

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

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ADVISORY BOARD ON RADIATION AND  
WORKER HEALTH

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IDAHO NATIONAL LABORATORY WORK GROUP

+ + + + +

FRIDAY  
JANUARY 15, 2016

+ + + + +

The Work Group convened via teleconference at 10:30 a.m., Eastern Time, Josie Beach, Acting Chair, presiding.

PRESENT:

- JOSIE BEACH, Acting Chair
- JAMES M. MELIUS, Member
- DAVID RICHARDSON, Member
- GENEVIEVE S. ROESSLER, Member

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## ALSO PRESENT:

TED KATZ, Designated Federal Official  
NANCY ADAMS, NIOSH Contractor  
BOB BARTON, SC&A  
RON BUCHANAN, SC&A  
JOE FITZGERALD, SC&A  
LARA HUGHES, DCAS  
JENNY LIN, HHS  
JOHN MAURO, SC&A  
JIM NETON, DCAS  
STEVE OSTROW, SC&A  
JOHN STIVER, SC&A  
TIM TAULBEE, DCAS

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

2 10:31 a.m.

3 MR. KATZ: So, let's do roll call. Let  
4 me note for everybody Josie is chairing today  
5 because Phil is not feeling so well. He may or may  
6 not be on the line. But Josie was gracious enough  
7 to say she'd handle managing the meeting which is  
8 great. So thank you for that, Josie.

9 So, we're speaking about a specific  
10 site so please speak to conflict of interest as we  
11 run through the roll call. And we'll begin with  
12 Board Members beginning with our Chair.

13 (Roll call)

14 MR. KATZ: Okay, and we've heard from  
15 at least one petitioner representative that he  
16 wasn't going to be able to make it although he sent  
17 in some comments which I'll register when we get  
18 to the comments.

19 But do we have any other petitioner or  
20 members of the public who want to register their  
21 attendance?

22 (No response)

23 MR. KATZ: Okay. Hearing none, let me

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1 just check again. Phil, have you joined us?

2 (No response)

3 MR. KATZ: Okay, I don't hear him. All  
4 right, the agenda for the meeting is posted. No  
5 other materials are posted, but materials have been  
6 sent to the petitioners.

7 And Josie, it's your meeting.

8 ACTING CHAIR BEACH: Okay, thank you  
9 very much and good morning, everyone.

10 So, we do have a report that was sent  
11 out on January 13 from NIOSH. We'll be starting  
12 with that report.

13 We also have a report from SC&A sent out  
14 I believe this week, also early this week.

15 And the petitioners did send an email  
16 out. Everybody should have that, the one that Ted  
17 is going to read later on.

18 And I think Tim sent out an email this  
19 morning. Is that the one you were referring to,  
20 Tim, that gave us the case numbers so we could  
21 correlate them a little easier between NIOSH and  
22 SC&A?

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1           **Update on DCAS Special Exposure Cohort**

2                   DR. TAULBEE:    So, that was just one  
3 piece of it.

4                   And then I had a table for -- regarding  
5 SC&A's observation number 1 that we can discuss at  
6 that time.

7                   ACTING CHAIR BEACH:   Okay, perfect.  
8 So those should be all the documents.

9                   And Tim, I'm going to go ahead and start  
10 with your update if you're ready to do that.

11                   DR. TAULBEE:    Certainly I can do that.  
12 What I was planning on doing here from I guess a  
13 presentation or discussion standpoint was to kind  
14 of fill you in on what we found in reviewing these  
15 18 cases and our conclusion.

16                   I wasn't going to go through every  
17 single one of them.   I was hoping that I would make  
18 mine a little abbreviated and then we could get into  
19 more details with what SC&A, their observations.

20                   And my reasoning for this is that many  
21 of these cases we agree on.   And so I didn't feel  
22 that it would be beneficial to go through all of  
23 that, if you're in agreement with that, Josie?

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1                   ACTING CHAIR BEACH: I absolutely am.  
2                   Is everybody else also in agreement?

3                   MEMBER ROESSLER: In agreement.

4                   MEMBER MELIUS: Yes, fine, go ahead.

5                   DR. TAULBEE: Okay. All right, thank  
6                   you.

7                   Well then where I want to I guess in a  
8                   sense start with this is our Table 1 which is on  
9                   page 4 where we went down and basically discussed  
10                  all of the 18 in a summary.

11                  And this is different than the report  
12                  that we sent out last week, our interim report,  
13                  where we needed to do some follow-up.

14                  And really the follow-up is what I  
15                  wanted to focus on, this particular -- in the  
16                  beginning here. Because it is relevant to SC&A  
17                  observations 2 and 3 primarily.

18                  ACTING CHAIR BEACH: I'm getting a lot  
19                  of static --

20                  (Telephonic interference)

21                  DR. TAULBEE: Are you getting a lot of  
22                  static from me?

23                  MR. KATZ: Yes. I'm not sure it's from

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1       you, Tim. But everyone else at least mute your  
2       phones and then.

3               Tim, are you working off of a normal  
4       phone?

5               DR. TAULBEE: I'm working on a  
6       speakerphone but is that any better? I just moved  
7       its location.

8               MR. KATZ: Let's see if everyone else  
9       -- has everyone else muted their -- well, they can't  
10      answer me. If everyone else is muted we'll see how  
11      it goes.

12              DR. TAULBEE: Okay. Well, I guess  
13      this is a test then. If this is still staticky let  
14      me know and I'll go --

15              ACTING CHAIR BEACH: Tim, it's  
16      working.

17              DR. TAULBEE: I'm sorry?

18              ACTING CHAIR BEACH: Whatever you did  
19      is working now.

20              DR. TAULBEE: Okay.

21              ACTING CHAIR BEACH: No static.

22              DR. TAULBEE: All right, good. Okay.

23      Well, then when we went through these 18 we ended

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1 up with three people that we needed to do additional  
2 follow-up on. Because we didn't quite understand,  
3 especially number 17 and 18 of our cases, where we  
4 had some individuals that had some bioassay and  
5 they had no external dosimetry reported by the  
6 site.

7 Based upon our review of procedures  
8 this shouldn't ever happen. There was one slight  
9 possibility in that the site did conduct some blank  
10 analysis, in that they took workers who were not  
11 exposed and conducted a bioassay on them.

12 And we thought number 17 fell into that  
13 category, but it turns out he did not, as a  
14 possibility of having bioassay with no external  
15 dosimetry having not gone into an area.

16 So, in this case, and this was  
17 discovered really the week of Christmas, the week  
18 before Christmas.

19 And then we were in discussion the week  
20 of Christmas with the site to try and get out there  
21 to try and resolve what was the issue here  
22 associated with how could we have somebody  
23 monitored via bioassay, and indicating CPP like

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1 number 18 was, and no external dosimetry records.

2 One of the things that we found in our  
3 review was, according to their procedures -- and  
4 now I'm drawing your attention to page 3 at the top  
5 where I've taken an excerpt of their dosimetry  
6 record-keeping.

7 And it indicates that if a visitor film  
8 had a positive dose, or an exposure, then this  
9 individual became a matter of record for the site.

10 And the master index was checked in the  
11 presence of an assigned health physics number.  
12 And if it was found then the necessary cards were  
13 prepared and this value was added to their dose of  
14 record.

15 And if no number was found then the new  
16 number was assigned to this individual.

17 We go onto say in the bottom half of that  
18 paragraph that approximately 98 percent of  
19 visitors received statistically zero exposures,  
20 and that these data appear only on the visitor list  
21 prepared at the time of the badge servicing.

22 These lists are retained indefinitely  
23 as well as the film in case any questions should

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1 arise at a later date.

2 Actually we're at a later date and we're  
3 asking questions about these visitor and temporary  
4 badge dosimeters. And so this is where we went  
5 back.

6 Now, if you recall, in April we went and  
7 captured all of the CPP temporary badge reports so  
8 that we had a comprehensive roster there for the  
9 site, for CPP.

10 We did not capture the temporary badge  
11 reports for all of the other areas - MTR, Test Area  
12 North, Central Facilities, auxiliary reactor  
13 areas, et cetera.

14 And so our goal going back last week to  
15 the site was to identify all these temporary badge  
16 reports.

17 Because what we were finding was when  
18 we went through the 18 there were certain people  
19 that we believed that they were monitored onsite,  
20 but the site wasn't reporting any dosimetry for  
21 them.

22 And the only way to really verify that  
23 they were monitored was to go to these temporary

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1 badge reports based upon this paragraph that we  
2 found in this Idaho report 12056.

3 And the second purpose was to do the  
4 follow-up on these three cases which were 7, 17 and  
5 18 by our numbers, and particularly 17 and 18 where  
6 we had some bioassay, to see if they appeared on  
7 any temporary badge reports at other areas  
8 indicating that they were monitored.

9 And what we found with number 18 was he  
10 was monitored via bioassay at CPP in June of 1970.

11 In scanning these records, or looking  
12 through them, and there's two types. One is the  
13 temporary badge reports that you commonly see.  
14 And the other are visitor insert cards which when  
15 you look at an individual claimant's files you'll  
16 see some of these temporary cards that are really  
17 small.

18 They're like 1 and a half inch by 2 inch  
19 cards that list their name, their location, their  
20 company, the dates that they wore this badge. When  
21 you flip the card over the dose is on the back.

22 And so what we were looking for was in  
23 particular individual number 18. And so we found

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1 a box of these cards.

2 Now, most of these cards have already  
3 been scanned and indexed. One of the first boxes  
4 we opened up had not been scanned and indexed. And  
5 that was probably in the CPP era from 1969 through  
6 I believe August of 1973.

7 So, fortunately these cards were in  
8 somewhat chronological order. I won't say exactly  
9 chronologic because you have to go up a few months  
10 or back a few months. But in general they were in  
11 order and so we could start looking at the 1970.

12 And we quickly found three dosimeter  
13 badges from CPP for case number 18 here, clearly  
14 putting him in the SEC as eligible.

15 And so at that point we started to talk  
16 to DOE and were asking why weren't these cards part  
17 of the record.

18 Now, we knew because of the zero dose  
19 and the paragraph that I read to you earlier that  
20 they were not really considering them a matter of  
21 record, but they were retaining this information.

22 But in other cases these visitor cards  
23 have been indexed and we get those zero dosimetry

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1 readings for individuals.

2 They didn't have a real good answer as  
3 to why this box hadn't been scanned or indexed other  
4 than early on they were not indexing the zero  
5 dosimetry reports on these temporary badges.

6 Later on in their indexing series --  
7 this was going back 2004-2005 time frame when they  
8 were trying to pull all these records together and  
9 build their master database, they started to index  
10 the zeros as well.

11 And so this particular box, actually  
12 there was two boxes there, about 5,000 cards in each  
13 of the small boxes -- had not been indexed, had not  
14 been scanned or indexed. Which is how this  
15 individual was missed if you will from the  
16 dosimetry reporting.

17 It's not that he wasn't monitored, it's  
18 not that the cards are not available. It's that  
19 the cards have not been scanned or indexed.

