may be an oversight on my part to  
20 have left that word in.

21 CHAIRMAN MELIUS: Even operational  
22 periods it can --

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1 DR. GLOVER: Yes, sir.

2 CHAIRMAN MELIUS: -- it can  
3 change. And I think it came up as one of the  
4 sites a few months ago. And so Department of  
5 Labor has asked that we include that  
6 terminology. It had applied to residual, but  
7 sometimes tracing who owned the facility,  
8 changes in ownership can be tricky. And if  
9 the workers are still there under the, you  
10 know, same workforce, different ownership. I  
11 don't know how it applies here.

12 MEMBER KOTELCHUCK: Sorry. I  
13 missed the reference to the ownership. Where  
14 is that in the slide?

15 DR. GLOVER: It is when I  
16 designated the --

17 MEMBER MUNN: Twenty-three.

18 DR. GLOVER: Yes, the proposed  
19 Class on the front page of the document.

20 MEMBER KOTELCHUCK: Oh, yes. Yes.  
21 I see. Thank you.

22 MEMBER ZIEMER: I wasn't objecting

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1 to its use. I just wanted to make sure that  
2 it doesn't somehow exclude or include  
3 something that is unintended.

4 MR. HINNEFELD: Yes. I think I  
5 have had three impromptu meetings in the last  
6 couple of minutes trying to figure this out.  
7 We were asked by Department of Labor some time  
8 ago to include or subsequent owner  
9 information, you know, in terms of residual  
10 and the properties owned by a subsequent owner  
11 on sites where we were recommending residual  
12 because the ownership could change.

13 And we agree, Paul, with your  
14 statement that this is not phrased  
15 particularly well because any buildings owned  
16 by Joslyn Manufacturing and Supply, they could  
17 have owned, as you say, other properties in  
18 Fort Wayne that were unrelated to the uranium  
19 work. So I think there's probably a fairly  
20 simple wording change that could be made to  
21 this Class to change that.

22 In this instance, Joslyn owned

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1 this property throughout the years we're  
2 recommending, '43 to '47. So there really is  
3 no need, I don't believe, for the  
4 parenthetical "or subsequent owner" either. I  
5 think there's probably no need for that either  
6 because we're not going for a long period of  
7 time. We know the owner for these years, '43  
8 to '47. So we can take the parenthetical out,  
9 should be able to.

10 And we should be able to make a  
11 fairly simple change to indicate, you know,  
12 all employees at the covered facility, the  
13 Joslyn Manufacturing covered facility, in Fort  
14 Wayne, which is a sort of -- you know, it's  
15 defined elsewhere. We don't have to define  
16 address or anything like that.

17 MEMBER ZIEMER: Well, I was going  
18 to say you might define the address, and that  
19 would --

20 MR. HINNEFELD: Well, we could. I  
21 like the idea of calling it the covered  
22 facility because it's defined elsewhere and we

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1 don't have to write a definition.

2 DR. GLOVER: So I apologize. That  
3 was an oversight. It should not have been  
4 written quite that way.

5 CHAIRMAN MELIUS: So my  
6 secretarial duties here, so you want who  
7 worked at the covered facility at Joslyn --

8 DR. GLOVER: Yes, that will work.

9 CHAIRMAN MELIUS: -- in Fort  
10 Wayne? Yes?

11 MEMBER BEACH: Sam, I am just  
12 curious why no residual period for the site.

13 DR. GLOVER: When it was reviewed,  
14 no data after -- you know, they had the FUSRAP  
15 studies later on. There was no significant  
16 residual contamination found. They did a  
17 cleanup. And they had some measurements done  
18 in 1949. It was very light use of the  
19 facility after 1949.

20 MR. HINNEFELD: The standard  
21 practice and a Residual Contamination Report,  
22 which defines residual contamination areas, if

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1 there is a -- we can find documentation of a  
2 cleanup, which appears to be unsuccessful  
3 cleanup, and subsequent FUSRAP surveys later  
4 on didn't identify contamination that make it  
5 clean up. We say okay. There apparently  
6 wasn't residual contamination.

7 CHAIRMAN MELIUS: Any other  
8 questions? Board Members on the phone, do you  
9 have questions?

10 MEMBER FIELD: Yes. This is Bill.  
11 Sam, I have a question on slide 19. I was  
12 just wondering why there is so much difference  
13 between the 18-inch roll area and 9-inch roll  
14 area but not the 12-inch roll area, if you had  
15 any idea why there is so much difference  
16 there.

17 DR. GLOVER: A lot of things could  
18 happen with that. It's whether oxidation --  
19 these were uncoated materials. It had begun  
20 to get hot, and they had to be rested. You  
21 know, depending on the past schedule and the  
22 aggressiveness of that, they could have very

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1 much affected the rate of production.

2 MEMBER FIELD: Okay. I think I  
3 caught that.

4 DR. GLOVER: Essentially what  
5 happened, you know, they had to keep the rod  
6 within a certain temperature rate. So they  
7 had to put them through -- so but they also  
8 had to rest them. And then they had to drag  
9 them over. So that material was hot. It can  
10 develop oxide. And then they would have to  
11 insert them to this nine-inch mill.

12 And so various factors, including,  
13 you know, the aggressiveness of that bite on  
14 that series of rolling mills, it clearly  
15 produced a much higher concentration on the  
16 east side of the rolling mill. But, you know,  
17 it's just something associated with that on  
18 how that bar and oxide production occurred in  
19 the process.

20 MEMBER FIELD: It looks like  
21 there's a range of TWAs, you know, for that  
22 process. Thanks.

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1                   CHAIRMAN MELIUS:    Any other Board  
2 Members on the phone have questions?

3                   MEMBER ROESSLER:   No questions.

4                   CHAIRMAN MELIUS:    Okay.     Thank  
5 you.

6                   I suggest that when we discuss  
7 this, we think of this in two different phases  
8 in terms of how we resolve.   The one is the  
9 first time period and the second being the  
10 post-'47 time period.   But before we start  
11 that, I'd like to hear from the petitioners.  
12 Wish to say anything, the petitioners who are  
13 on the line?   You don't need to, but I just  
14 wanted to make the offer.

15                   (No response.)

16                   CHAIRMAN MELIUS:    Thank you.    So  
17 let's talk about the earlier time period where  
18 we have the recommendation.   We'll have a --  
19 how do we want to move forward with this?   I  
20 know who I can rely on.

21                   MEMBER MUNN:       Well, yes.    I am  
22 prepared to offer the proposed Class as

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1 presented to us by NIOSH, although you have  
2 the correct wording.

3 CHAIRMAN MELIUS: Yes. And I will  
4 --

5 MEMBER MUNN: I move that we  
6 accept the Class as proposed.

7 MEMBER CLAWSON: Second.

8 CHAIRMAN MELIUS: The new wording  
9 I have is "all atomic weapons employees who  
10 worked for Joslyn Manufacturing Supply Company  
11 at the covered facility, in Fort Wayne,  
12 Indiana from March 1st, 1943 through December  
13 31st, 1947 for a number of workdays  
14 aggregating at least 250 workdays occurring  
15 either solely under this employment, in  
16 combination with the workdays, within the  
17 parameters established for one or more other  
18 Classes of employees included in the Special  
19 Exposure Cohort."

20 Any further discussion? Yes?

21 MEMBER ANDERSON: Yes. Just  
22 looking at slide 12 there, it seems like the

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1 majority of the processing or the rolling  
2 uranium was in '48. And then after '48,  
3 there's very little quantity. So I'm just  
4 wondering why we would start that just before  
5 or end the Class just before, you know, the  
6 first quarter, where they really did most of  
7 the work. I mean, it would seem '48 with all  
8 that processing would be quite different than  
9 trying to estimate if you look at the  
10 quantities. Second half of '48, they didn't  
11 roll any.

12 DR. GLOVER: Beginning in '48,  
13 January 1, '48, AEC took control of the  
14 operation. So there was a significant shift.

15 And so we're trying to find out when we  
16 thought surrogate data and our TBD-6000  
17 approaches would be applicable. It's about  
18 equal, about 600,000 pounds in '48 or that  
19 first half of '48 and about 600,000 pounds  
20 before it.

21 So I understand. We certainly  
22 discussed this as we look back about the

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1 changes that occurred, which happened, you  
2 know, with the regulations and the changes,  
3 you know, the 150 to 50. That would have  
4 occurred beginning in '48 with the AEC taking  
5 control. You had a change in ownership of the  
6 facilities and who was monitoring these. So  
7 we felt that, all put together, that TBD-6000  
8 seemed to be appropriate.

9 MEMBER ANDERSON: I mean, how  
10 quickly would they have implemented that if  
11 the start-up of the changeover was January 1  
12 and we're really starting the big roll-in, you  
13 know, went through the first half? I mean,  
14 what kind of records do you have? Did they  
15 really step in and have major changes occur  
16 right away or usually these things sort of  
17 gradually take hold in the facilities.

18 DR. GLOVER: I have no clear  
19 record that says massive changes occurred.

20 MEMBER ANDERSON: Yes.

21 MR. HINNEFELD: Yes. This is Stu.  
22 I suppose this has occurred to some other

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1 people, too, that this has sort of been the  
2 second. The 1948 is in the second piece of  
3 what we're considering. So if we approve what  
4 we recommended up to '47, then presumably  
5 there will be some action on '48 and later to  
6 follow. Then maybe this could be addressed  
7 then.

8 MEMBER ANDERSON: Okay.

9 MR. HINNEFELD: I don't mean to  
10 step out of bounds here but just a suggestion,  
11 rather than try to resolve the issue here and  
12 the questions here, where we may not have  
13 enough -- you know, that I don't think we have  
14 enough information here today that we can't  
15 resolve this specific issue.

16 MEMBER ANDERSON: Okay. Okay.

17 CHAIRMAN MELIUS: Just to comment,  
18 I mean, I have been puzzling over the same  
19 thing. And they have like this rolling day  
20 approach, but there appears to be -- and I'm  
21 sure there's an explanation for it, but they  
22 are treating '48 days, rolling days, a little

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1 differently than later rolling days. And I  
2 can't understand it either.