20 Post-August 1973 time frame it appears  
21 as if all of those cards have been indexed.

22 We requested a copy of those electronic  
23 files. We haven't received them yet so that we can

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1 compare them against those particular indexes --  
2 or not indexes, the actual cards themselves.  
3 Because we found multiple boxes of these cards.

4 It's easy to tell whether they've been  
5 indexed or not. If they have been indexed there's  
6 a little wrapper around a band of cards, maybe 1  
7 inch stack of cards that will have a unique number.

8 You see these 30-XXX numbers within  
9 their reports. These are 50-XXX numbers. So it's  
10 easy to tell which ones should have been indexed  
11 and which ones have not.

12 We did look at the other CPP ones in the  
13 post August of '73 and we did find those boxes, and  
14 they appear to have all been indexed based upon the  
15 little bands around the card bunches.

16 So this was a problem that we identified  
17 and talked to DOE. And DOE has committed to  
18 indexing all of those individuals.

19 We have scanned them. We turned those  
20 files over to DOE so that they can begin indexing  
21 them.

22 While we are doing our close-out  
23 meeting with the site reps, both DOE as well as the

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1 contractor Battelle Energy Alliance, DOE brought  
2 in their health physicist as well and I could  
3 explain the situation to him.

4 And they were all in agreement that  
5 these really needed to be indexed, and should have  
6 been in the past but they had not been yet.

7 And so DOE asked the contractor for a  
8 cost estimate so that they could get funding  
9 authorized in order to do this work.

10 So that's the visitor insert cards  
11 related to case number 18.

12 Case number 17 was different. This  
13 wasn't a case of the visitor index cards. These  
14 were temporary badge reports.

15 And what was unique about this  
16 individual was he had bioassay in 1963 -- oh by the  
17 way, before I go on, are there any questions?

18 MR. BARTON: Yes, Tim, this policy of  
19 -- as you said, and was one of my main questions.  
20 Because I know I had seen these visitor -- they're  
21 like the size of a credit card or something like  
22 that, right?

23 And they have the zero written on the

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1 back. It kind of looks like a lower case sigma.

2 When did that policy start that they --  
3 or is it a universal policy that they would not I  
4 guess enter these into the main database, or assign  
5 a health physics number, or however they were  
6 missed. Is that restricted to a certain time  
7 period? Or was that kind of universal?

8 Because it seems like some of them were  
9 included in the original DOE files and then  
10 apparently some of them aren't like you discovered  
11 last week.

12 DR. TAULBEE: Right. It's actually  
13 not clear from the site from that standpoint.

14 If there was a page that had a positive  
15 dose on it by somebody else, then all of those names  
16 were entered. But there doesn't appear to be any  
17 consistent timeframe for this particular indexing  
18 that occurred. If an individual was on the  
19 temporary badge reports, then you may not see them,  
20 is what the bottom line was.

21 One of the interesting things, when we  
22 started going through the files we did find on there  
23 some of these 30-dash numbers that we would see in

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1 the file.

2 But as you're going through the entire  
3 stack you would see that all of the positive doses  
4 had been moved to the front of the stack. And that  
5 in the latter half were all of the zeros. So there  
6 was kind of a repeat, if you will, of the calendar  
7 year, because they are generally chronological.

8 And those didn't always appear in the  
9 back half of the electronic file, although they  
10 were present there in that particular folder within  
11 the box.

12 And so this is where we've talked to DOE  
13 and requested that they index all of these. And  
14 they're concurring that these all do need to be  
15 indexed. But there doesn't appear to be a  
16 timeframe of where this was going on.

17 The temporary badge reports and the  
18 index cards, we didn't really find any, I don't  
19 believe, post-1974 that appeared not to have been  
20 indexed yet. So I believe this only pertains to  
21 prior to '74, but I can't be sure of that until we  
22 get the records and compare them.

23 Does that answer your question, Bob?

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1           MR. BARTON: Sort of. I mean, this is  
2 a pretty complex thing, I guess, we're talking  
3 about here. I mean, we were talking about these  
4 visitor badges. And sometimes they're included,  
5 sometimes they're not. I mean, it was strange to  
6 me.

7           Because I remember, as I'm reading this  
8 and I'm seeing, okay, well, if they had zero then  
9 they weren't necessarily recorded in the master  
10 file, which makes sense as the site's operating.

11           But then I'm thinking, well, you know,  
12 in some of the claims we looked at they did have  
13 those visitor badges and some of them they didn't.

14           So I'm just trying to get my head around  
15 the extent of --

16           DR. TAULBEE: It is extensive. And if  
17 you recall, we captured all of the CPP temporary  
18 badge reports so that we could kind of define the  
19 Class and verify, well, at least what we thought  
20 was verified, that all of those records were  
21 available.

22           Which brings me to another point, here,  
23 associated with those temporary badge reports. As

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1 I indicated in one of the emails, we did not capture  
2 the other areas. We just captured CPP back in  
3 April in order to look at these.

4 So, when we were doing these claim  
5 evaluations we always had these CPP temporary badge  
6 reports available, but we didn't have the other  
7 ones to notice where a worker might also be if there  
8 was a discrepancy as to whether they were  
9 monitored.

10 MR. BARTON: So, an important  
11 distinction, I think, that the Work Group needs to  
12 understand, because, you know, both of us have been  
13 swimming through these kinds of records. There's  
14 a temporary badge report that's kind of a listing  
15 of a bunch of workers. And then there's a visitor  
16 card that is for an individual worker.

17 And what we have now is that the  
18 visitor, you know, card, we'll call it, if that was  
19 zero it was not always entered into a temporary  
20 badge report, which was a listing of all the,  
21 essentially, visitors at a specific location on  
22 that day, or that week, or whatever it is.

23 Is that correct?

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1 DR. TAULBEE: That's correct, let me  
2 say, sort of. From the standpoint of post-1969  
3 that appears to definitely be the case, that the  
4 temporary badge reports do not necessarily contain  
5 -- even the temporary badge reports for CPP do not  
6 necessarily contain all these visitor cards. So  
7 that aspect is correct.

8 In the earlier years, prior to like '69  
9 timeframe, they appear on both. The visitor cards  
10 that we could find, they also appear to be on the  
11 temporary badge reports where they were typed in,  
12 as well. So, it's a little bit of both across the  
13 era.

14 ACTING CHAIR BEACH: This is Josie.  
15 Tim, on page 13 of your report, talking about number  
16 7. And it says under your first paragraph, "Please  
17 note that cards from 1968 through 1972 were not  
18 reviewed." Can you just explain that briefly?

19 DR. TAULBEE: Oh, for this individual.  
20 Because there was no indication of employment  
21 during that time period for him.

22 ACTING CHAIR BEACH: So you just didn't  
23 bother to go through those cards. Is that right?

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1 DR. TAULBEE: Right. We scanned them,  
2 but we did not sort through them looking for this  
3 individual.

4 ACTING CHAIR BEACH: Okay. I just  
5 wanted to be clear on why you didn't look at those.  
6 Okay.

7 DR. TAULBEE: It was due to his  
8 employment period. That's all.

9 ACTING CHAIR BEACH: Okay.

10 DR. TAULBEE: Or at least his reported  
11 employment period, because there seems to be some  
12 discrepancies with that too.

13 ACTING CHAIR BEACH: -- to have a  
14 conflict, yes. Okay.

15 DR. TAULBEE: Okay. Well, let me  
16 continue on this temporary badge report  
17 discussion, here, because it really becomes  
18 evident in Case No. 17.

19 MEMBER RICHARDSON: Before we move on  
20 -- this is David Richardson.

21 DR. TAULBEE: Yes, sir.

22 MEMBER RICHARDSON: You're moving to a  
23 different case? Can I ask about this one still?

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1 DR. TAULBEE: Sure.

2 MEMBER RICHARDSON: Okay. So, you  
3 said that the temporary badge reports are being  
4 scanned. And I think -- did you refer to it as  
5 being indexed?

6 DR. TAULBEE: Yes.

7 MEMBER RICHARDSON: So, what does that  
8 mean?

9 DR. TAULBEE: Well, what happened when  
10 the site -- when this program first started, the  
11 site really did not have an electronic database  
12 other than annual doses. And we requested from all  
13 the sites all of the dosimetry readings, not just  
14 annual doses.

15 And so in order to do that they had to  
16 go back through their reports, their monthly  
17 reports, their weekly reports in the very early  
18 years, and they had to start indexing them.

19 And so what the site did -- these are  
20 the regular reports, not temporary badge reports.  
21 These are the regular reports. And so they set up  
22 a large number of data coders, indexers there in  
23 the facility. I want to say they had about 10

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1 people working at one time, going through and  
2 typing in all of the names and showing that this  
3 person has a record in this file on this page.

4 So, when they got through all of it, all  
5 of these monthly, weekly reports that they had,  
6 they had a large database. And that's what they  
7 use when they respond to claimant requests at this  
8 time.

9 They will go through, they will type in  
10 the person's name or badge number, and they will  
11 get multiple hits, and they will make  
12 determinations as to which ones are part of this  
13 person and which ones are not. Mostly it's due to  
14 name misspellings, that type of thing. It's  
15 pretty evident to see. But with the electronic  
16 records post-1958 it's pretty uniform as far as  
17 name spellings go.

18 And so that's the database that they  
19 pull up. Then they start opening up the files.  
20 They'll go to that page. They'll print out that  
21 page. And they send it to us as part of the file  
22 for dose reconstruction.

23 Does that make sense?

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1                   MEMBER RICHARDSON:    That part makes  
2                   sense, yeah.

3                   DR. TAULBEE:    Okay.  What they did not  
4                   enter into that index is these temporary badge  
5                   reports and these visitor insert cards from last  
6                   week.

7                   Let me clarify.  Those that were zero.  
8                   Okay?  The ones that had positive dose, those were  
9                   entered.  But the ones that were zero they did not  
10                  enter.  And so that is what we're asking them to  
11                  do at this time.

12                  And I think it'll become clearer on the  
13                  next case that I discuss as to why.

14                  MEMBER RICHARDSON:    Yeah, well, I  
15                  mean, I'm just looking at the reports.  Like with  
16                  the master file card you have the full last name,  
17                  the full first name, the first middle name if it  
18                  occurs.  You have an AAC number.  You have a date  
19                  of birth.  So you've got several things that allow  
20                  you to verify an individual as a unique person.

21                  DR. TAULBEE:    Right.

22                  MEMBER RICHARDSON:    And what's  
23                  described as the procedure is that a temporary

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1 badge number was assigned if it's not -- if the  
2 person doesn't have an assigned health physics  
3 number they're assigned this temporary badge  
4 number. If I'm understanding properly.

5 And so that's not a unique linkage to  
6 anything. So what you have is, as it appears on  
7 this form, is a last name, as you said, hopefully  
8 spelled correctly, and then sometimes one initial,  
9 and sometimes two initials.

10 So what becomes the thing to say that  
11 [identifying information redacted] is the same  
12 [identifying information redacted] on a work site  
13 that's that large and you don't have a date of birth  
14 or a unique employment number?

15 DR. TAULBEE: There's really nothing.  
16 It's the name, the company, and that's basically  
17 it. The date associated with the temporary badge  
18 report.