3 And, again, I would suggest we  
4 sort of deal with that --

5 MEMBER ANDERSON: Okay.

6 CHAIRMAN MELIUS: -- time period  
7 separately because, again, I don't think we  
8 can resolve it here today, though I'm as  
9 skeptical as you are, Henry, about it.

10 MEMBER ANDERSON: Okay.

11 CHAIRMAN MELIUS: But there may be  
12 an explanation. So I want to --

13 MEMBER ANDERSON: Yes.

14 CHAIRMAN MELIUS: Well, we have a  
15 motion, a second. Is there is any further  
16 discussion?

17 (No response.)

18 CHAIRMAN MELIUS: If not, Ted, do  
19 you want to do the roll call?

20 MR. KATZ: Sure. Thanks.

21 Dr. Anderson?

22 MEMBER ANDERSON: Yes.

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1 MR. KATZ: Ms. Beach?  
2 MEMBER BEACH: Yes.  
3 MR. KATZ: Mr. Clawson?  
4 MEMBER CLAWSON: Yes.  
5 MR. KATZ: Dr. Field?  
6 MEMBER FIELD: Yes.  
7 MR. KATZ: Dr. Kotelchuck?  
8 MEMBER KOTELCHUCK: Yes.  
9 MR. KATZ: Dr. Melius?  
10 CHAIRMAN MELIUS: Yes.  
11 MR. KATZ: Ms. Munn?  
12 MEMBER MUNN: Yes.  
13 MR. KATZ: Dr. Richardson?  
14 MEMBER RICHARDSON: Yes.  
15 MR. KATZ: Dr. Roessler?  
16 MEMBER ROESSLER: Yes.  
17 MR. KATZ: Mr. Schofield?  
18 MEMBER SCHOFIELD: Yes.  
19 MR. KATZ: Ms. Valerio?  
20 MEMBER VALERIO: Yes.  
21 MR. KATZ: And Dr. Ziemer?  
22 MEMBER ZIEMER: Yes.

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1 MR. KATZ: And the motion passes  
2 unanimately. And I'll collect the absentee  
3 votes after this meeting.

4 CHAIRMAN MELIUS: Let's move on to  
5 the second time period. I think, at least my  
6 suggestion would be that, one, is to get SEC  
7 to review that; and, secondly, refer it to my  
8 left.

9 MEMBER ANDERSON: To the 6000  
10 Committee.

11 CHAIRMAN MELIUS: Is that  
12 appropriate?

13 MEMBER ANDERSON: Yes.

14 CHAIRMAN MELIUS: Yes. Good. So  
15 I think we need a motion to that effect.

16 MEMBER ANDERSON: I will move  
17 that.

18 CHAIRMAN MELIUS: Okay.

19 MEMBER BEACH: I'll second.

20 CHAIRMAN MELIUS: Second. Okay.  
21 Just a voice vote. All in favor?

22 (Whereupon, there was a chorus of

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1 "Ayes." )

2 CHAIRMAN MELIUS: Opposed?

3 (No response.)

4 CHAIRMAN MELIUS: And I heard a  
5 resounding "Aye" from the telephone. So I  
6 assume it's unanimous. Let's go ahead.  
7 LaVon?

8 MR. RUTHERFORD: All right. I'm  
9 LaVon Rutherford. I'm going to talk about the  
10 presentation on status of upcoming SEC  
11 petitions. We do this -- okay. It's not  
12 moving now, Stu.

13 All right. I think we're back on  
14 here. We provide this presentation at each  
15 Board meeting. It gives the Board an idea of  
16 what SEC petitions we have in our hopper, in  
17 our evaluation phase/qualification phase, so  
18 on, and helps the Advisory Board prepare for  
19 Work Group meetings and future Advisory Board  
20 meetings.

21 Summary table provides information  
22 on the number of petitions we have received.

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1 You can see there are 208 petitions. This is  
2 I think the first time I have ever presented  
3 where we have no petitions in the  
4 qualification process at this time. You can  
5 see that 128 petitions qualified and 80 didn't  
6 and the rest of the stats there.

7 SEC petitions we presented at this  
8 meeting, we had Battelle Laboratories on King  
9 Avenue, which was an 83.14; Savannah River  
10 Site Addendum, which is 83.13; Joslyn, which  
11 Sam just presented, an 83.13; and then Baker  
12 Brothers, who will follow this presentation.  
13 That's an 83.13.

14 SEC petitions that are currently  
15 under the Advisory Board review, we have a few  
16 petitions that have had action by the Advisory  
17 Board, but they continue to have further  
18 evaluation. That's Fernald, Hanford, Pantex,  
19 and Los Alamos. I think that the Work Group  
20 Chairs have already provided updates on each  
21 of those.

22 Petitions that are with the

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1 Advisory Board that have not had any action at  
2 this point are GSI, which is kind of a  
3 tentative action right now; and the Rocky  
4 Flats Plant. And I believe Mark Griffon gave  
5 the update on Rocky Flats.

6 We have some potential 83.14s that  
7 are in the hopper: Sandia National Lab -  
8 Albuquerque, the '45 to '48. This is actually  
9 the period where the Z Division was specified  
10 for LANL. And then they came back and  
11 adjusted the Sandia National Lab covered  
12 period to add '45 to '48. At this time, we  
13 are still waiting for a claim that we could  
14 use as a litmus claim to move that 83.14  
15 forward.

16 The same thing with General  
17 Atomics. A long time ago, we looked back at  
18 our Class Definitions and took action to  
19 modify Class Definition to make it more  
20 consistent with what we were doing today.

21 General Atomics is one that we had  
22 identified that we want to modify that Class

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1 Definition. However, we are still waiting for  
2 a claim that would be rejected by the  
3 Department of Labor that would support moving  
4 this one forward.

5 Dayton Project Monsanto. The  
6 designation for that facility was changed. It  
7 was changed to a DOE facility. So, one, we're  
8 going to do an 83.14 to modify the Class  
9 Definition to indicate it's a Department of  
10 Energy facility. And also there was a  
11 nine-month period when the facility  
12 designations were changed. It left a  
13 nine-month gap in there that we need to pick  
14 up. However, again, with this facility, we do  
15 not have a litmus claim as well.

16 I haven't mentioned this in here,  
17 but we are doing some additional due diligence  
18 at Sandia National Lab, Livermore. So we  
19 haven't made a determination on that facility.

20 And that's about it right now for  
21 the SECs.

22 CHAIRMAN MELIUS: Your

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1 presentations are getting shorter and shorter.

2 Is it our questions?

3 MR. RUTHERFORD: I guess I'll have  
4 to start thinking of new things to add.

5 CHAIRMAN MELIUS: Yes, yes.  
6 Henry?

7 MEMBER ANDERSON: Yes. There are  
8 128 that you have completed. How many of  
9 those has the Board over the years acted on?

10 MR. RUTHERFORD: Well, the Board  
11 has acted on all except --

12 MEMBER ANDERSON: All but ten?

13 MR. RUTHERFORD: All but the ones  
14 that are with the Board right now, which are  
15 ten.

16 MEMBER ANDERSON: All but the ten.  
17 Okay.

18 MR. RUTHERFORD: Yes. And,  
19 actually, that's even less than that because  
20 that includes, that ten includes, the ones  
21 that came to the Board for this Board meeting.

22 MEMBER ANDERSON: Okay.

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1                   CHAIRMAN MELIUS:    So the list is  
2 getting smaller?

3                   MEMBER    ANDERSON:        Yes,    very  
4 definitely.

5                   MEMBER MUNN:     And that's a good  
6 thing.

7                   CHAIRMAN MELIUS:        So I think  
8 there's more than enough work to do on the  
9 ones we have.    Any other questions?    Anybody  
10 on the phone have questions for, Board Members  
11 on the phone have questions for LaVon?

12                   MEMBER FIELD:    No.

13                   CHAIRMAN MELIUS:    Okay.

14                   MEMBER ROESSLER:    No questions.

15                   CHAIRMAN MELIUS:    Okay.    Thank you  
16 for that.

17                   What we will do is we'll do one  
18 letter now:    Battelle.    And then we'll --  
19 okay.    Why don't we take a break?    If you'd  
20 come back at a quarter of 10:00?    We'll do the  
21 letter first.    Then we'll go right into Baker  
22 Brothers or vice versa.    I'm not sure.    But

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1 we'll --

2 (Whereupon, the above-entitled  
3 matter went off the record at 9:15 a.m. and  
4 resumed at 9:50 a.m.)

5 CHAIRMAN MELIUS: We are  
6 reconvening now. And we'll start with Jim  
7 Neton and Baker Brothers.

8 DR. NETON: Thank you, Dr. Melius.  
9 I've given a lot of presentations to the  
10 Board. This is the first time I remember  
11 giving the very last presentation of the  
12 meeting.

13 CHAIRMAN MELIUS: We usually save  
14 that for LaVon.

15 DR. NETON: Yes. This may be a  
16 new role here.

17 CHAIRMAN MELIUS: I wonder what  
18 happened to your travel budget, though.  
19 Suddenly we're doing like Toledo and Fort  
20 Wayne. You're staying closer to home.

21 Go ahead, Jim.

22 DR. NETON: Thank you.

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1 I am presenting our Petition  
2 Evaluation Report for Baker Brothers Special  
3 Exposure Cohort petition. Baker Brothers is  
4 sort of like the Joslyn facility that Sam  
5 presented. It was one of the very early AEC  
6 contracted operations. It was located in  
7 Toledo, Ohio and started to do some machining  
8 and lathing and those sorts of things,  
9 finishing products on rods. They didn't roll  
10 rods, but they took the rods and made them  
11 into slugs.

12 The operation started very early.  
13 1943-1944 is the 2-year covered period that  
14 this facility is listed at. But there is a  
15 long residual radiation exposure period. It  
16 goes from 1945 to 1994.

17 There is a hiatus in 1995 where  
18 some remediation work went on. It actually, I  
19 think it was Bechtel, had a contract in '95  
20 into early '96 to remediate the facility. And  
21 there was some on-site work going on there  
22 I'll talk about. And, finally, in 1996, it

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1 ended the residual period when it was closed  
2 out as having been cleaned up.