19 MEMBER RICHARDSON: So this person --  
20 I mean, I'm just playing the devil's advocate. This  
21 person said that they worked there in different  
22 years, but the fact that there's a [identifying  
23 information redacted] who appears for a four-day

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1 interval several days before, there's going to be  
2 the presumption that it's that person.

3 And the other way around. There may  
4 have been somebody whose name was [identifying  
5 information redacted] and first initial was B who  
6 did appear, but we're not sure it's that person  
7 because we don't have their date of birth, or an  
8 AAC number, or anything like that.

9 So, just for me to understand, the  
10 linkage of an individual on this badge report is  
11 very, very tenuous.

12 DR. TAULBEE: Yes.

13 MEMBER RICHARDSON: Okay. And the  
14 report that I'm looking at has a single day on it,  
15 4/28/61. And it seems to be reporting employment  
16 over a very short interval.

17 These were temporary badge reports that  
18 span one day. And it's not quite clear why some  
19 of them are logged on 4/24. Is there a temporary  
20 badge report issued day by day, or is it issued at  
21 the end of a week? What's the periodicity of these  
22 reports?

23 DR. TAULBEE: Basically, it depends

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1 upon the batch going along. You'll notice they're  
2 not all necessarily uniform as far as dates. In  
3 this particular case, when there's just one date,  
4 that means that badge was only worn for one day.  
5 And that worker went into the area for that one day.

6 MEMBER RICHARDSON: Right.

7 DR. TAULBEE: Where you see, in this  
8 case, 4-24-28-61 means he did wear that visitor  
9 badge all week long. And each time he came in he  
10 wore the same badge. When he left for the day he  
11 hung it back up and the next morning he came in and  
12 he could pick it up again.

13 MEMBER RICHARDSON: But in principle,  
14 somebody, the badging period for these temporary  
15 badges may be very short, and they may have --

16 DR. TAULBEE: They're almost always  
17 very short.

18 MEMBER RICHARDSON: And they may have  
19 many of them.

20 DR. TAULBEE: Yes.

21 MEMBER RICHARDSON: Like, they could  
22 have intervals. So the issue of missed dose when  
23 you're badging on a one- or two-day interval is

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1 really different than a missed dose on a quarterly  
2 interval, for example.

3 DR. TAULBEE: Exactly. And that's  
4 what I was planning to get to on the next case,  
5 exactly that point.

6 MEMBER RICHARDSON: Okay. Yeah, I  
7 mean, it's just for me to understand what's  
8 happening. But I think I'm --

9 DR. TAULBEE: Okay.

10 MEMBER RICHARDSON: Okay, thank you.

11 DR. TAULBEE: No problem. So David  
12 gave a great introduction for the Case No. 17 that  
13 I want to discuss next.

14 This was an individual who worked out  
15 of Central Facilities. He was a [identifying  
16 information redacted] and so that was where he  
17 worked. And in talking with the dosimetry lady  
18 last week who was explaining a lot of this to us,  
19 she knew this individual. He worked in the  
20 building right next to her during this time period.  
21 And she started out there in 1961 timeframe.

22 So, what we did with this individual is  
23 we were looking for where was he potentially

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1 monitored, because we did not find him in any of  
2 our CPP temporary badge reports that we captured  
3 back in April. But he did have bioassay during  
4 this time period.

5 So, being a [identifying information  
6 redacted], he was one of them that we were concerned  
7 with, one of the candidates of monitored via  
8 bioassay because he wasn't exposed so he was  
9 considered a blank, and whether we could find  
10 documentation on that.

11 What we found in looking for the other  
12 individuals, as well as him, we looked through the  
13 Central Facilities temporary badge reports and we  
14 did not find him for the '63 through '66 time  
15 period.

16 Where we did find him was on the SPERT  
17 temporary badge reports and the MTR temporary badge  
18 reports. And we found a bunch of them for this  
19 individual. And I would draw your attention to --  
20 let me see the page.

21 ACTING CHAIR BEACH: Twenty on the  
22 report.

23 DR. TAULBEE: Page 20. And here I've

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1       gone through all of the temporary badge reports and  
2       pulled out each of the dosimeters that were issued  
3       to this individual during the 1963-1966 time period  
4       where we see bioassay.  And this is a case where  
5       he had 20 dosimeters assigned to him during this  
6       time period.

7                   Unfortunately, as I mentioned earlier,  
8       this raised a huge red flag with us in that, in his  
9       dose reconstruction, we had conducted his dose  
10      reconstruction assuming during this time period  
11      that he was only exposed to onsite ambient dose,  
12      environmental levels, because there was no  
13      reported dosimetry of him going into an area.

14                   I think you can see that this is a  
15      problem, in that this person was clearly going into  
16      areas.  Without having these temporary badge  
17      reports indexed we were under-assigning the missed  
18      dose for this individual.

19                   In this particular case, it's not a huge  
20      amount of dose that we would be assigning, but it  
21      is significant, in that with 20 dosimeters, the LOD  
22      over 2 would be 5 millirem per dosimeter.  And so  
23      his total dosimetry would be 100 millirem with an

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1 upper bound of 200 millirem that we would be  
2 reporting by our standard procedures.

3 So these temporary badge reports are  
4 and can be very significant for the workers. In  
5 particular, individuals like this one who didn't  
6 routinely work in an area, but did visit them in  
7 a non-routine manner, but multiple times.

8 It can be very significant for  
9 construction trades workers from that standpoint,  
10 in that they could go into these areas. And in  
11 fact, we see some of the same issues with  
12 construction trades workers. We'll see them at  
13 MTR. We'll see them at SPERT. We'll see them up  
14 at Test Area North.

15 They're not claimants right now, at  
16 least the ones, some of the names that kept popping  
17 up to us. But if we were to give a response without  
18 these temporary badge reports we would be  
19 underestimating their dose, as well.

20 So, this was pointed out to DOE and they  
21 have also committed to indexing and entering all  
22 of these temporary badge reports, as well.

23 But as David was pointing out, this is

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1 going to be a particular issue with name spellings.  
2 In our tables that are on page 19 you'll see the  
3 different name spellings for this individual.

4 The pronunciation of his last name I  
5 can't give here because of the Privacy Act, but if  
6 you pronounce the first letter as an individual  
7 alphabet letter and then the rest of his name, that  
8 was how you pronounced his name.

9 So when he's giving his name to a guard who's  
10 entering it onto these visitors inserts you can  
11 clearly see how some of these other spellings came  
12 about from that standpoint.

13 And so this is not going to be an easy  
14 task for the site to do in order to index these and  
15 link them to an individual, but it's something that  
16 is necessary and needs to be done.

17 In this particular case, this  
18 individual wouldn't be part of the SEC due to cancer  
19 type, but from a dose reconstruction, for the 40  
20 percent that wouldn't be part of an SEC, we  
21 certainly need to get these temporary badge reports  
22 indexed such that we can do the DRs correctly and  
23 include all of the missed dose.

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1                   So, with that, are there any questions?

2                   MEMBER RICHARDSON:     This is David  
3     Richardson.

4                   DR. TAULBEE:     Yes, sir.

5                   MEMBER RICHARDSON:     So, what's -- is  
6     there an algorithm that's being used?   How did  
7     these variations on spelling get identified as  
8     opposed to others?

9                   DR. TAULBEE:     By hand, myself and Mitch  
10    Findley going through thousands of these pages last  
11    week and pulling them out.

12                  MEMBER RICHARDSON:     So, that's -- I  
13    mean, that's admirable and it has -- it seems kind  
14    of not something you could do every day, I hope.

15                  DR. TAULBEE:     Oh gosh, no.   No, no.  
16    They're going to have to -- once they get these  
17    indexed they're going to have to start coming up  
18    with some kind of algorithm from a search  
19    standpoint in order to pull some of these out.

20                  Some of it takes some common sense, as  
21    well.   You know, if you've got a worker who's --  
22    Cases 17 and 18 are prime examples.   Both of them  
23    had bioassay and no external dosimetry.   That

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1 shouldn't be possible at the site and we knew that  
2 going in. We just had to find these records.  
3 Where was this coming from? And why were they not  
4 part of the system? And we found out why: these  
5 temporary badge reports and these visitor inserts.

6 So, you know, as people are going  
7 through some of this they're going to have to be  
8 flexible and claimant-favorable from the  
9 standpoint of does this person -- is this person  
10 included or not?

11 Some of the DR responses that we got on  
12 the 18 claims, some of the individuals I don't think  
13 are that individual. It's a common name and this  
14 person reported on the DOL form that they worked  
15 at the site post-1986 type of timeframe, and we're  
16 getting some dosimetry from 1957 under the same  
17 names, initials, and it's indicating a visitor from  
18 Aiken, South Carolina.

19 So, you know, you've got to use some  
20 sense as to whether this record is really part of  
21 this or not. And I think DOE can dump all of these  
22 records to us, and it's up to us dose  
23 reconstructionists to go through and sort out which

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1 ones make sense and which ones, especially with a  
2 common name, could be somebody else or is likely  
3 somebody else.

4 MEMBER RICHARDSON: Yeah. I mean, and  
5 you've raised the issue of common names, which is  
6 one important problem. And you identified a pool  
7 of records that were previously -- I mean, over the  
8 last extended number of years have not been used,  
9 but now because of a logical problem have been  
10 pulled in. And that's an important addition.

11 But when there's not a unique  
12 identifier, as this case is showing, I mean, it's  
13 not simply that it's even the same letters are  
14 included in these variants. So there's, what, six  
15 letters in some spellings of the name, and yet those  
16 are not even six unique things on a permutation.  
17 There's different letters added in. There's  
18 letter omitted.

19 And if you want to be  
20 claimant-favorable and not just justify it based  
21 on what looks like it could be sound variance.  
22 Because sometimes it appears the first name becomes  
23 part of the first initial, for example. The first

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1 letter of the last name becomes part of the first  
2 -- second letter of the first initial.

3 There's -- you get into these  
4 probabilistic linkage algorithms. But this is an  
5 example of one that's really hard, unless you're  
6 going to be extremely favorable on linkage  
7 variance.

8 Yeah, so I think that poses a problem,  
9 and it's not one that typically health physicists  
10 deal with but more like information scientists deal  
11 with.

12 DR. TAULBEE: Right. In this  
13 particular case there's 10 variations of this  
14 individual's name.

15 MEMBER RICHARDSON: Yeah.

16 DR. TAULBEE: But as I'd like to point  
17 out, you know, again, this is a problem for dose  
18 reconstruction that we are working with DOE to  
19 resolve because this is a significant issue really  
20 regardless of the SEC from this standpoint. This  
21 is something for DRs that we've got to go back in  
22 and deal with and redo dose reconstructions that  
23 have been done in the past.

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1                   MEMBER RICHARDSON: I agree.

2                   MR. BARTON: Tim, if I could. I'm  
3 sorry, I got temporarily cut off there. I was  
4 going for my mute button and I hit off. Very  
5 clumsy.

6                   But what I heard you saying was almost  
7 at the onus was on the dose reconstruction. But  
8 what we're talking about is an SEC Class  
9 Definition. I mean, this would be something that  
10 DOL would have to do the digging to, you know, as  
11 you said use the common sense and try to figure out  
12 if there's a chance the person was at CPP.

13                  Maybe I was misreading what you were  
14 saying there, but this would be something DOL or  
15 DOE would send the records to and then DOL would  
16 make the determination. I mean, this wouldn't be  
17 a dose reconstruction issue because it wouldn't --  
18 well, as far as I know, NIOSH doesn't really  
19 adjudicate that part of the process. Maybe you can  
20 clarify that.

21                  DR. TAULBEE: If you recall, the  
22 process that we were talking with DOL and DOE about  
23 was they would send the claim to DOE, they would

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1 search their records to see if the person appeared  
2 on any of the dosimetry for CPP.

3 So, with the temporary badge reports  
4 for CPP you can go through and look for these  
5 individuals within there. And indexing them,  
6 obviously, is the preferred method here. And you  
7 do have to use some logic from that standpoint.  
8 But that's just for CPP.

9 What I'm talking about from a dose  
10 reconstruction standpoint is all of the other  
11 areas. This individual worked at SPERT and MTR,  
12 clearly. He was doing a project out there and was  
13 primarily at SPERT in 1963 and then in MTR in 1964  
14 during these time periods. He went there multiple  
15 times. So, doing a dose reconstruction for this  
16 individual, we need to include these dosimeter  
17 badges.

18 ACTING CHAIR BEACH: So, Tim, this is  
19 Josie again. While that's true, what Bob was  
20 pointing out is what we're focused on is how -- will  
21 this person be included in the SEC based on these  
22 documents? And it seems pretty complicated in  
23 that sense.

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1 DR. TAULBEE: Yes, it is complicated,  
2 but it's complicated across the board here at INL  
3 that we've --

4 ACTING CHAIR BEACH: Right, right.

5 MEMBER MELIUS: This is Jim Melius. I  
6 guess let's presume this person worked in CPP and  
7 all this gets indexed. Well, we've got to search  
8 the index under, you know, the letter at the  
9 beginning of the alphabet, or the letter towards  
10 the end.

11 DR. TAULBEE: So you use wild cards and  
12 you search from that standpoint. I can tell you,  
13 I went through all of the 1966 CPP temporary badge  
14 reports for this individual and did not find him.

15 MEMBER MELIUS: I'm not saying he's --  
16 I'm just saying about the process is pretty  
17 questionable how it would be implemented.

18 DR. TAULBEE: Well, I mean, the first  
19 thing is that they've got to be indexed. And then  
20 to determine. I mean, I understand that this is  
21 not simple. But, you know, one of the things that  
22 can be done as the indexers are doing the indexing  
23 is developing dropdown-pulldown menus for

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1 individuals so it gets tagged without the different  
2 name variations associated with it.

3 There's different techniques, and  
4 David knows way more about this than I do, of  
5 different ways of coding the data in order for this  
6 to happen.

7 I pointed this out to DOE last week and  
8 they are aware of it, as well, of different methods  
9 to try and streamline and get rid of the name  
10 variations from this standpoint. But it's  
11 something that we've got to work through for dose  
12 reconstruction, as well.

13 MR. FITZGERALD: Tim, Joe Fitzgerald.  
14 Did you -- maybe I missed it. On the temporary  
15 badge reports, was there any way to validate that  
16 there's a complete set historically going back?  
17 And this is going back pretty far. And given the  
18 status of these kinds of records, which are sort  
19 of somewhat below the normal dosimetry records, how  
20 did you come out on that?

21 DR. TAULBEE: I have not found a way to  
22 validate that we've got them all. If you recall  
23 during my previous Board presentations, when we

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1 indicated that the temporary badge reports were  
2 complete what our complete review was is we went  
3 through to see if we had temporary badge reports  
4 for every month of every year from 1963 through  
5 1974, and we did. But with CPP -- or just at CPP.  
6 We did not look at MTR's history nor for SPERT or  
7 any of the other areas, just CPP.

8 What ends up happening in hindsight of  
9 that aspect is that DOE did index all of the  
10 positive doses. So, there were positive doses in  
11 every month of every year under the SEC, which is  
12 why we went through the temporary badge reports.  
13 We saw what appeared to be a complete set that was  
14 clearly not a complete set.

15 So that was how that got missed on our  
16 end. But I have not seen any other independent  
17 numbers that are consistent across time to give us  
18 how many temporary badge reports, how many visitors  
19 were entering an area. I have not seen that.

20 MR. BARTON: Tim, this is Bob --

21 (Simultaneous speaking)

22 MR. BARTON: I'm sorry, go ahead.

23 DR. TAULBEE: If I could just point out

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1 here that, for some of these individuals, whenever  
2 DOE receives a request for somebody and, you know,  
3 they're doing employment verification and they  
4 don't find this person within their system,  
5 sometimes DOL is using employment verification by  
6 association.

7 If this person worked for this  
8 particular company and during this time period that  
9 company had a contract with INL, and therefore  
10 that's how employment is being effectively set by  
11 the Department of Labor.

12 These temporary badge reports are going  
13 to help DOE and DOL identify people who worked in  
14 these areas that may not have any other indication  
15 of them working for a subcontractor.

16 MR. BARTON: Tim, this is Bob. If I  
17 might, could we explore -- I mean, I think it's a  
18 very major point, you know, one of the things you  
19 presented at the last Board meeting was the  
20 comparison or validation of the fact that we had  
21 all the records. And you just mentioned that you  
22 found temporary badge reports for every month.  
23 At least in my observations, those weren't

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1 necessarily compiled on a monthly basis, but it was  
2 really like whenever they decided to put one out.  
3 I mean, you find dates all throughout a month.

4 Is there any way, in that validation --  
5 I don't recall, is there any way to compare that  
6 against, for example, what you did with the health  
7 physics reports where they said, "we had this many  
8 badges issued," and then you can go and look at the  
9 actual log books and count them.

10 Is there any way to validate the  
11 temporary badge reports against something like  
12 that to make sure that -- you might have temporary  
13 badge reports in every month, but unless you know  
14 that you have all of them in that month it's -- I  
15 guess that's my question.

16 DR. TAULBEE: No, I fully understand  
17 what you're saying there, Bob. And I wish there  
18 were.

19 We can for some years, I will say that.  
20 There are some years in those monthly reports they  
21 did report the number of temporary badge reports.  
22 But it was not consistent across the time period.  
23 But for the months and years that we do have that,

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1 that is something that could be done from that  
2 standpoint. But I know it's not complete over the  
3 whole '63 to '74 time period.

4 MR. BARTON: Would that extend to the  
5 visitor -- again, we have two different things here  
6 which sounds the same. We have a temporary badge  
7 report which it says it right at the top. It's the  
8 heading of the report and it has a list of workers  
9 who worked in that specific time frame, whether it  
10 be a week or whatever.

11 And then you have these visitor cards  
12 which are sort of a new -- new information that you  
13 uncovered last week at INL. I mean, would that be  
14 included? See, this is where I'm getting confused  
15 because maybe we have a list of how many temporary  
16 badges were recorded, but maybe not a list of all  
17 the visitor cards. Because the visitor cards are  
18 individual. It's one individual, one name. It  
19 lists the company and there's usually a stamp they  
20 put at the top that shows the area. And the  
21 temporary badge reports are all usually for one  
22 area and has multiple people listed. And I don't  
23 believe it says the company. I think it says the

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1 name and maybe an assigned badge number.

2 If you could go into that a little bit  
3 more.

4 DR. TAULBEE: One thing to keep in mind  
5 here is that some of these visitor insert cards that  
6 we're talking about do appear on the temporary  
7 badge reports even in the 1970s. Some of them.  
8 Not all of them.

9 The rhyme and reason, from what I can  
10 discern from the records, is that if they were an  
11 Idaho Nuclear Corporation employee, then theirs  
12 were entered onto the temporary badge reports. If  
13 they were Westinghouse, they were entered. If  
14 they were Argonne, they were entered.

15 But, having said that, I also do see a  
16 few from some of the construction trades that are  
17 H.S. Wright and Arrington Construction and so  
18 forth. So it doesn't seem to be completely one way  
19 or the other. It seems to be both. But  
20 predominantly in the 1970s, where these visitor  
21 insert cards are, that construction trades were not  
22 uniformly entered onto these temporary badge  
23 reports.

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1                   So, the time period of '69 through that  
2                   '73 really has -- there's two records. The visitor  
3                   cards are the complete record that we found,  
4                   because they are all listed there in a box and  
5                   they're all sequential within there. And then you  
6                   have the temporary badge reports we captured back  
7                   in April that you can pull up at that time period  
8                   and see individuals. And those have been typed  
9                   from those visitor insert cards. So it's kind of  
10                  a dual record, if you will.

11                 MR. BARTON: With the visitor insert,  
12                 are these the originals from -- or have they been  
13                 scanned?

14                 DR. TAULBEE: Yes. Yes.

15                 MR. BARTON: They're the originals?  
16                 So you have like almost a deck of cards that you're  
17                 looking at with the visitor.

18                 DR. TAULBEE: Yes. Many decks of  
19                 cards.

20                 MR. BARTON: Okay. Yeah. Oh, I  
21                 imagine. Okay, thank you.

22                 DR. TAULBEE: Okay. So, that was what  
23                 we found last week that caused us some pause,

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1 especially from the temporary badge reports,  
2 people missing.

3 One individual -- well, several  
4 individuals -- that we see a big issue with missed  
5 dose associated with dose reconstruction, and that  
6 is vendors who routinely went into areas, such as  
7 the Coca-Cola man or the telephone people. We see  
8 their names one day at CPP, one day at NTR, the next  
9 day up at SPERT, another day at ARA. They could  
10 have five or six of these temporary badge reports  
11 per week for the individual. So, clearly this can  
12 result in a large fraction of missed dose.

13 Now, we've been discussing inside of  
14 how do we actually assign a dose to somebody along  
15 these lines and I'm not sure that we've had to yet  
16 at INL. But we'll certainly be working on it from  
17 that standpoint.

18 But the key was we need to get these  
19 temporary badge reports entered, keyed, such that  
20 we can then perform better or more accurate dose  
21 reconstructions for these individuals.

22 MR. BARTON: This is Bob again. I  
23 completely agree with that. But I don't think

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1 that's what we're really talking about right now.  
2 We're talking about the efficacy of these records  
3 to administer the SEC Class, as written currently.

4 So, yeah, absolutely, I mean, these  
5 will have a big impact on some dose reconstructions  
6 for missed dose. But really we're talking about,  
7 can we identify who went into the CPP during the  
8 period we're looking at?

9 DR. TAULBEE: I understand, and I  
10 believe from these temporary badge reports we can  
11 identify these individuals. It takes some effort.

12 MR. BARTON: Yeah. No, that's clear.  
13 I mean, like I said before, Tim, no one's been  
14 swimming through this stuff more than me and you  
15 trying to figure this out. And I'd like to say,  
16 I mean, if you read both reports, they're  
17 remarkably similar on a lot of the conclusions  
18 drawn as far as these 18 claims.

19 The one we're talking about currently,  
20 which I believe is case 17 in your report, and it's  
21 either observation 2 or 3. I don't have it right  
22 in front of me right now.