3 This facility was contracted by  
4 the University of Chicago, more specifically  
5 the Metallurgical Laboratory, again to machine  
6 metal rods, the rods that were rolled early on  
7 in the process, into slugs that could be used  
8 for fuel in the reactors at Hanford and Oak  
9 Ridge. So this was some very, very early,  
10 early AWE-type work.

11 We received this petition in June.

12 It was an 83.13 petition that requested the  
13 SEC be granted from '43 to '96. It was a  
14 pretty fast track petition. It would qualify  
15 July 24th. And in November 14th, an  
16 Evaluation Report was approved and issued.

17 I'll cut to the chase here. The  
18 SEC -- we're going to recommend a Class here  
19 for the covered period from '43 to '44, which  
20 hopefully I'll explain why in the next slides.

21 The basis for qualification, like  
22 most of these early facilities, was that there

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1 were exposures that would occur by a number of  
2 people, but there was no monitoring conducted  
3 on those personnel, which is true in this  
4 case.

5 The petitioner, as I mentioned  
6 earlier, requested that SEC go from '43 to  
7 '96. And we're recommending coverage from  
8 June 1st, 1943 through December 31st, '44.

9 We did evaluate the Class for the  
10 entire period, of course, from June 1st, '43  
11 until the end of December 1996. And the start  
12 date of June 1st is consistent with the MED  
13 operations, the first contract that was issued  
14 at Baker Brothers. And the end date is the  
15 last date of the calendar year, which when we  
16 don't know for certain when the operation  
17 stopped, we'll go through the end of that  
18 year.

19 Sources of information available  
20 to reconstruct doses consists of the Site  
21 Profile TBD-6000, which covers uranium  
22 rolling, machining, milling-type operations

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1 during the covered period and OTIB-0070, which  
2 is the residual. It's the OTIB that  
3 prescribes methods for handling residual  
4 contamination periods. We also had about 154  
5 documents that were captured related to  
6 activities at this facility, many of which are  
7 early AEC memos that provide for some pretty  
8 interesting readings.

9 And also our normal data searches  
10 were conducted, a lot of data capture efforts  
11 at numerous records facilities. In fact, the  
12 documents were found in some pretty widespread  
13 locations for this facility. I think we found  
14 some in the Atlanta records facility. We  
15 found some in Kansas City records facility,  
16 some at the DOE Legacy Management in Denver.  
17 So these documents were captured throughout  
18 the various records facilities in the country.

19 We don't have many claimants at  
20 this facility. There are four claims that  
21 have been submitted to NIOSH for dose  
22 reconstruction by the Department of Labor.

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1 There's only one claim with employment in the  
2 contract period: in 1943 and 1944.

3 I think there was a second claim,  
4 but that claim had employment at another  
5 facility that was granted an SEC. And I think  
6 that claim was disposition in that manner. So  
7 right now there is only one claim that would  
8 be affected by this petition.

9 There are a couple of claims that  
10 have employment in the residual contamination  
11 period only, it's two. And we have zero  
12 dosimetry records or bioassay data for anyone  
13 that worked at this facility.

14 As I mentioned, they were a  
15 subcontractor to DuPont, produced slugs for  
16 the production reactors at Hanford and Oak  
17 Ridge. And, again, they were the first ones  
18 of its kind to be produced.

19 Machining work started in June of  
20 '43. And they utilized lathes for both rough  
21 and finish turning. They would take the rods  
22 and then lay them and then section them into

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1 various six, eight-inch-type pieces.

2 The machining work, as far as we  
3 know, was completed in August of 1944, almost  
4 the end of '44, although it appears to us that  
5 some residual material stayed there and was  
6 shipped out later. Since we're not certain  
7 exactly when in '44 that occurred, we believe  
8 that the end date for this period would be the  
9 end of 1944.

10 Like I said, the shipping records  
11 indicate scrap metal and turnings remained on  
12 site through October. And they said they were  
13 shipped. We have no confirmation that they  
14 actually were shipped. So we're going to  
15 assume for claimant favorability purposes that  
16 the site's covered through the end of '44.

17 This is a little diagram of the  
18 site. There are four areas: the north,  
19 south, east, and west facilities. I think --  
20 yes. This slide is, unfortunately, wrong. I  
21 don't know how this one got in here, but where  
22 it shows "uranium machined here," that's

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1 incorrect. Uranium was machined in the North  
2 Building area 7, which is just beneath that  
3 blue shaded area on the top left-hand corner  
4 of the graph. Just underneath there is the  
5 North Building. Area 7 is in the southwest  
6 corner of the North Building. That's the only  
7 place in the entire site that the uranium was  
8 actually processed, so a fairly limited  
9 operation at the site.

10 Just north of area 7 was a  
11 courtyard area, where they stored, staged the  
12 rods for processing. And that became somewhat  
13 contaminated as well.

14 There were a total of 41,000 slugs  
15 that were produced. As I said, they sectioned  
16 these rolled rods, about 2,000 that were  
17 processed. The rods were about eight feet  
18 long, and the slugs would vary anywhere from  
19 four to six inches and end up being about 1.3  
20 inches in diameter. The initial order was  
21 shipped by the end of October '43.

22 There was some heavy, heavy demand

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1 on these facilities. AEC had some target  
2 dates to meet to get production going. So  
3 oftentimes this facility was operated 24 hours  
4 a day, 7 days a week to meet production  
5 quotas. I think that was more prevalent in  
6 the 1944 time frame, but there were some very  
7 strict production deadlines that they had to  
8 meet.

9 They didn't just lathe these rods.  
10 There were some other specifications for the  
11 slugs that had to be met, such as milling  
12 grooves into previously machined slugs. They  
13 did some work with reclaiming used  
14 experimental slugs. They also had some  
15 production work for Hanford in '44, so various  
16 types of operations.

17 I think the total tonnage is  
18 somewhere around 90 tons of total uranium  
19 produced, not a huge amount by production  
20 standards but a substantial quantity. I've  
21 seen it described as somewhere in the vicinity  
22 of one to four carloads of uranium was

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1 processed through this facility.

2           These are just some more  
3 production numbers of the total slugs to give  
4 you a feel for the quantity of material  
5 processed here. And, again, about 90 tons of  
6 uranium were received and shipped.

7           Post-production, there is a  
8 residual contamination period. And the FUSRAP  
9 program went and evaluated this facility and  
10 found that there was contamination in excess  
11 of existing guidelines, although it wasn't  
12 substantial contamination. I'm recalling, you  
13 know, five, six thousand dpm per hundred  
14 square centimeters in some areas, many areas  
15 with nothing. I think at one point, they did  
16 detect 60,000 dpm was the highest number I've  
17 seen, but that was sort of an isolated spot.

18           A Corps of Engineers letter from  
19 '44 indicated the Baker Brothers was closed  
20 out and all scrap and turnings were shipped  
21 off site. So, although there's no indication  
22 that a real sort of decontamination occurred

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1 at this facility, they did clean out the  
2 facility of all the turnings and sweepings and  
3 that sort of material and shipped them back to  
4 the AEC.

5 The Baker Brothers assets were  
6 eventually liquidated, and the equipment was  
7 sold. It's not certain exactly when it  
8 terminated. The best we can tell, it was  
9 somewhere around 1970 or thereafter. One of  
10 the claimants we have actually has employment  
11 at Baker Brothers through 1970. So that's  
12 kind of how we know that.

13 Okay. Sources of internal dose is  
14 what you would be expecting. This facility  
15 handled only natural uranium. So there was a  
16 source of ingestion and inhalation from the  
17 machining operations obviously and also during  
18 both the covered period and the residual  
19 contamination period. And, likewise, sources  
20 of external exposure would be from the natural  
21 uranium metal, photon and beta exposures like  
22 we see at most of these Atomic Weapons

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1 Employer facilities, nothing unusual about  
2 that. There was no ore processed here, no  
3 radium source term or anything like that.

4 Workers did have periodic medical  
5 monitoring, but, to our -- well, we determined  
6 that if they did have X-rays, they were taken  
7 off site at a hospital. So medical X-rays  
8 would not be covered at this facility in the  
9 way we normally do things.

10 Personal monitoring data is not  
11 known to exist at all, no external exposure  
12 monitoring or internal.

13 We do have some limited air  
14 samples that were taken, 3 in 1943, towards  
15 the end of '43; and 4 samples taken in 1944.  
16 Interestingly, these samples, at least the  
17 reports, were issued by physicians that  
18 visited the site, metallurgical laboratory  
19 physicians that visited the site to look at  
20 the conditions of the facility. And they  
21 signed the reports. I don't know if they had  
22 a team or not, but there were air samples

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1 taken.

2 The ones that Sam mentioned  
3 earlier were the electrostatic precipitator  
4 type. We've never been able to determine how  
5 those things function properly or how they  
6 worked, capture efficiency, that sort of  
7 thing. So it's uncertain as to what these air  
8 samples really were measuring, although the  
9 reports indicated that values were somewhere  
10 in the 100 to 110 microgram per cubic meter  
11 range. At that time, the recommended exposure  
12 limit was I think 151 microgram per cubic  
13 meter. But, again, we don't have any  
14 confidence in these air samples at all.

15 Residual and remediation periods.  
16 We do have bioassay data. I mentioned 1995.  
17 I think Bechtel was the contractor that  
18 remediated the site, fairly good records of  
19 bioassay. We have access logs that indicate  
20 35 employees were in there. We have bioassay  
21 samples, entrance and exit samples, on 24 of  
22 the 35 employees. So if any of those people

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1 were to file claims, we certainly would be  
2 able to reconstruct their internal exposure  
3 for those that weren't monitored. We would  
4 use the 24 people, the coworker model to  
5 establish their exposures.

6           There were air samples taken in  
7 the residual period in the FUSRAP era, in 1989  
8 and 1995. In '89, I think the samples were  
9 reported as nondetectable. There was nothing  
10 measured above the detection limit, which I  
11 think was somewhere, the MDA was somewhere  
12 around three percent of the derived air  
13 concentration level at that time period.

14           And in 1995, during the act of  
15 remediation, there were samples taken. They  
16 were positive, not really, really high, but  
17 there were some positive samples taken. And  
18 we could use those values also to reconstruct  
19 intakes in 1995.

20           Prior to that, though, there's no  
21 personal external dosimetry data at this  
22 facility. There were a number of radiation

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1 and contamination surveys performed at this  
2 facility starting in 1981. I think Argonne  
3 National Laboratory went in, did a  
4 characterization. As I said, the values were  
5 fairly low, as these types of facilities go,  
6 you know, 5,000 dpm and less per 100 square  
7 centimeters.

8 '89, there were some follow-up  
9 surveys done by ORAU in 1990. And then 1995,  
10 there were some remediation cleanup surveys.  
11 And 1996 was a survey that released it to be  
12 free of contamination above the existing  
13 guidelines.

14 So dose reconstruction during the  
15 AWE period, again, that should be seven air  
16 samples taken over in three days in 1943 and  
17 '44. We believe that dose samples are not  
18 sufficient to characterize the exposures to  
19 these workers.

20 The interesting thing about these  
21 early periods is they were still experimenting  
22 with how one would process and machine

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1 uranium. They were using water as a coolant  
2 early on. As Sam had indicated, they were  
3 using for the rolling operations, which ended  
4 up having -- there were a fair number of  
5 fires that occurred throughout the plant,  
6 almost to the point where you could almost  
7 consider it a chronic exposure from fires. At  
8 one point, there was a report where 100 pounds  
9 of uranium just burned up sitting in a pile.  
10 So it would catch fire in the tray.

11 So you had fires going on. They  
12 were also experimenting with the machining  
13 speed. How fast you would turn these things I  
14 guess could depend on how much exposure for  
15 people to get and how it would mitigate the  
16 fires and that sort of thing, so a lot of  
17 experimentation on how best to roll or, I  
18 mean, grind and process uranium during this  
19 period.

20 Because of that, we feel that the  
21 data in TBD-6000 -- it was in the Kingsley and  
22 Harris report -- are really not applicable

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1 representative exposures from this time  
2 period. Again, Kingsley and Harris I think  
3 used data that started to be collected around  
4 the 1948 time frame. Once things sort of got  
5 under control -- I use that term loosely, but,  
6 you know, under better control to put it that  
7 way, where they were more familiar with the  
8 process and keeping the fires down and that  
9 sort of thing.

10 So because of that, we are going  
11 to recommend the Class from '43 to '44 because  
12 we can't reconstruct internal exposures.

13 External doses. We don't have any  
14 radiation measurements for external exposures,  
15 but we do believe TBD-6000 can be used to be  
16 representative of external exposures to  
17 workers. There are some fairly good tables  
18 there about what a worker would be exposed to  
19 handling their uranium metal and moving it  
20 about at one foot and one meter and those  
21 types of things.

22 So if we apply some time/motion

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1 information to these workers, we believe we  
2 will come up with bounding estimates of  
3 external exposures. I think the Evaluation  
4 Report characterizes the exposures. Like in  
5 '43, it will be somewhere around 1,500  
6 millirem for each worker is what they would  
7 receive based on TBD-6000. So we believe  
8 using the values in 6000, that we can  
9 reconstruct dose with sufficient accuracy.

10 Okay. During the residual period,  
11 we believe at the end of 1945, the processes  
12 were worked out to a better extent where the  
13 fires were more controlled. We have some air  
14 sample data towards the end of 1945. And we  
15 believe that we can use a value from TBD-6000  
16 to start the air concentration at the  
17 beginning of the residual period. In other  
18 words, we would take, I think it is, 5,000 dpm  
19 per cubic meter. We would assume for the last  
20 month of operation and settle that amount of  
21 material onto the ground and use that as a  
22 starting point for the residual period.

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1 I think if you take 5,000 dpm per  
2 cubic meter and settle it with a settling  
3 velocity of 7.5 times 10 to the -4 meters per  
4 second over 30 days, you end up with something  
5 around 11 million dpm per square meter on the  
6 ground. That would be our starting point for  
7 the surface contamination at the facility.  
8 And then, of course, we can resuspend that  
9 using a 1 times 10 to the -6 resuspension  
10 factor to estimate the air inhalation from the  
11 residual period.

12 If we couple that with these air  
13 samples that we have in 1989 that were taken  
14 and the contamination surveys, we can use  
15 TIB-70 to essentially do a straight line  
16 depreciation of the values from 1945 to 1989  
17 and estimate the residual, exposures from  
18 residual contamination during that period.  
19 And that's what we intend to do. So, using  
20 that, we can estimate the annual  
21 inhalation/ingestion values for each year from  
22 '44 through 1995 or 1994.

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1           For the remediation period, as I  
2           said, there was active work going on  
3           remediating the site, but we do have bioassay  
4           data for the remediation workers. There are  
5           also some general area airborne data  
6           available.

7           So the 1995 dose bounds the dose  
8           from work from '95 through, into '96, when it  
9           stopped. And then 1996, there were some  
10          contamination surveys that ORAU did where they  
11          found a couple of small spots of  
12          contamination, cleaned them up, and then  
13          basically declared the site free of  
14          contamination in excess of recommended  
15          guidelines.

16          For external dose in the residual  
17          period, the characterization data, as I said,  
18          indicated fairly low radiation levels. The  
19          contamination levels were low. So you would  
20          expect the exposure levels to be low and were  
21          not significantly higher than background for  
22          whole body exposures in most areas.

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1           The highest dose rates were found  
2     in -- I mentioned that there was this  
3     courtyard where they staged the uranium rods  
4     just north of the area 7. The highest value  
5     was found there. And if we use that value  
6     over the entire time period, we're going to  
7     bound the external dose by assigning 0.037  
8     millirem per work year from 1945 to 1946.  
9     That would be the highest value that was  
10    measured on the facility at that time.

11           So feasibility of dose  
12    reconstruction. We found that the monitoring  
13    records are insufficient to estimate intakes  
14    of internal dose. Bakers was one of the first  
15    companies to produce uranium on a production  
16    scale. As I mentioned, there are a lot of  
17    issues with their lack of mitigation of the  
18    exposures by inappropriate application of  
19    water coolants and the fires, that sort of  
20    thing, that made TBD-6000 not applicable for  
21    the situation.

22           So because of that, intakes could

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1 not be reconstructed with sufficient accuracy,  
2 although we do feel that the external  
3 exposures can be reconstructed, as I suggested  
4 earlier.

5           During the residual and  
6 remediation period, we feel we can do internal  
7 and external doses using the TIB-70 approach  
8 that I mentioned.

9           And this is the overall slide  
10 summary that we show where internal dose for  
11 uranium is not feasible during '43 and '44  
12 external from beta/gamma is feasible to be  
13 reconstructed. Neutrons are not applicable  
14 for this facility.

15           There are really no exposures to  
16 neutrons to speak of and medical X-rays were  
17 taken off site. So they're not covered under  
18 this for this facility.

19           In the 1945 to 1996 time frame, we  
20 believe that we can reconstruct the uranium  
21 intakes as well as the external exposures that  
22 the workers may have received.

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1                   That concludes my presentation. I  
2 will be happy to answer any questions.

3                   CHAIRMAN MELIUS: Thank you.

4                   DR. NETON: I do have a  
5 recommended Class here. I should probably  
6 finish with that, that it's all workers at the  
7 Baker Brothers site in Toledo, Ohio during the  
8 period June 1st, '43 through December 31st,  
9 '44, for 250 days. And that concludes my  
10 presentation.

11                  CHAIRMAN MELIUS: Trying to slip  
12 one by us.

13                  DR. NETON: Yes.

14                  (Laughter.)

15                  CHAIRMAN MELIUS: Okay. Thank  
16 you, Jim.

17                  Board Members have questions?  
18 Yes, Brad?

19                  MEMBER CLAWSON: Jim, you spoke of  
20 that they brought test elements back that they  
21 were working on. Had these been through the  
22 reactor or what did you mean by test slugs?

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1 DR. NETON: No. I think they were  
2 experimental design-type situations. They had  
3 not been through the reactor to my knowledge,  
4 no.

5 MEMBER CLAWSON: So we're not  
6 dealing with any kind of recycled uranium,  
7 then? That's --

8 DR. NETON: No, not to my  
9 knowledge.

10 CHAIRMAN MELIUS: Other questions?  
11 Board Members on the phone, do you have any  
12 questions?

13 MEMBER FIELD: Bill Field. No  
14 questions.

15 CHAIRMAN MELIUS: Thank you. Gen?  
16 (No response.)

17 CHAIRMAN MELIUS: Okay. I believe  
18 my understanding is that the petitioner here  
19 does not wish to speak or participate. So if  
20 we have no further questions, do I have a  
21 suggested action or --

22 MEMBER MUNN: Yes. I am pleased

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1 to move that we accept the recommended Class  
2 of all atomic weapons employees who worked at  
3 the Baker Brothers site in Toledo, Ohio during  
4 the period from June 1, '43 through December  
5 31, 1944, as proposed by NIOSH.

6 MEMBER CLAWSON: I second it.

7 CHAIRMAN MELIUS: So we have a  
8 motion from Wanda, a second from Brad. Any  
9 further discussion?

10 (No response.)

11 CHAIRMAN MELIUS: Okay. If not,  
12 Ted?

13 MR. KATZ: I was planning to do  
14 that.

15 Dr. Ziemer?

16 MEMBER ZIEMER: Yes.

17 MR. KATZ: Ms. Valerio?

18 MEMBER VALERIO: Yes.

19 MR. KATZ: Mr. Schofield?

20 MEMBER SCHOFIELD: Yes.

21 MR. KATZ: Dr. Roessler?

22 MEMBER ROESSLER: Ted, are you

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1 calling roll?