23 But this person who -- the draftsman

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1 that we're talking about, they have the internal  
2 monitoring at CPP. But we only have these  
3 temporary badge reports -- these are temporary  
4 badge reports, not visitor cards -- associated with  
5 MTR and SPERT. And we have other internal  
6 monitoring, I think associated with Central  
7 Facilities, during these overlapping periods where  
8 he's monitored internally at CFA, Central  
9 Facilities. There's some temporary badges  
10 associated with MTR and SPERT. And then you have  
11 this -- it's a problem child, clearly, the fact that  
12 there's this bioassay record that says CPP.

13 DR. TAULBEE: Well, I would like to  
14 point out, or at least discuss that bioassay record  
15 here some, if now is a good time. Because on the  
16 same day that it -- and actually I would like for  
17 people to look at that particular record for this  
18 individual. And I believe it is on page -- let me  
19 find this in the report there, Bob. Just a second.  
20 This would be page 11 of SC&A's report. And it says  
21 "Facility, CPP."

22 Now, my opinion, based upon the weight  
23 of the evidence here of him working in SPERT and

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1 MTR, was he was on an annual bioassay schedule  
2 because of him potentially entering areas, is why  
3 his monitoring was. There was no whole body  
4 counter at CPP, okay? The whole body counter was  
5 at Central Facilities. They did have a mobile lab  
6 that would go around, but it didn't start until  
7 around the '66-'67 time period, so right in this  
8 era.

9 But if you look at the Figure No. 3 here  
10 that you pointed out, Bob, that his present work  
11 area is CF-689, which is Central Facilities,  
12 Building 689, where the drafting department was.  
13 And it indicated his years in present work  
14 location, four years. Backing this up puts us at  
15 the same time period of the 1963 through 1966.  
16 This questionnaire that he filled out is on the same  
17 date of this whole body count. I honestly think  
18 that somebody typed in the wrong facility, or wrote  
19 in the wrong facility for his whole body count.

20 As I said, I went through every single  
21 page of the temporary badge reports looking for  
22 this individual in 1966 and did not find him, even  
23 with all the name variations that we found in other

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1 ones.

2 So, I don't believe this is a CPP  
3 monitoring whole body count. I strongly believe  
4 that it's Central Facilities, especially when you  
5 look at all of his other bioassay in '63, '64, '65,  
6 was all Central Facilities.

7 MR. BARTON: Except he had visitor  
8 badges at MTR and SPERT during the same time period.  
9 So, that's kind of conflicting information there.

10 Yes, I truly believe his office or what  
11 have you was probably in Central Facilities. But  
12 clearly he was going out to other areas to perform  
13 his job as a [identifying information redacted].

14 And the figure you're pointing out,  
15 absolutely. I mean, that's why I included it,  
16 because this is information that is key to trying  
17 to put this puzzle together. It does say the  
18 present work area is CF-689, sure. I actually  
19 highlighted that. I highlighted the fact that he  
20 puts in four years.

21 The one thing he doesn't check off there  
22 at the bottom of the figure is "list the other areas  
23 you work," "worked at MTRS," and there's a box that

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1 says "none" and it's not checked. And this kind  
2 of leads me to say that he probably didn't check  
3 that because he's like, "well, you know, what do  
4 you want me to list every other place at INL that  
5 I've gone to?"

6 And like you said, one possibility is  
7 that it's a typo, but that doesn't honestly make  
8 me feel a whole lot better about it. Because what  
9 if you have other typos that go the other way?

10 DR. TAULBEE: I mean, there's no record  
11 set that's ever going to be 100 percent complete  
12 with no errors. I'm sorry. We're talking  
13 hundreds of thousands of records here.

14 In this particular case, to me, he  
15 didn't check "none" because he was routinely -- not  
16 routinely, but he was going out to SPERT and MTR.  
17 And so, you know, there are other areas that he was  
18 going to.

19 But it says contractor area,  
20 consecutive months in area. Well, his contractor  
21 was the same one that he's working for, INC. The  
22 area is different ones. Consecutive months in the  
23 area. If you look at his temporary badge reports,

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1 he never spent a month in any of those areas.  
2 They're all one day here, one day there, or a week.

3 MR. BARTON: I agree completely. It  
4 can never be 100 percent. That's an unattainable  
5 goal.

6 MEMBER ROESSLER: This is Gen. I'd  
7 like to make a comment on that.

8 I think that's the overriding thing  
9 that we're dealing with here. We have human error.  
10 That's always going to happen. There's never 100  
11 percent certainty.

12 And I think what we have to keep in mind,  
13 in the background of our minds, what we're really  
14 going at is that we have to accept the fact that  
15 it's not 100 percent certainty. And then come up  
16 with some way of determining how much uncertainty  
17 in these records is acceptable.  
18 And this goes across the board for the whole thing.  
19 I think that's our main challenge.

20 ACTING CHAIR BEACH: Gen, this is  
21 Josie. I couldn't agree more. I think errors in  
22 DR is one thing, but in the context of what we're  
23 talking about now, the Class Definition, we have

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1 to be precise and it has to be clear-cut. And  
2 weight of evidence has never been used in this  
3 situation. And I'm having a hard time with that.

4 MEMBER ROESSLER: Exactly. I think  
5 you've pointed out this is a new concept, I think  
6 that we've not dealt with it. We're getting into  
7 something that has probably been applied in other  
8 fields.

9 It just seems to me we need an expert  
10 evaluation on how much uncertainty is acceptable.  
11 I think we have to accept some. There's going to  
12 be human error. There's human error in  
13 everything.

14 ACTING CHAIR BEACH: I think in an SEC  
15 context it's not acceptable. It has to be  
16 claimant-favorable. And in this case I'm afraid  
17 it's not, at this time.

18 MEMBER ROESSLER: You can't be 100  
19 percent certain. And if we say we have to be 100  
20 percent certain, we know right away we can't be.  
21 So, we have to think about how would we err in the  
22 other direction. What are the consequences of --  
23 well, the only way I can put it is erring in the

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1 other direction. And that would be to, it would  
2 seem, include claimants who clearly have no  
3 exposure.

4 And I guess the bottom line that I keep  
5 thinking about is we have a responsibility to the  
6 claimants. We want to be claimant-friendly. We  
7 also have to think about what the burden is on  
8 taxpayers if we make the wrong decision.

9 MEMBER MELIUS: This is Jim Melius.  
10 I'd like to weigh in a little bit.

11 I mean, I think that our experience has  
12 been that the record systems at many DOE facilities  
13 are not supportive of limiting a Class Definition  
14 to monitoring or to specific work areas, whatever.  
15 Because people moved around, because records just  
16 weren't, you know, record systems weren't  
17 established for that.

18 I think we've been, you know, Idaho may  
19 be better than some, but I think what we're -- the  
20 history of working through this SEC has shown that  
21 it's not as straightforward as was first presented  
22 to us.

23 And I'm not faulting Tim, but I think

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1 that first we found out that what was the policy  
2 in terms of monitoring by the work area had changed.  
3 So we have a time period that can't be done by work  
4 area, the later time period of the SEC.

5 And then we have this other. We have  
6 a record system that I don't think has even been  
7 explored. These whole temporary ones. Initially,  
8 we were told that the record monitoring was  
9 complete. Well, obviously there was a whole other  
10 set of records that weren't complete. And it's  
11 going to take some time.

12 And I guess one of my concerns here is  
13 how long is it going to take to set up a system,  
14 get all this stuff done, and even for us to evaluate  
15 it as to whether -- how complete it will be, and  
16 how feasible it will be to do the kind of individual  
17 look-ups that will be needed given the absence of  
18 identifying information on many of these records,  
19 and the errors that came through for that.

20 Again, the one case we looked at may be  
21 an outlier in that maybe it's not a common name,  
22 but to have 10 misspellings of a person's name on  
23 these records over a relatively short period of

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1 time, and some pretty significant misspellings in  
2 terms of being able to look up within the alphabet,  
3 indicates how complicated this will be and how  
4 difficult.

5 And I don't think we can even get to your  
6 point, Gen, of how do we estimate the uncertainty  
7 because I don't think -- I think we're far from  
8 having enough knowledge of the record system and  
9 how complete those record systems are to be able  
10 to judge that.

11 MEMBER ROESSLER: I agree, Jim.  
12 That's at the back of my mind is that we cannot  
13 guarantee 100 percent. So, when do we make the  
14 decision? What is the weight of evidence here? I  
15 just think that's what we should be keeping in mind.

16 MEMBER MELIUS: Yes, yes.

17 DR. TAULBEE: If I could say something  
18 here that Dr. Roessler just alluded to, in that by  
19 -- you know, if, say, the designation were to change  
20 to all workers at the site, what you're setting up  
21 is a situation where you have people that indicated  
22 in their computer telephone interview that, say.  
23 They worked at Test Area North. The locator card

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1 indicates that they worked at Test Area North.  
2 Their dosimetry all indicates they worked at Test  
3 Area North on a month by month by month basis.  
4 Their bioassay indicates that they worked at Test  
5 Area North. But what you're going to be proposing  
6 is that they were exposed to plutonium in the cells  
7 and laboratories at CPP.

8 MEMBER MELIUS: Yeah, but what about  
9 all the claimants who've already died? There's  
10 not going to be an interview on them and I think  
11 we're not going to be able to rely on their  
12 survivors to know their work area.

13 So, I mean, I think -- like we've  
14 encountered in many other sites, Tim. We're  
15 limited to what's in a record system for ensuring  
16 that people are in -- worked in a particular area.  
17 And it's not in general proven to be a very feasible  
18 system.

19 DR. TAULBEE: Well, what I'm getting at  
20 here is the weight of an evidence here. And these  
21 temporary badge reports are typically for one day,  
22 or a week. I do believe the maximum I've ever seen  
23 is a month.

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1           So, from that standpoint, when we cast  
2           the net for CPP of who would be included, we made  
3           it fairly unrestricted from that standpoint, of a  
4           single dosimeter badge.

5           And so, to me, the chances of missing  
6           somebody under one of these temporary badge reports  
7           is very low. They would not be in the CPP Class.

8           And in fact, the two that we've  
9           identified, two out of 881, one of them ends up in  
10          the Class, that would be Case No. 18. Number 17  
11          does not based upon his other area dosimetry.

12          So, that's what I think some of the  
13          uncertainty that Dr. Roessler is getting at, you  
14          know, kind of a weight of the evidence, we're never  
15          going to be 100 percent, but this is pretty darn  
16          close.

17          MR. BARTON: This is Bob. I agree with  
18          everything Tim just said. I mean, it's extremely  
19          close. But it is not 100 percent, so it sort of  
20          becomes a -- weight of evidence is a tough term to  
21          use when you're talking about claimants.

22          But, you know, I don't think we can shoo  
23          away Case No. 17 on a typographical error. And if

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1 we do, then you have to consider if there are other  
2 typographical errors that are going to, I guess,  
3 hinder other claims from being accepted into this  
4 because of it.

5 And Tim is absolutely correct. You're  
6 going to have cases where all the evidence points  
7 to someone being in another area, like Test Area  
8 North. And we're never going to get to 100  
9 percent. And frankly, I'm not sure we could ever  
10 have gotten there, really, with any of these sites.