2 MR. KATZ: Yes, I'm calling for the  
3 vote. This is for Baker Brothers, we're  
4 voting.

5 MEMBER ROESSLER: Yes, you and Jim  
6 are hard to hear but yes on this one.

7 MR. KATZ: Dr. Richardson?

8 MEMBER RICHARDSON: Yes.

9 MR. KATZ: Ms. Munn?

10 MEMBER MUNN: Yes.

11 MR. KATZ: Dr. Melius?

12 CHAIRMAN MELIUS: Yes.

13 MR. KATZ: Dr. Kotelchuck?

14 MEMBER KOTELCHUCK: Yes.

15 MR. KATZ: Dr. Field?

16 MEMBER FIELD: Yes.

17 MR. KATZ: Mr. Clawson?

18 MEMBER CLAWSON: Yes.

19 MR. KATZ: Ms. Beach?

20 MEMBER BEACH: Yes.

21 MR. KATZ: And Dr. Anderson?

22 MEMBER ANDERSON: Yes.

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1 MR. KATZ: Then it is unanimous.  
2 Motion passes. And I'll collect the absentee  
3 votes after the meeting.

4 CHAIRMAN MELIUS: Henry, you got  
5 your wish. We took you off the hot spot,  
6 tough vote.

7 MEMBER ANDERSON: Right.

8 CHAIRMAN MELIUS: Okay. While  
9 Baker Brothers is fresh in our minds, why  
10 don't I do the letter here?

11 MEMBER ANDERSON: Yes.

12 CHAIRMAN MELIUS: And Ted will be  
13 distributing. Yes?

14 MEMBER BEACH: Are we going to do  
15 anything with the years after?

16 MEMBER ANDERSON: The residual?

17 MEMBER BEACH: The residual?

18 CHAIRMAN MELIUS: I will tell you.  
19 How do we want to do that? I guess I was  
20 assuming I was going to send that over to my  
21 friend on the left, to my left, TBD-6000  
22 Committee. Paul? We're referring it to you.

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1                   MEMBER ZIEMER:       It is not my  
2 decision.

3                   CHAIRMAN MELIUS:       Well, you are  
4 allowed to object.   So I have a motion to  
5 refer it from Josie? We need to officially do  
6 that.

7                   MEMBER BEACH:       Yes.     That's a  
8 motion and task to SC&A also.

9                   CHAIRMAN MELIUS:       Do I hear a  
10 second to that?

11                   MEMBER CLAWSON:       Second.

12                   CHAIRMAN MELIUS:       Okay.    Second  
13 from Brad.   Voice vote.   All in favor say aye?

14                   (Whereupon, there was a chorus of  
15 "Ayes.")

16                   CHAIRMAN MELIUS:       Okay.    So it  
17 carries.    So we've taken care of that.   I  
18 think on this one, we can leave it up to  
19 TBD-6000 whether they want to task SC&A and  
20 how they want to do it at this point.   I will  
21 go ahead and read the letter now for the  
22 record.   "The Advisory Board on Radiation and

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1 Worker Health, the Board, has evaluated  
2 Special Exposure Cohort petition 00204  
3 concerning workers at the Baker Brothers site  
4 in Toledo, Ohio and to the statutory  
5 requirements established by the Energy  
6 Employees Occupational Illness Compensation  
7 Program Act of 2000 and incorporated into 42  
8 CFR 83.13.

9 "The Board respectfully recommends  
10 that SEC status be accorded to 'All atomic  
11 weapon employees who worked at the Baker  
12 Brothers site in Toledo, Ohio during the  
13 period from June 1st, 1943 through December  
14 31st, 1944 for a number of workdays  
15 aggregating at least 250 workdays occurring  
16 either solely under this employment or in  
17 combination with workdays within the  
18 parameters established for one or more other  
19 Classes of employees included in the Special  
20 Exposure Cohort.'

21 "This recommendation is based on  
22 the following factors. Individuals employed

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1 at the Baker Brothers site in Toledo, Ohio did  
2 work related to the development and production  
3 of nuclear weapons.

4 "The National Institute for  
5 Occupational Safety and Health, NIOSH, review  
6 of available monitoring data as well as  
7 available process and source term information  
8 for this facility found that NIOSH lacked the  
9 sufficient information necessary to complete  
10 individual dose reconstructions with  
11 sufficient accuracy for internal radiological  
12 exposures from uranium to which these workers  
13 may have been subjected during that time  
14 period in question. The Board concurs with  
15 this determination.

16 "Three, NIOSH determined that  
17 health may have been endangered for these  
18 Baker Brothers employees during the time  
19 period in question. The Board also concurs  
20 with this determination.

21 "Based on these considerations and  
22 discussion at the December 11th and 12th Board

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1 meeting held in Knoxville, Tennessee, the  
2 Board recommends that this Class be added to  
3 the SEC.

4 "Enclosed is the documentation  
5 from the Board meeting where this SEC Class  
6 was discussed. Documentation includes copies  
7 of the petition, the NIOSH review thereof, and  
8 related materials. If any of these items are  
9 unavailable at this time, they will follow  
10 shortly."

11 If you have commas, periods,  
12 punctuation, refer those to our lawyer. We'll  
13 be glad to accept those. That's satisfactory  
14 to everybody, hearing no objection.

15 We have two other letters. Let's  
16 do those at the end. And we have one other  
17 small piece of Board business, but before  
18 that, we have one report left from our  
19 Procedures Subcommittee. And we're going to  
20 use a new procedure for our Procedures  
21 Subcommittee report. And we'll start with  
22 Wanda and proceed from there.

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1                   MEMBER MUNN:     I hate to steal  
2     Jim's, Jim Neton's, thunder by being the last  
3     presentation, but it looks like that's the way  
4     it's going to be.

5                   The Subcommittee on Procedures  
6     Review was informed a couple of months ago  
7     that we needed to expand the information  
8     that's coming to the Board because a number of  
9     the Board Members were very interested in what  
10    we do and did not feel fully apprised of our  
11    actions at all times.     So we're making an  
12    attempt to do that.

13                  I think you are all familiar with  
14    who is on the Subcommittee and roughly  
15    familiar with what we do, but we're going to  
16    try to make a formal presentation for you,  
17    this being our dry run.     You'll need to bear  
18    with us a little bit.

19                  We were also advised that it would  
20    be wise for our contractor to provide  
21    information for us with a slide show.     And we  
22    provided basic information about what we would

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1 probably be looking for. And our contractor  
2 with its usual very close attention to detail  
3 has provided us with an extremely  
4 comprehensive review of one of the procedures  
5 that we have been working with.

6 You have had that in your hands  
7 early on. And I'm assuming that any of you  
8 who have great interest in what we're doing  
9 have absorbed the contents of that quite well.

10 Needless to say, my slide  
11 presentations are seldom, if ever, that  
12 detailed. And I have to thank our contractor  
13 for the extreme attention and comprehension  
14 that was devoted to this. I am not going to  
15 cover that very thoroughly because I am  
16 working on the assumption if you have  
17 questions about it, we can direct that to the  
18 contractor and that you have already read it.

19 I am going to mention to you  
20 several of the types of activities that we are  
21 involved in. These are simply examples. We  
22 are certainly not limited to the type of

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1 activities you see here. We cover a broad  
2 spectrum of documents that are in various  
3 stages of completion and require interaction  
4 with virtually all aspects of the Board.  
5 We're a pretty wide-ranging group.

6 I want to start with a comment  
7 about the procedure evaluation reviews. We  
8 have approximately -- we have already as a  
9 Board identified 14 PERs that we have in  
10 SC&A's hands for review.

11 Now, whenever we assign these  
12 reviews to our contractor, they undertake five  
13 subtasks as they look at each one of these  
14 documents. So this is a fairly involved  
15 procedure. This is truly the audit process  
16 that our contractor is assigned.

17 And their first task when they  
18 approach a PER is to assess NIOSH's evaluation  
19 that gave rise to the PER to begin with. And  
20 their second task is to assess the specific  
21 methods that are proposed for the corrective  
22 action. You understand that in order for a

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1 PER to have been generated, there was an  
2 inferred corrective action that would be  
3 applied.

4 The third step that they take is  
5 to evaluate the approach for identifying the  
6 effective cases and looking at the criteria  
7 for choosing the dose reconstruction cases  
8 that they are going to reevaluate.

9 The pool of cases is identified.  
10 And we choose from that pool how many and  
11 which of the cases are going to be audited.  
12 Then the fourth step is to conduct the audit  
13 of those chosen dose reconstructions. A fifth  
14 and final step is to prepare their  
15 comprehensive report on the results and bring  
16 them to us and to the Board as a whole.

17 The second type of documents that  
18 we're looking at right now and have been  
19 throughout most of our activity is the IGs,  
20 the internal guidance documents. These are  
21 very, very basic documents and, as we have  
22 discussed in the Subcommittee, are by

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1 definition guidance documents.

2 We have recently looked at IG-001,  
3 which is titled "External Dose Reconstruction  
4 Implementation Guidelines." We had 24  
5 findings from that particular IG, of which 14  
6 are now closed, 6 are in abeyance, and 4 are  
7 in progress.

8 I think you're familiar now with  
9 what those terminologies mean. If there's any  
10 question in your mind, a very quick review.  
11 An open item is one that has not yet been  
12 addressed by NIOSH. In-abeyance item is one  
13 that we have addressed and which, for our  
14 purposes, has reached a resolution is now  
15 awaiting only revision to the document in  
16 question. And in-progress documents are those  
17 that are currently being worked upon. Closed  
18 is, I think, self-explanatory.

19 We have also looked at several  
20 program procedures, most recently PROC-44,  
21 titled "Special Exposure Cohort." We had ten  
22 findings on PROC-44. It is an open item. All

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1 ten of them are open. NIOSH is currently  
2 preparing responses for those.

3 We're going to go back to  
4 procedure evaluation reviews just a little bit  
5 before we take on the burden of quickly going  
6 through OTIB-52, the large item, which you had  
7 been provided with earlier.

8 Among the PERs we have been  
9 looking at are -- and this is not the  
10 extensive list, just the ones that we looked  
11 at that we touched on, for some reason, in our  
12 most recent meeting, which was the 1st of  
13 November. We'll be meeting next in February.

14 PER-12, entitled "Evaluation of  
15 Highly Insoluble Plutonium Compounds," was  
16 reported on in great length by SC&A. The  
17 report is out. They reworked three of the  
18 covered cases. And their essential finding  
19 was that the proper procedures had been  
20 followed in completing those dose  
21 reconstructions by NIOSH initially.

22 We also had looked at PER-14,

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1 constructions trades workers. That's the one  
2 which led to OTIB-0052 that we'll be looking  
3 at later. There were six findings. And we  
4 are currently in the process of -- I should  
5 say we, not the Subcommittee, our contractor,  
6 is currently in the process of working with  
7 NIOSH to determine the pool of available dose  
8 reconstructions that are going to be audited  
9 for that particular PER.

10 We have looked at PER-17, which is  
11 entitled "ANL Internal Dose Records." There  
12 are six cases that have been chosen for audit  
13 in that PER, and it's in progress. PER-18 is  
14 the Los Alamos external TBD, rev. 1. There  
15 are five findings there. And they have been  
16 transferred to the LANL Work Group to resolve.

17 PER-20 is a Blockson TBD revision.  
18 Right now NIOSH is providing data on the  
19 number of cases that are available, the PER  
20 findings, number 3. And they are closed right  
21 now.

22 This leads us into the OCAS

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1 Technical Information Bulletins, the OTIBs,  
2 that we work with on a continuing basis. Give  
3 me just a moment here. I'm going to go to the  
4 other -- I think I'm going to go to the  
5 OTIB-52 process that you have there. Oh, I'm  
6 going to do something fancy here. Here we go.

7 I am relying on the fact that you  
8 have already read this. So I am not going to  
9 really and truly go through it step by step  
10 the way one normally does when you are  
11 providing a procedure, when you are reviewing  
12 a procedure, because truthfully, as I  
13 mentioned to begin with, our contractor is  
14 much more detail-oriented than I and did an  
15 extremely thorough job in providing you the  
16 information that we have looked at with  
17 OTIB-52.

18 So, very quickly, this is  
19 parameters to consider when processing claims  
20 for construction trade workers. It's a result  
21 of the PER-14 revisions that have been made.  
22 And the summary is given for you in quite good

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1 detail. It's basically the assertion that  
2 because construction trade workers are  
3 different than other workers at the site  
4 because the exposure data that we have for  
5 other workers cannot always be applied  
6 directly to construction workers because of  
7 the way they move around and because of the  
8 variance of the type of work that they  
9 actually do.

10 The timeline is very  
11 straightforward. We have been working on this  
12 since 2006. And because of the involved  
13 nature of the dose reconstructions that we  
14 have to deal with, we want to be as thorough  
15 as possible. All of the entities involved are  
16 trying to work this so that it is as accurate  
17 and as claimant-friendly as we can make it.

18 We have used the OTIB to calculate  
19 the worker doses. And we have a great deal of  
20 data from all of the major sites, not  
21 necessarily the AWEs but most of the major  
22 sites have extensive information from

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1 non-construction workers, which have been used  
2 to assess how construction worker claims will  
3 be addressed.

4           There is the methodology, very  
5 quick review. The review findings were  
6 numerous, as you can see. We had a total of  
7 16. And, of those, we're looking at only two  
8 of the findings. You're welcome to look these  
9 up on our database, which we call the SRB.  
10 And you know how to find it, I hope.

11           We didn't have a very good  
12 instruction session the last time I spoke to  
13 you. We made an effort to do that. And I am  
14 unsure of exactly how comfortable you are with  
15 using that database, but I hope I can  
16 encourage you to go to it and seek the details  
17 of each one of these findings and how they  
18 were addressed. We'll touch only on two here,  
19 one being finding 5. The finding was that  
20 plutonium and uranium were used to compare  
21 internal construction trade workers to AMW  
22 doses and what do other radionuclides do to

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1 the dose reconstruction for these specific  
2 workers.

3 Plutonium was used as the standard  
4 for internal doses at three of the sites, but  
5 no documentation was found in this particular  
6 OTIB to begin with or its supporting documents  
7 to demonstrate that using uranium and  
8 plutonium was the proper standard for  
9 claimant-favorable dose reconstruction with  
10 respect to other nuclides. So NIOSH  
11 constructed the finding and reply.

12 And, as you can see, there were  
13 questions outstanding from SC&A. And the  
14 final resolution is limitation on rev. 1 for  
15 the use of internal dose reconstruction  
16 portions of OTIB-52.

17 Intakes of less common  
18 radionuclides, those other than uranium or  
19 plutonium, are not assessed. You should see  
20 the Technical Basis Document for the  
21 information about less common radionuclides.  
22 SC&A has agreed that that approach is

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1 acceptable. And we have concurred, and we  
2 have closed that finding.

3 SC&A is also suggesting that a PER  
4 is developed to determine if any construction  
5 trade workers, internal doses from those  
6 unusual nuclides, including tritium, had been  
7 constructed in the past by OTIB-0052 between  
8 the 2 revisions that have been reviewed.

9 Finding 1 question was addressing  
10 the differences in doses received by different  
11 construction occupations, as you can well  
12 imagine without even thinking about it as  
13 obvious to us, that the occupations would be  
14 subjected to varying kinds of exposures  
15 depending largely on where they were and what  
16 kind of specialty they were involved in.

17 The table is fairly extensive. I  
18 think you can see how it's being handled, how  
19 it's proposed to be handled. And we'll see  
20 that the coverage goes extensively.

21 NIOSH originally said, I believe,  
22 the goal of favorable treatment has been

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1 achieved by assigning doses that were among  
2 the very highest. And SC&A had further  
3 questions to that. It was resolved in the  
4 Subcommittee with routinely exposed workers.  
5 That is, those who probably should have been  
6 monitored would have received the 95th  
7 percentile of dose with the application  
8 determining what their reconstruction would  
9 be.

10 Certain construction trades, like  
11 the pipefitters, probably received higher  
12 exposures than general construction workers.  
13 And so they might fall into the category  
14 that's being covered by this resolution.

15 And at this moment, that finding  
16 is closed. SC&A did recommend that a PER be  
17 developed to determine if pipefitters who had  
18 their doses constructed between the two  
19 revisions have been properly addressed.

20 And, as I said earlier, if you  
21 want to see the current status of the other  
22 findings, please feel free to go to the

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1 database. And you can expand the statement  
2 that's made in the database by clicking the  
3 plus sign in the lower left-hand corner of  
4 your screen. When you're looking at any given  
5 finding, it will give you a blow-by-blow  
6 response to where we have gone in our  
7 deliberations of each of those findings.

8 I am available for questions,  
9 though I don't know whether I -- fortunately,  
10 we have our SC&A expert here with us to  
11 address any specific questions that you might  
12 have if I can't answer them for you. Anyone  
13 who has any suggestion, comment, question?

14 CHAIRMAN MELIUS: Yes, Dave?

15 MEMBER KOTELCHUCK: Where is the  
16 construction trades' data from? What groups?  
17 These are experimental for some workers? No.  
18 That was the previous one. Yes. Where was  
19 that data from?

20 MEMBER MUNN: Where is this data  
21 from?

22 MEMBER KOTELCHUCK: Yes. Is this

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1 -- oh, SRS construction trades.

2 MEMBER MUNN: Yes.

3 MEMBER KOTELCHUCK: Okay. Thank  
4 you.

5 MEMBER MUNN: The Savannah River

6 --

7 MEMBER KOTELCHUCK: Yes.

8 MEMBER MUNN: -- data. Anyone  
9 else? Do you want to stay and talk about this  
10 or do you want to go home?

11 CHAIRMAN MELIUS: I think the real  
12 question here is the Board has never reviewed  
13 and approved any recommendation from the  
14 Procedures Review Subcommittee. That  
15 Subcommittee has been operating without -- I  
16 mean, Wanda has been -- the Committee has been  
17 reporting back to the Board, but most of that  
18 has been, you know, sort of procedural,  
19 numbers and without any presentation of  
20 actually what was going on with those  
21 procedures. That information has been made  
22 available to us. And, you know, some of that

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1 is because of simply time constraints on what  
2 the Board could do given all of the other work  
3 that we had.

4 And I think the question I put to  
5 the Board Members is, do we want to actively  
6 review at least key procedures and review the  
7 resolutions that are made by the Subcommittee  
8 or do we want to basically delegate all of  
9 those decisions to the Subcommittee knowing  
10 that -- and I'm not being critical of the  
11 Subcommittee, but the question is, do we want  
12 to continue to just turn everything over to  
13 them or do we want to, at least on procedures  
14 that cut across, you know, sites and are  
15 critical for dose reconstruction on many  
16 workers, do we want more input and more time  
17 on sort of how those decisions are made and  
18 basically more knowledge of that?

19 Now, I don't think it's quite  
20 fair, Wanda, to say that everybody had plenty  
21 of time. I received OTIB-52 presentation at  
22 4:45 on Friday of last week. And so it's

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1 hardly enough time to prepare and get ready  
2 for this meeting. I don't think it's fair to  
3 expect all of the Board Members to be fully  
4 prepared to answer questions.

5           And I think we need to work out,  
6 one, whether we want to go into more detail;  
7 and, secondly, if we do want to go into more  
8 detail and do more review, what's the best  
9 procedure for doing that. What Ted and I  
10 thought, at least as a start, was to have a  
11 more detailed presentation from SC&A on their  
12 review and on the process.

13           Obviously if we're going to do  
14 that, we need to give the Board Members more  
15 time to, you know, familiarize yourselves.  
16 These are long procedures. The resolution  
17 process, as with other SEC and Site Profile  
18 issues, takes a considerable amount of time  
19 and effort. And we need to become familiar  
20 with it and identify key issues. It does take  
21 some time and effort.

22           And there are different ways we

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1 can approach this. We can do this in more  
2 than one step. We can do it in -- and, again,  
3 I don't think you necessarily would need to  
4 apply it to every procedure, but when we set  
5 up the Procedure Subcommittee, much like when  
6 we set up the Dose Reconstruction  
7 Subcommittee, the Board is not delegating to  
8 that Subcommittee authority to approve on our  
9 behalf.

10 And it may be strong to say we  
11 have been neglectful, but I think we need to  
12 decide now that maybe we have a little bit  
13 more time to do this and the Procedures  
14 Subcommittee has done a good job of organizing  
15 a tool that we can use to identify procedures  
16 and follow the review process.