11 I mean, the record-keeping at INL is  
12 pretty incredible, in my opinion. Definitely the  
13 best that I've ever encountered working in this  
14 program for going on 10 years now. I mean, it's  
15 incredible record-keeping.

16 And it becomes, I think, a question of  
17 opinion and policy on what's acceptable. What's  
18 the acceptable error rate? And I think that's what  
19 everyone is struggling with.

20 ACTING CHAIR BEACH: Well, and Bob,  
21 something else to add to that is, how many records  
22 of these has SC&A searched through, how many  
23 records has NIOSH searched through to come up with

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1 these 881?

2 DOL is going to have to be doing these  
3 searches. They're making those decisions based on  
4 the Class Definition that we give them. And it's  
5 going to be clear-cut for them. That's where my  
6 concern lies. Because professional judgment,  
7 weight of evidence, it all shifts over to the DOL  
8 side. Am I not correct in that? When this Class  
9 Definition goes through, then it's their  
10 determination.

11 DR. TAULBEE: It will be DOL  
12 determining, but they will be sending a request to  
13 DOE to ask them, "Do you see any monitoring for this  
14 individual in CPP?"

15 And so, as soon as they find a single  
16 dosimeter within CPP, then they're part of the  
17 Class and it goes back. "This is the documented  
18 proof that this person is part of the Class." And  
19 they don't go through all of these variations.

20 MS. LIN: This is Jenny. My  
21 understanding is that this Class Definition has  
22 been vetted with DOL. And to date, DOL didn't  
23 express any concerns that they are not able to move

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1 through this SEC Class. So, please correct me if  
2 I'm not right on this, but that was my understanding  
3 of the -- based on our last discussion with DOL.

4 DR. TAULBEE: You are correct, Jenny.  
5 The nuances that we have found in the past six  
6 months or so of doing this evaluation are  
7 effectively that. I mean, that's part of why we  
8 modified the Class Definition --

9 (Telephonic interference)

10 DR. TAULBEE: This is something that  
11 DOL doesn't even, I guess, in a sense, consider.  
12 Because in the past they've not seen them, from that  
13 standpoint.

14 What DOL indicated during our  
15 discussions last year associated with this Class  
16 was that they felt the dosimetry records were  
17 sufficient in order to place an individual in the  
18 area. And that was all that they were looking for.

19 MEMBER RICHARDSON: Yes, this is David  
20 Richardson.

21 I mean, I believe DOL would say that.  
22 And I believe that they don't appreciate the  
23 complexity of what they're agreeing to.

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1                   So, I mean, if you start with a master  
2                   roster which has reconciled all the name variants  
3                   into something which provides you with -- I mean,  
4                   one approach to this is all possible "also known  
5                   as" names. So, all variants that are encountered  
6                   in all the records.

7                   And somebody has to evaluate that those  
8                   are indeed the same individual. And in this case,  
9                   there's no other piece of information, like date  
10                  of birth or unique worker ID number. So, I don't  
11                  quite see, right at this point, how you do that,  
12                  you create that unique list.

13                  But that's what they want to be able to  
14                  do. They want to be able to refer to a list, search  
15                  all name variants, and say are they on the list or  
16                  not.

17                  If they have to sit down and do judgment  
18                  I don't believe there's anybody -- I mean, from my  
19                  experience with other parts of DOL handling kind  
20                  of the non-radiological side of this, they're not  
21                  staffed right now, as I understand it, to be making  
22                  these types of judgments that involve, as I said,  
23                  either probabilistic linkage algorithms, or

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1 something that's going to be fairly deep in  
2 information science.

3 Like Dr. Melius pointed out, you can't  
4 go to an alphabetical listing of names and find this  
5 person.

6 And, again, as the discussion said, I  
7 think you've done an incredible job of being able  
8 to document how, in a detailed kind of detective  
9 search, one can make sense of an individual's  
10 history with a high level of kind of logical  
11 consistency.

12 But, to me, it becomes a question of  
13 who's going to implement this given the problems  
14 with at least this section of the records. And,  
15 again, pointing out this section of the records  
16 doesn't -- is not so important for a large group  
17 of people. But I think it's going to be a large  
18 -- it's a large amount of information that has to  
19 be processed and reconciled.

20 And that's going to be, you know, my  
21 experience working with these types of records is  
22 that's something which requires quite a staff to  
23 do. And it's never going to be reconciled in any

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1 way that's at a high level of certainty. It  
2 involves a lot of judgment when you have families  
3 that are working on the same site, and fathers and  
4 sons. You don't have dates of birth.

5 So, this is why they're recording all  
6 these juniors and seniors and the thirds. Because  
7 there are a lot of people, at other sites, with the  
8 same name and first initial. And you're trying to  
9 keep track of them.

10 And here they're coming into records  
11 that don't have a clear time-recording  
12 periodicity. And there's multiple records over  
13 short intervals of time. It's a lot of data  
14 cleaning, as I see it.

15 MEMBER MELIUS: And I would also point  
16 out that the Department of Labor approved a Class  
17 Definition which has been changed once. And even  
18 NIOSH -- and I don't think Department of Labor is  
19 aware of this whole temporary file problem,  
20 temporary monitoring file problem.

21 And we still don't know how complete  
22 those temporary files are, because I think you  
23 indicated that earlier, Tim.

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1 DR. NETON: Yeah, I think that's true,  
2 Dr. Melius. This is Jim Neton. I was going to  
3 point that out. And I don't think the Department  
4 of Labor knows about these index cards.

5 MEMBER MELIUS: Yeah, yeah.

6 DR. NETON: One thing that I'd like to  
7 point out that's concerning me, at least, is that  
8 the Class Definition requires 250 days of work at  
9 CPP.

10 And it does say based on one film badge,  
11 or visitor -- one TLD or film badge, because I think  
12 during that time period a person could have worked  
13 at CPP and only had a badge exchange once a year.

14 MEMBER MELIUS: Right.

15 DR. NETON: But now when we're looking  
16 at these visitor badges they certainly don't rise  
17 to the 250-day level, in my opinion.

18 I don't know how one would deal with that. I'm just  
19 sort of pointing that out. You still have a  
20 250-day monitoring requirement to be eligible for  
21 the Class. And these are one-day badges, I mean,  
22 very clearly, I think. They couldn't be one-year  
23 badges.

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1                   So I don't know how one reconciles that  
2 with the 250-day monitoring requirement. Just a  
3 comment. I don't know what the answer to that is.

4                   DR. TAULBEE: This is Tim.

5                   (Simultaneous speaking)

6                   MEMBER MELIUS: This is Jim Melius.  
7 I've raised that issue before because it sort of  
8 complications this issue. As I recall, and Tim or  
9 somebody can correct me, is that, yeah, again, it's  
10 you have one badge and it can cover a whole year  
11 or whatever, time period, one record.

12                   And so in that sense, it may be the best  
13 we can do. And as I recall, there weren't any other  
14 records that would provide a way of supporting  
15 that, or alternative ways of determining the 250  
16 days, within that area.

17                   DR. NETON: Right, but I think that was  
18 independent of having these visitor badges  
19 themselves, which is a slightly different  
20 situation.

21                   MEMBER MELIUS: Yeah. But then the  
22 corollary question is, well, you know, say we  
23 dismiss the temporary. We don't include the

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1 temporary badges in that. Well, what if there's  
2 somebody that went in there once a month for a week  
3 or something? I mean, we don't know enough, we  
4 don't have enough level of detail to know who's  
5 represented within those groups.

6 I mean, I'm skeptical, but I don't know  
7 the work practices there. And there may be certain  
8 types of people that were assigned to other areas  
9 but went in there quite frequently under a  
10 temporary badge. Construction workers,  
11 draftsmen, other monitoring people. I don't know.

12 DR. TAULBEE: This is Tim. If I could  
13 answer some of these questions that were posed  
14 here, or provide clarification, if I can.

15 The decision for one badge was due to  
16 the potential for annual monitoring of routine  
17 people in the area, such as secretaries or clerks  
18 or somebody who did not routinely go into the hot  
19 sides or rad sides of the buildings, but they  
20 clearly worked at CPP.

21 So it would be possible for somebody,  
22 from that standpoint, to be monitored once per year  
23 that they were there. That does not really apply

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1 to these temporary badges, although, from my  
2 thought process, as far as the Definition, if you  
3 had one badge in the area, that was sufficient to  
4 get you in the Class. And then if you had 250 work  
5 days there on the site in that time period, then,  
6 to me, that would include you as part of the Class.

7 But nobody that I have ever found on  
8 these temporary badge reports had one issued --  
9 most of them were a day, many are a week. I seem  
10 to recall once seeing one that appeared to be for  
11 a month. And that was it. Never more than that  
12 time period, certainly not a year, from that  
13 standpoint. The year was only for routine  
14 monitored people that were part of their master  
15 system.

16 MEMBER MELIUS: My concern with that,  
17 Tim, is it's a limited sample.

18 DR. TAULBEE: I understand. I'd like  
19 to say I've been through thousands of these pages,  
20 so.

21 MEMBER MELIUS: Well, until we get it  
22 indexed in some way it's hard to judge. And I  
23 don't necessarily think we have to wait that long,

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1 but I think it's -- I guess I'd like to have more  
2 assurances on that. If we're going to exclude  
3 these badges from the Class.

4 DR. TAULBEE: I would not propose to  
5 exclude them from the Class, by no means. I'm  
6 proposing that they are included. And if you  
7 appear on one of these CPP temporary badge reports,  
8 you're part of the Class. Or a visitor insert  
9 card.

10 MEMBER MELIUS: Well, then that  
11 doesn't answer Jim Neton's question on the 250  
12 days.

13 DR. TAULBEE: That's the part that I  
14 would leave up to DOL to determine whether or not  
15 they consider this person then working in that area  
16 for 250 days. That's part of employment  
17 verification.

18 MEMBER MELIUS: That's a good way of  
19 kicking the can there. You're saying DOL would  
20 determine whether they worked in the CPP for 250  
21 days?

22 DR. TAULBEE: I think employment  
23 onsite, but that's, again, up to DOL.

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1                   MEMBER MELIUS:       Oh yeah, onsite  
2                   employment. So you're going back to the original  
3                   Definition?

4                   DR. TAULBEE:    That's correct.

5                   MEMBER MELIUS:       Okay.       Then our  
6                   concerns about the temporary badge is still --  
7                   personally, I just don't think we know enough about  
8                   how complete they are at this point in time. And  
9                   how feasible it is to be able to use them, you know,  
10                  the look-up issue.

11                  ACTING CHAIR BEACH: Hello? This is  
12                  Josie again. Tim, did you have more on your  
13                  report? I don't know if you covered your last case  
14                  fully yet.

15                  DR. TAULBEE:    The last case was one  
16                  that I went into a great deal of write-up, because  
17                  we spent a lot of time looking for dosimetry for  
18                  this individual. And we did not find him on any  
19                  of the temporary badge reports during the time  
20                  period of his employment, and certainly not under  
21                  CPP.

22                  We did look through all of the 1973  
23                  cards, visitor insert cards, for this individual

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1 and did not find him.

2           There are some discrepancies with his  
3 employment verification with regards to the  
4 Department of Labor files that were sent over in  
5 that we're seeing some dosimetry for him, in a time  
6 period where employment was not verified.

7 And so there's -- and some work for a contractor  
8 that appears to have been an NRF contractor at that  
9 time period.

10           And I would like to point out that, from  
11 a temporary badge report standpoint, we did not  
12 look at or capture any of the NRF temporary badge  
13 reports. So, many of the construction trades  
14 workers that would do work over there, we did not  
15 capture them, we did not look at them for any of  
16 these individuals.

17           So, if they're onsite, as this  
18 individual had indicated, at least the survivor  
19 CATI had indicated, they worked around spent fuel  
20 pools, they very well could have been over at the  
21 NRF as well. And we just didn't find anything that  
22 indicated he worked at CPP during the covered time  
23 period.

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1           And that really pretty much summarizes  
2           the three issues that we did follow-up on last week  
3           from that standpoint.

4           The rest of the cases I felt were pretty  
5           straightforward as far as being able to resolve  
6           whether they were at CPP or not.

7           MR. BARTON: Tim, could I ask on that  
8           third case. I'm scratching my head. How did you  
9           determine that their dosimetry was incomplete?  
10          Like, how did you flag them in the first place?

11          DR. TAULBEE: We flagged them based  
12          upon interviews. The interview indicated that  
13          when he went out of an area, he was surveyed, which  
14          is consistent with the multiple interviews we've  
15          conducted out at the site. We've conducted like  
16          60 or 70 interviews. And many of the construction  
17          trades workers indicated that exact point, that  
18          when they came out of the contamination area they  
19          were surveyed by health physics.

20          So, I felt the individual clearly had  
21          been in contamination areas. And it might be the  
22          1974 time period when he was monitored at EVR 2,  
23          or out at RWMC at the Burial Grounds that he was

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1 referring to, as well.

2 But since he did mention working around  
3 spent fuel pools, there are clearly some at MTR as  
4 well as Test Area North. There is the staging area  
5 at CPP, and then at NRF there's also spent fuel  
6 pools there.

7 So, that was one of the triggers where  
8 we felt that there was some additional dosimetry  
9 out there we felt we should be able to look through  
10 and find.

11 And with him, like I said, we looked  
12 through the CPP and we did not find him. He could  
13 be on one of the MTR visitor cards that we'll be  
14 scanning the week after next, but those weren't  
15 organized chronologically that made for an easy  
16 look from that standpoint. But we certainly did  
17 not see him at any of the CPP dosimetry records that  
18 would place him at CPP during the SEC time period.

19 Does that answer your question, Bob? I  
20 rambled a lot there. Sorry.

21 MR. BARTON: Yeah, no, it does. I  
22 think we kind of highlighted the -- it was a CATI  
23 with a survivor that mentioned the monitoring going

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1 out of an area. Thank you.

2 Well, that would strictly be for  
3 contamination. Because, I mean, it kind of seems  
4 like if they were already badged, I guess they would  
5 be looking for contamination on the shoes or  
6 something like that? Is that what the thought  
7 process is?

8 DR. TAULBEE: Well, many of the  
9 construction trades would come in, especially  
10 pipefitters in particular and insulators, would  
11 come into an area and do a job. And they would  
12 dress out in PPE. And upon exit they were surveyed  
13 out of the area.

14 But they might only be there a few days,  
15 you know, two to three days. I mean, that's it.  
16 So it wasn't a long-term thing. But it was  
17 something that came up consistently during the  
18 interviews coming out of contamination areas.

19 Josie?

20 ACTING CHAIR BEACH: Yes, I'm still  
21 here. I was just waiting. So, does that conclude  
22 your report then, Tim?

23 DR. TAULBEE: Yes.

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1                   ACTING CHAIR BEACH:    Okay.    And any  
2                   questions for Tim?   Any other questions I should  
3                   say.

4                   If not, we'll move on to SC&A's report.  
5                   And Bob, I believe you're going to take that on,  
6                   correct?

7                   MR. BARTON:    That's correct, Josie.

8                   ACTING CHAIR BEACH:    Alright.

9                   **Review of Class Definition**

10                  MR. BARTON:    Okay, so, essentially I'm  
11                  going to start at the end with what our summary  
12                  recommendation was, which has changed somewhat  
13                  considering the additional data capture that  
14                  happened last week.

15                  Basically, we had six observations,  
16                  four of which are really pertinent to the SEC Class  
17                  Definition.   Two of them related to things we saw  
18                  in the records that might give us pause, but upon  
19                  running them down we felt we were on solid ground.

20                  One of them had to do with some of the  
21                  supplemental records we had were undated and do not  
22                  contain headers, but they were clearly dosimetry  
23                  records in two of the claims.   But if you really

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1 started to put the puzzle pieces together on that,  
2 it appears this was just a format that they used  
3 relative to the SL-1 incident.

4 At least that's what we found for these  
5 two cases in which we found records with dosimetry  
6 but didn't have, again, no dates and no column  
7 headers. And the way we were able to kind of come  
8 to that conclusion is you find, you know, 100 pages  
9 later, you find records that had similar numbers  
10 for penetrating and non-penetrating external dose  
11 that kind of lined up with the undated records we  
12 were seeing. And those were clearly associated  
13 with the SL-1.

14 So, even though that's kind of a red  
15 flag when you first look at them we were able to  
16 figure out that it really wasn't a problem. So  
17 that was not really pertinent to our discussion  
18 here.

19 The other one that wasn't really  
20 pertinent is we found one record where they  
21 transmitted what I refer to as a career dose total.  
22 And it'll say something like, you know, 1963-1968,  
23 and it'll give the total external exposure.

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1                   As we talked about, and Tim has  
2 mentioned numerous times, this was sort of part of  
3 an efficiency measure in the early years where we  
4 didn't really need to see each individual dosimetry  
5 results, but as the process evolved we figured out  
6 that we did. And in one of the 18 cases we noticed  
7 that the career dose that was reported excluded a  
8 couple of years in the late '60s.

9                   And so we said, well, the only point  
10 there being is you can't use those totals  
11 necessarily to administrate the Class, if it's  
12 accepted as it's written.

13                   So those were the two observations that  
14 didn't really necessarily affect the SEC Class  
15 Definition, but were sort of germane to the whole  
16 process.

17                   Now we get to the four that we sort of  
18 mentioned in our summary recommendation. Two of  
19 them we have just discussed extensively. Those  
20 were Cases 17 and 18 in Tim's report. And those  
21 were the ones that had bioassay at CPP and we did  
22 not have corresponding dosimetry.

23                   One of them, obviously, is sort of, I

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1 guess, pragmatically adjudicated based on the fact  
2 that those visitor cards were uncovered for the  
3 claimant. And actually the dates on them really  
4 do line up nicely with when the, I think it was an  
5 in vivo result was taken.

6 The other one, again, we talked about  
7 extensively. This is the one where it might be a  
8 typographical error where we do have visitor badges  
9 associated with MTR and SPERT. We have internal  
10 monitoring over the same time period associated  
11 with Central Facilities. But then that fly in the  
12 ointment, the in vivo record that says CPP.

13 So, those two were really the big ones,  
14 where you have evidence they were in CPP and no  
15 external monitoring. One of them we found the  
16 visitor badges and one of them could possibly be  
17 an error. It's a handwritten record, so I don't  
18 know.

19 Again, as I said before, that one still  
20 kind of gives me pause, because if we're going to  
21 talk about typographical errors, the human error,  
22 as Gen pointed out, is always going to be there.  
23 You're never going to be at 100 percent.

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1           I guess the remaining two are the ones  
2           that would qualify for new conversation. And this  
3           would be Observation 1. And this is related to  
4           something I had never seen before in the INL  
5           claimant records. And I refer to it as a box and  
6           record number. And essentially what this is -- and  
7           Tim probably knows way more about this than me.  
8           And I think he's got some material that he might  
9           want to show the Board on this.

10           But basically it's an electronic  
11           database search. And it pops out the box number  
12           and the record number presumably within the box of  
13           where you're going to find this person's dosimetry  
14           records.

15           And these I'd never seen before.  
16           Again, when we did the supplemental dosimetry  
17           request for the 18, five of the 18 contained them.  
18           The others did not.

19           So, one of the things we did upon seeing  
20           this new information is try to match up those record  
21           numbers that are in this listing with what we're  
22           actually seeing in the dosimetry file which was  
23           transmitted to us.

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1                   And they're always either 30-dash-some  
2                   number, or as Tim had mentioned, the visitor badges  
3                   were 50-dash-something.     And so you could take  
4                   that listing and then go look in the actual file  
5                   and say, and it's really written right on the top  
6                   of the page.   "Yes, there it is, there it is."

7                   But for one of the claimants, and this  
8                   is Observation No. 1, the very first listing has  
9                   a handwritten note next to it that says "not found."  
10                  And if you look in the file, you can't find that  
11                  record number either.

12                  Now, when you put the pieces together  
13                  based on the limited five claims we had these for,  
14                  you can kind of figure out, and it's written in my  
15                  report, that it was just the record apparently that  
16                  was not found, not the whole box.   And also that  
17                  it's very likely associated with records in 1961.  
18                  That's based on the record number, the box it was  
19                  in, and sort of neighboring records based on that  
20                  cataloguing number.

21                  So it really isn't necessarily  
22                  pertinent for that particular case, in the  
23                  pragmatic sense, but it did give me some pause that

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1 we've never seen these before for other claimants.

2 So, at least from my view, we really  
3 didn't have a notion to what extent you might have  
4 a listing of all these records you should have, but  
5 you can't find them. And so that gave me some  
6 pause.

7 And I know Tim's got a response ready  
8 to go. So I'll pass it over to him.

9 DR. TAULBEE: Okay. Thanks, Bob.  
10 Let me just try and do some clarification here on  
11 this particular issue.

12 The printout that you're looking at is  
13 from their indexing database. This is what they  
14 go through for the individual, in that some people  
15 will have 30 pages of records here. And they go  
16 through each one when they pull the person's name  
17 up, and they go to that particular file.

18 The record, by the way, is a file. It's  
19 the electronic file within their system. The page  
20 is where this person's supposed to have appeared.  
21 And the document type was an area exposure report  
22 which is their routine dosimetry. The box number  
23 off to the right is what box these files came out

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1 of.

2 And so when they were doing this  
3 indexing that I was describing to David earlier  
4 they would take a box of these area exposure  
5 reports, they would take a folder and they would  
6 scan it. And then they would tag that particular  
7 folder with that 30-dash, I think in this case it's  
8 -10802.

9 And then when the indexers went through  
10 the process of building the database they would  
11 enter every person's name that appeared on every  
12 page of that file. And so this particular  
13 individual was tagged on page 305.

14 So, whenever they go through then to  
15 develop a claim they print all of these out. They  
16 go through their database. They open up each of  
17 these files, extract that particular page, and send  
18 it to us for dose reconstruction.