17 So I guess I'd like to have some  
18 input from other Board Members on what you  
19 think about that and how you would like to go  
20 about doing this. And we don't need to  
21 resolve that right now, but --

22 MEMBER MUNN: Your comments are

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1 certainly well-received, Dr. Melius. And I  
2 would be very appreciative of feedback from  
3 the Board as well exactly how involved in this  
4 deliberative activity you want to be.  
5 Certainly it is within the realm of  
6 possibility that I can bring to you at each  
7 meeting the individual finding items that we  
8 have closed, for example, or that we have  
9 resolved during the preceding meetings without  
10 any great stress or strain.

11 As Dr. Melius has pointed out,  
12 this would be a fairly time-consuming activity  
13 for the Board as a whole. And getting you the  
14 information that you would perhaps want to  
15 have in advance might not be a simple task  
16 either. But somewhere between making all of  
17 these decisions yourselves and not knowing  
18 until long after they're done that they were  
19 closed would hopefully be a happy medium that  
20 would satisfy any desires of Board Members to  
21 be more involved in this process and our need  
22 to keep it enough streamlined that the

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1 Subcommittee can be expected to resolve most  
2 of these issues for you.

3 Any feedback would certainly be  
4 greatly appreciated.

5 CHAIRMAN MELIUS: Yes, Paul?

6 MEMBER ZIEMER: Well, I am on the  
7 Subcommittee. So I have a fairly good feel  
8 for the volume of items that are involved.  
9 And it seems to me that it wouldn't be very  
10 productive to bring all of the findings back  
11 to this Board. But we need to think about  
12 ways to identify significant issues.

13 And I think OTIB-0052 is one that  
14 we might think of as pretty cross-cutting and  
15 one that would be of significant interest to  
16 all Board Members. I think there are other  
17 procedures that we would look at that are a  
18 little more routine and I think we can be  
19 fairly confident or at least comfortable in  
20 letting the Subcommittee handle those and  
21 simply report out that these have been closed.

22 There's always the opportunity if

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1 someone is uncomfortable with that to raise an  
2 issue, but we might want you to identify. And  
3 maybe the Subcommittee itself could take a  
4 first cut and say, "Here are the significant  
5 procedures that we think the Board ought to  
6 take a look at" or the Board could do that  
7 itself. But we need a starting list, I think,  
8 of some sort.

9 It seems to me that it would make  
10 sense to ask the Subcommittee to do that at  
11 the front end as a starting place and go from  
12 there, but I think it would not be productive  
13 for this Board to try to review all of the  
14 findings of all of the procedures.

15 MEMBER MUNN: Well, adding on to  
16 what Paul had to say, our tool is available to  
17 us for making some of those decisions, I  
18 think. It is a fairly easy task for all of us  
19 to pull up the BRS. And if we go through the  
20 BRS visually, it should be easier for the  
21 Board Members to identify the procedures with  
22 which they have some close connection or some

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1 close concern. And we could work with the  
2 Subcommittee's normal process to try to flag  
3 those in some way so that whenever we take  
4 action on one of the findings, we could bring  
5 that to you.

6 But I certainly agree with Paul's  
7 suggestion that perhaps it will be beneficial  
8 for the Subcommittee to take the first cut if  
9 that's the Board's desire.

10 CHAIRMAN MELIUS: And probably a  
11 better alternative is to be selective than to  
12 try to schedule a 60-day Board meeting. If we  
13 select the location, then maybe we could do  
14 it.

15 MEMBER MUNN: You can come to  
16 Hanford.

17 CHAIRMAN MELIUS: I wasn't  
18 thinking of Hanford. But I won't say where I  
19 was thinking of on the record. We'll get in  
20 trouble someplace.

21 The other criterion I think I  
22 would suggest is this difficulty resolving a

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1 procedure, where within the Work Group or  
2 between SC&A and NIOSH, the Work Group, that  
3 dynamic, where it's just hard to make a final  
4 recommendation or certain and where Board  
5 input might be helpful, similarly to what we  
6 do with SECs and occasionally with Site  
7 Profile issues. It's hard to resolve. Let's  
8 bring it back. Now, again, it ought to also  
9 take into account that it's an important  
10 procedure and it's a significant issue.

11 Other Board Members have  
12 suggestions or input? Henry?

13 MEMBER ANDERSON: Yes. I think  
14 that sounds like a good -- I mean, there's  
15 been a lot of review that's gone on. And I  
16 think it's important to review them. Every  
17 review doesn't result in an overly strong set  
18 of changes that may impact how the procedures  
19 are applied, but it is good that somebody has  
20 looked at them to kind of validate that they  
21 seem appropriate if there are significant -- I  
22 think this one is one that one could see how

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1 this might make an impact moving forward or  
2 might have impacted changes in awards in the  
3 past.

4 So I would ask the Committee. I  
5 would agree. Have the Committee take a look  
6 at them, prioritize some to bring here. And  
7 then, you know, make a recommendation if  
8 you're proposing changes. And those changes  
9 ought not just be filed, but we ought to look  
10 at and agree with them all.

11 CHAIRMAN MELIUS: Anybody else  
12 agree/disagree? Brad?

13 MEMBER CLAWSON: I agree with  
14 that. I guess one of my things is as a Work  
15 Group Chair, I have seen a lot of our stuff go  
16 to the procedures group. And I know it falls  
17 on, really, for me to dig through and see how  
18 it's affected, but I want to make sure that  
19 the procedures group, you know, goes through  
20 it first. I'd kind of like to see how it's  
21 going to play out into the sites that I was  
22 responsible for participating in because --

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1                   MEMBER MUNN:    I can't quite hear  
2                   you, Brad.

3                   MEMBER CLAWSON:  I would just like  
4                   to be a part of after the procedures group has  
5                   gone through, you know, the review process or  
6                   whatever because I want to see how it is going  
7                   to affect the site that --

8                   MEMBER MUNN:    Yes.

9                   MEMBER    CLAWSON:       --    and    the  
10                  process that way.  That is my only thing.  I  
11                  have seen so many of them go to the procedures  
12                  group, you know.  And we laugh.  And it is an  
13                  overwhelming task to be able to go through a  
14                  lot of these and to be able to take them, but  
15                  I still wanted to follow it to a point  
16                  through, too.

17                  MEMBER    MUNN:        You understand,  
18                  Brad, that in most cases where our procedures  
19                  are -- that we have under review are directly  
20                  related to a specific site.  That it's our  
21                  normal process to refer them to the Work Group  
22                  for that site for resolution.

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1           And the other point that I perhaps  
2 need to make again is that what we try to do  
3 in the Subcommittee, what we have historically  
4 tried to do is to spend most of our time and  
5 energy addressing the technical issues. And  
6 we try to administer the exchange of ideas  
7 that go back and forth between our contractor  
8 and our agency in an attempt to specifically  
9 resolve the technical material that really  
10 gets down in the weeds quite often. We may  
11 have changed our attitude about those things  
12 in the past.

13           It's been I think the position of  
14 the Board -- it certainly was originally --  
15 that these, most of these, items were so  
16 technical in nature that the Board Members  
17 individually may not have the kind of  
18 expertise to be able to address them and  
19 comprehend all of the minute details that are  
20 involved. And that's the reason that we have  
21 our technical contractor looking at them. But  
22 certainly those that are not being resolved on

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1 a technical basis are usually administrative  
2 in nature.

3 It's, as I said, wonderful to get  
4 feedback from you folks as to exactly how  
5 detailed you want it to be. I don't know that  
6 I interpreted Brad's comments correctly. If  
7 you're saying that issues that involve any  
8 site in addition to being referred to the  
9 site-specific Work Group should come to the  
10 Board, I get -- well, we can talk about  
11 offline how you see that process flowing in  
12 your mind, what you would like to see brought  
13 to you. That's what I really want to hear  
14 back from you, is specifically what you would  
15 like to have brought to you.

16 CHAIRMAN MELIUS: And I would just  
17 add I think we have some similar issues with  
18 Site Profile reviews that need to come to the  
19 Board also. We have done that selectively but  
20 do that and how we resolve when they sort of  
21 overlap. But all of these issues are going to  
22 overlap. You know that. What we deal with in

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1 an SEC and dose reconstruction review and  
2 procedures and Site Profile reviews are all  
3 part and parcel of the same approach to dose  
4 reconstruction.

5 MEMBER MUNN: Inextricably  
6 related.

7 CHAIRMAN MELIUS: Yes, yes. So if  
8 I understand the consensus of the Board here,  
9 what everyone is thinking or saying is that --  
10 I'm not sure I understand what you all think,  
11 probably don't want to know -- is that we will  
12 put this on as a specific agenda item. So  
13 we'll set aside a specific amount of time next  
14 time, so not just do it, you know, as part of  
15 the Work Group/Subcommittee reports.

16 So we'll set aside a significant  
17 amount of time for that for two things. One  
18 is the Subcommittee to come back with a set of  
19 recommendations on sort of ten procedures or  
20 whatever is appropriate as priorities for full  
21 Board consideration.

22 And, secondly, I would suggest

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1 that we also continue with the OTIB-52. Then  
2 let's use that as an example. It's a  
3 complicated one. There are a lot of issues,  
4 too. And it's an important one that keeps  
5 coming up. We're wrestling with it in some  
6 ways with Fernald, SRS, and other sites also  
7 in terms of its implications for SEC  
8 decisions. So we'll set aside time for that.

9 It will be on the agenda. And  
10 there is going to be an expectation that  
11 people not only look at the PowerPoint, which  
12 I'm sure will get changed again because they  
13 always do, before the next meeting but also  
14 look at the actual procedure reviews. There's  
15 some of that information also, particularly if  
16 you have concerns or questions about a  
17 particular issue.

18 So is that satisfactory to do  
19 that? Okay. And thank you very much, Wanda,  
20 for --

21 MEMBER MUNN: You are most  
22 welcome.

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1                   CHAIRMAN MELIUS:    -- putting up  
2 with some of this confusion.

3                   MEMBER MUNN:       We'll expect next  
4 time to bring you both a list of -- at the  
5 very least a list of recommendations from the  
6 Subcommittee with respect to material that we  
7 believe you would want to see. And we expect  
8 that to be augmented by your instruction on  
9 what you want to see as well. Thank you.

10                  CHAIRMAN MELIUS:       Thank you,  
11 Wanda. Okay. We have, really, one other, two  
12 other letters to go through. And I just want  
13 to -- before I do that, I want to talk about  
14 the next meeting. If I understand where we  
15 were with LaVon in terms of expected reports,  
16 it's not to expect a lot.

17                  So I think we can plan on probably  
18 a maximum of a two-day meeting in Augusta.  
19 And I would again start the week at the  
20 beginning. Twelfth and 13th? Is that?

21                  (No response.)

22                  CHAIRMAN MELIUS:    I don't remember

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1 when we set up this meeting if anybody had  
2 conflicts on the 12th or the 13th, but it  
3 would be better for people. If not, if there  
4 aren't any, then let's assume that the 12th  
5 and 13th will be the dates for the meeting now  
6 unless Ted and Zaida run into trouble getting  
7 a hotel or something, but I wouldn't expect  
8 it.

9 Yes? The lawyers? Twelfth and  
10 13th, March. The annual ethics training is  
11 what, an hour?

12 MR. KATZ: Yes.

13 CHAIRMAN MELIUS: Fifteen minutes?

14 MR. KATZ: Yes. We will plan on  
15 an hour. And we'll just do it --

16 CHAIRMAN MELIUS: Okay. Okay.

17 MR. KATZ: -- in advance of the  
18 full meeting, welcome part of the meeting.

19 CHAIRMAN MELIUS: Okay. Okay.  
20 We'll fit it in, all five minutes of it,  
21 right? We can do that. No. We don't want to  
22 upset the lawyers, full hour. We'll sit there

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1 in rapt attention. Fourteenth is clear. Can  
2 you circulate that to people who aren't here?

3 MR. KATZ: Circulate?

4 CHAIRMAN MELIUS: The timing.

5 MR. KATZ: So we prefer the 13th  
6 and 14th? Is that what you're saying? Oh,  
7 no. Twelfth and 13th. Yes.

8 CHAIRMAN MELIUS: The 14th is now  
9 clear. They can pull it off their calendars.

10 MR. KATZ: Right. Okay. Exactly.  
11 Okay. Thanks.

12 CHAIRMAN MELIUS: Okay. Bear with  
13 me. Now I'll start with Battelle. "The  
14 Advisory Board on Radiation and Worker Health,  
15 the Board, has evaluated Special Exposure  
16 Cohort petition 00208 concerning workers at  
17 the Battelle Laboratories' King Avenue  
18 facility, Columbus, Ohio under the statutory  
19 requirements established by the Energy  
20 Employees Occupational Illness Compensation  
21 Program Act of 2000, incorporated into 42 CFR  
22 83.13.

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1           "The Board respectfully recommends  
2           that SEC status be accorded to 'All atomic  
3           weapons employees who worked at the King  
4           Avenue facility owned by Battelle Laboratories  
5           in Columbus, Ohio during the period from April  
6           16th, 1943 through June 30th, 1956 for a  
7           number of workdays aggregating at least 250  
8           workdays occurring either solely under this  
9           employment or in combination with workdays  
10          within the parameters established for one or  
11          more other Classes of employees included in  
12          the Special Exposure Cohort.'

13                 "This recommendation is based on  
14                 the following factors. Individuals employed  
15                 at the King Avenue facility worked on a number  
16                 of projects related to the development of  
17                 nuclear weapons.

18                 "Two, the National Institute for  
19                 Occupational Safety and Health, NIOSH, review  
20                 of available monitoring data as well as  
21                 available process and source term information  
22                 for this facility found that NIOSH lacks the

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1 sufficient information necessary to complete  
2 individual dose reconstructions with  
3 sufficient accuracy for internal radiological  
4 exposures from thorium, uranium, or their  
5 progeny to which these workers may have been  
6 subjected during the time period in question.

7 The Board concurs with this determination.

8 "Three, NIOSH determined that the  
9 health may have been endangered for these  
10 Battelle King Avenue facility employees during  
11 the time period in question. The Board also  
12 concurs with this determination.

13 "Based on these considerations and  
14 discussion at the December 11th to 12th, 2012  
15 Board meeting held in Knoxville, Tennessee,  
16 the Board recommends that this Class be added  
17 to the SEC.

18 "Enclosed is the documentation  
19 from the Board meeting where this SEC Class  
20 was discussed. This documentation includes  
21 copies of the petition, the NIOSH review  
22 thereof, and related materials. If any of

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1 these items are unavailable at this time, they  
2 will follow shortly."

3 Any comments, questions,  
4 confusion? Yes?

5 MEMBER ZIEMER: I hate to  
6 wordsmith too much because we have standard  
7 boilerplate that we have been using over and  
8 over, but I finally noticed in the second  
9 bullet, we have "sufficient information" and  
10 "sufficient accuracy."

11 I really believe the first  
12 "sufficient" is superfluous. We lack the  
13 information is my view of it. I don't know  
14 how others feel, but the two "sufficients"  
15 sounds awkward. And I don't think it's needed  
16 on the information part unless the attorneys  
17 think we do.

18 CHAIRMAN MELIUS: No, no. I will  
19 tell you it snuck through in an earlier  
20 letter. But I agree with you also. Okay.

21 Next, "The Advisory Board on  
22 Radiation and Worker Health, the Board, has

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1 evaluated Special Exposure Cohort (SEC)  
2 petition 00200 concerning the workers at the  
3 Joslyn Manufacturing Supply Company in Fort  
4 Wayne, Indiana under the statutory  
5 requirements established by the Energy  
6 Employees Occupational Illness Compensation  
7 Program Act of 2000, incorporated into 42 CFR  
8 83.13.

9 "The Board respectfully recommends  
10 that SEC status be accorded to 'All atomic  
11 weapon employees who worked for Joslyn  
12 Manufacturing Supply Company at the covered  
13 facility in Fort Wayne, Indiana from March  
14 1st, 1943 through December 31st, 1947 for a  
15 number of workdays aggregating at least 250  
16 workdays occurring either solely under this  
17 employment or in combination with the workdays  
18 within the parameters established for one or  
19 more other Classes of employees included in  
20 the Special Exposure Cohort.'

21 "The recommendation is based on  
22 the following factors. Individuals employed

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1 at the Joslyn Manufacturing Supply Company  
2 worked on a number of projects related to the  
3 manufacture and development of nuclear  
4 weapons.

5 "Two, the National Institute for  
6 Occupational Safety and Health, NIOSH, review  
7 of available monitoring data as well as  
8 available process and source term information  
9 for this facility found that NIOSH lacked the  
10 information necessary to complete individual  
11 dose reconstructions with sufficient accuracy  
12 for internal radiological exposures from  
13 thorium, uranium, or their progeny to which  
14 these workers may have been subjected during  
15 the time period in question. The Board  
16 concurs with this determination.

17 "Three, NIOSH determined that the  
18 health may have been endangered for these  
19 Joslyn Manufacturing Supply Company employees  
20 during the time period in question. The Board  
21 also concurs with this determination.

22 "Based on these considerations and

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1 discussion at the December 11th to 12th, 2012  
2 Board meeting held in Knoxville, Tennessee,  
3 the Board recommends that this Class be added  
4 to the SEC.

5 "Enclosed is the documentation  
6 from the Board meeting where this SEC Class  
7 was discussed. This documentation includes  
8 copies of the petition, the NIOSH review  
9 thereof, and related materials. If any of  
10 these items are unavailable at this time, they  
11 will follow shortly."

12 And I dropped the first  
13 "sufficient" from the written version. Any  
14 questions or comments to that? I guess I  
15 would ask you that when the Department of  
16 Labor or our lawyers, when they review this,  
17 it's sort of a new wording where we've added  
18 "covered facility." If that causes a problem,  
19 it could be reworded. I wouldn't be  
20 surprised.

21 Yes, Dave?

22 MEMBER KOTELCHUCK: Well, if we

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1 aren't going to wordsmith, thorium in the  
2 thing, "thorium, uranium, or their progeny,"  
3 if you don't have thorium or uranium, you  
4 don't have progeny. So that actually should  
5 be "thorium and/or uranium and their progeny."  
6 That is, there has to be thorium or uranium.  
7 "Thorium and/or uranium and their progeny."

8 CHAIRMAN MELIUS: We will see if  
9 NIOSH accepts that.

10 MEMBER KOTELCHUCK: Okay.

11 CHAIRMAN MELIUS: It has been  
12 their wording for several letters.

13 MEMBER KOTELCHUCK: Yes, but I  
14 think it is logically not correct.

15 CHAIRMAN MELIUS: I don't  
16 disagree. I am just telling you.

17 Okay. Anything else? Any other  
18 business? Wanda?

19 MEMBER MUNN: I was just going to  
20 comment that when you start looking at the  
21 simplistic language that we were attempting to  
22 change with respect to identifying ownership,

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1 you develop a real appreciation for what a  
2 rat's nest that can be. If I read our current  
3 statement here, the use of the word "for" gets  
4 us back into the ownership issue.

5 CHAIRMAN MELIUS: Yes.

6 MEMBER MUNN: And the question  
7 that you think when you see this is -- it's  
8 not applicable in this case since Joslyn did  
9 own the place through the entire period. If  
10 that were not the case, then we would -- or  
11 if, for any reason, people were there who were  
12 not specifically employed by Joslyn, but were,  
13 nevertheless, exposed, it is an issue. So I  
14 appreciate the comment that the wording is  
15 likely to change.

16 CHAIRMAN MELIUS: I agree. Yes.  
17 We've never used "covered facility" language  
18 before. So it's a little tricky.

19 MEMBER MUNN: Yes. It is.

20 CHAIRMAN MELIUS: And if they're  
21 not employed by Joslyn, they're not eligible.

22 Let's let them work it out with DOL --

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1 MEMBER MUNN: Yes.

2 CHAIRMAN MELIUS: -- in terms of  
3 what the recommendation is. Our attempts to  
4 do it in these meetings are not always very  
5 successful because we don't have all the  
6 information, but it's a good point.

7 Okay. If there is no further  
8 business, comments, we are adjourned. See you  
9 all in Augusta and on the phone.

10 MR. KATZ: Thank you, everybody.

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

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