19 Now, in some cases, some of these files  
20 aren't necessarily -- got removed, got updated, the  
21 number changed, or whatever reason that they got  
22 a "not found" in this particular case. What  
23 they're supposed to do is go through and determine

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1 was this person on the page or not from that  
2 standpoint.

3 The individual that you pointed out  
4 here I would like to point out had three name  
5 changes during their time period at INL, three last  
6 name changes. So they might not have found it  
7 under one name, but that person might be on that  
8 page still.

9 The box is available. The page that I  
10 put up on the shared directory this morning  
11 identifies what the title of that box is. And it's  
12 1961-1962 dosimetry files. And you go to the far  
13 right of that and it's for the MTR reactor area,  
14 for test reactor area.

15 So, as you pointed out this really isn't  
16 germane from the time period standpoint. It's  
17 also not germane from the location standpoint.  
18 This isn't a CPP file. This would be for MTR, for  
19 their work out at MTR.

20 One thing that I did want to -- in your  
21 writing that did cause me some pause here, and part  
22 of why I labeled this particular file a  
23 misunderstanding, is that you indicated that we

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1       went through all of the CPP dosimetry and we said  
2       that they were complete.

3               And I still stand by those particular  
4       statements from that standpoint, because we went  
5       through all of them and we compared a monthly basis  
6       the number of people monitored in the area versus  
7       the number reported in health physics.

8               But we only did it for CPP.    This  
9       particular box is MTR.  We did not look at all of  
10      the other areas.

11              And if you recall during my  
12      presentation to the Board -- or the discussion that  
13      we had possibly in the September time frame we found  
14      another hole back with CX dosimetry.

15              In July they provided us the CX  
16      dosimetry.  This would be for the construction  
17      area at CPP.  And when we went through we found that  
18      there were 22 pages that hadn't been scanned.

19              We were able to see that, and we went  
20      back to the site.  They went and pulled that  
21      particular box and said sure enough, these pages  
22      got missed from that standpoint.  And they  
23      re-scanned them and added them to the particular

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1 files.

2 So, from that particular standpoint, I  
3 solidly stand behind all of the CPP area exposure  
4 reports, that those are complete for CPP.

5 This new hole that we found is the  
6 temporary badge reports and the visitor inserts.  
7 But the original area exposure reports for CPP are  
8 complete and have been checked. Other areas we  
9 have not.

10 MR. BARTON: I guess, and I got cut out  
11 there for a second, Tim, but I heard almost all of  
12 what you had to say.

13 Again, it was a concern from my  
14 standpoint, that, I mean, the notion that a certain  
15 record was missing. Even though, like I said and  
16 you just confirmed, it was not related -- that it  
17 was not related to CPP, I didn't know that part  
18 about it, but I could surmise, and I put my argument  
19 in our paper that it was not from the SEC period.

20 But it gives me pause that I've only  
21 looked at five of these listings, and so for the  
22 rest of the claimant population, and really the  
23 workforce in general, the potential claimants,

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1       it's a bit troubling when you see, oh, this record  
2       was not found. Even though it doesn't make any  
3       difference, really, for this particular claim in  
4       the pragmatic sense, you know.

5               I guess -- well, maybe it would be  
6       better if you expounded a little bit on that  
7       verification process. Because as I seem to  
8       remember, in most cases you found more records than  
9       were reported in the health physics summaries. Is  
10      that correct?

11             DR. TAULBEE: That's correct, yes.

12             MR. BARTON: Well, and you know, on  
13      first blush, it certainly seems like the result of  
14      that would be beneficial. But I guess I would say,  
15      well, how many -- if they don't match up, how many  
16      more might there be, if that health physics total  
17      doesn't really reflect the number of records that  
18      we have?

19             You know, this whole thing comes all the  
20      way back to there's some uncertainty, we can't put  
21      a number on it.

22             DR. TAULBEE: One thing that you're  
23      not, or maybe people aren't understanding here:

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1 this dosimetry listing that you've got here is from  
2 an indexed database. There could be, and likely  
3 are, human errors within that database, as well.  
4 So, this person got tagged as being on this  
5 particular page within this file, and they very  
6 well may not be, from that standpoint.

7 So, this is just one of those potential  
8 uncertainties that we run into in looking at a large  
9 volume of records here.

10 ACTING CHAIR BEACH: Tim, this is  
11 Josie. Is there any way to know if these temporary  
12 records are accurate and complete?

13 DR. TAULBEE: For certain time periods  
14 we can do that for temporary badges, yes. But for  
15 other time periods, no.

16 We could go through when they reported  
17 the temporary badge reports and go through and do  
18 a tally when they included them on those dosimetry  
19 roll-ups. Yes, we could do that. But I know I  
20 can't cover the entire time period.

21 ACTING CHAIR BEACH: So, you're saying  
22 you could do some of them, but still not all of them.  
23 You could go through and see what certain time

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1 periods were accurate and complete. But there's  
2 still going to be some that you're not able to do  
3 that with.

4 DR. TAULBEE: Right, because I don't  
5 have a secondary, independent method of doing it.  
6 A separate report that issues it, or discusses it.

7 MR. FITZGERALD: Tim, Joe. I guess  
8 one thing that concerns me, given your description.  
9 You know, yes, there is an accepted fact of life  
10 that there will be errors in an index. You know,  
11 even with an SEC process, the records, the first  
12 order records may have errors. That's just the way  
13 it is.

14 What strikes me as a little different  
15 here, though, is that's kind of an objective  
16 process where if you are in the database, you're  
17 in, or in the index, you're in, and if you're not,  
18 you're out. And, you know, it's certainly up to  
19 DOL to police any errors that may crop up. And  
20 that's happened in the past.

21 In this case, and I think you keyed on  
22 this description in your report, one has to be a  
23 little bit more subjective and use a bit of a weight

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1 of evidence approach because you do have bits and  
2 pieces of other records, secondary records,  
3 temporary badging reports that can facilitate  
4 locating a worker, or not locating a worker in CPP.

5 But in this case, you do have to be a  
6 little bit more subjective and exercise judgment.  
7 And I'm very familiar with that process. You know,  
8 certainly that is a philosophy and approach that  
9 guides dose reconstruction, and particularly when  
10 you don't have a black and white set of records.  
11 You have to use weight of evidence.

12 And something that, in this case,  
13 underpins an SEC Class Definition, however, when  
14 one moves toward that subjectivity as opposed to  
15 an objective approach, that's a bit unprecedented.

16 I guess I am trying to think of a  
17 situation where a weight of evidence approach has  
18 underpinned an SEC Class Definition.

19 I know it's not direct, but it in a sense  
20 is the gateway because if the weight of evidence  
21 conclusion is, and judgment is that person likely  
22 wasn't in CPP then certainly they would not show  
23 up on the SEC roster.

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1           So, you know, and this gets back to  
2           Gen's original comment of how much uncertainty. I  
3           guess I would add how much subjectivity versus --  
4           which I think DOL tends to rely on a more objective  
5           basis can one have in a Class Definition.

6           And I guess I keep coming back to that  
7           because that just feels like we're walking down a  
8           different path than we have in the past. I don't  
9           know if you could comment on that.

10           DR. TAULBEE: I'm not sure what to  
11           comment on that. In a sense, you are correct, but  
12           part of what got us into the subjectivity was going  
13           through and trying to come to closure on all 881  
14           cases that worked at INL during this particular  
15           time period.

16           And so in many ways we're trying to  
17           prove a negative of whether this person worked in  
18           this area or not. And so evaluating the records  
19           is going to be subjective from that standpoint.  
20           That was what our task was, at least that's what  
21           I took it as what the Work Group wanted. And so  
22           that's what got us down into this particular path.

23           MR. FITZGERALD: But I think it's clear

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1 the secondary records -- and I think this was the  
2 test that the Work Group was looking to, is to  
3 whether the secondary records would provide an  
4 objective basis, since the primary records, the  
5 external dosimetry file, did not. Would the  
6 secondary records provide that?

7 And my sense is that, to a large extent,  
8 they have, but there's still a fairly high  
9 uncertainty which can only be addressed through  
10 weight of evidence judgment.

11 And, again, that's what sort of  
12 concerns me, you know, we're in dose reconstruction  
13 that makes sense because one has to exercise  
14 technical judgment. In this case, this is a  
15 gateway to an SEC Class Definition. And to me,  
16 that's a different context.

17 And of course that's a Work Group  
18 decision, or a Work Group assessment. But I guess  
19 that's kind of where my concern comes from.

20 DR. TAULBEE: Can I ask what you're  
21 referring to as primary and what you're referring  
22 to as secondary records?

23 MR. FITZGERALD: Well, the primary, I

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1 think, we started out was everybody who went into  
2 CPP would necessarily need to be badged. And  
3 certainly that was the conclusion. And then there  
4 were clearly some exceptions to that and the  
5 process has been one of evaluation whether those  
6 exceptions could be addressed through other means.

7 And those other means, of course,  
8 include temporary badge records, include other  
9 forms of records. But I'm just saying that as  
10 opposed to a level of certainty or objectivity,  
11 which is what you have in the external file, I think  
12 what we're finding is that there's still some  
13 ambiguity on several individuals.

14 And, again, this is a sample. This is  
15 not the universe of workers who may have worked at  
16 CPP. This is a sample that we're dealing with. So  
17 we don't know what that universe may have.

18 But the sample itself certainly shows  
19 that there are some exceptions, which, in terms of  
20 the evaluation, I don't disagree with you. I think  
21 looking at the preponderance of evidence you might  
22 be able to place somebody there or not.

23 But I think, since this is a process

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1 question as well as a technical question, the  
2 process conclusion is that you sort of get down to  
3 having to use weight of evidence when you have some  
4 individuals whose records are somewhat ambiguous,  
5 there isn't something that's firm.

6 DR. MAURO: This is John Mauro. I have  
7 a question that steps back a little bit. I've been  
8 listening and it's extremely informative.

9 I understand that you have your  
10 Definition of your Class, and you both went  
11 through, SC&A and Tim went through a process to ask,  
12 okay, we have these 18 cases and questions. And  
13 say, okay, and at the end of the process, Tim, you  
14 uncovered lots and lots of information related to  
15 visitor badges and index cards and said, "hmm,  
16 these people might have been missed" -- that's what  
17 I'm hearing -- under the current Definition and the  
18 way in which I guess everyone deemed it would be  
19 implemented.

20 But I'd like to know, when you walk away  
21 from that, and I recognize the 18 is a sample, would  
22 you say that some of those people that emerged  
23 during this process of testing the definition you

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1 would have missed if you didn't go through this  
2 process?

3 And what I mean by missed is they should  
4 have been included in the Class because they  
5 probably were at CPP, or they might have been at  
6 CPP for 250 days. Or is the takeaway, "we're not  
7 quite sure"?

8 It sounds like a lot of the people you  
9 might have missed may have been relatively  
10 short-termers.

11 So, in a way, I'm asking, stepping way  
12 back and say, does the process we just went through  
13 lead you to a sense that the current Definition,  
14 or perhaps a modification of the Definition, could  
15 still leave you in a place where there's a very real  
16 possibility that you're going to miss some people?

17 DR. TAULBEE: Let me try to address  
18 this in two parts here first.

19 First, in saying that the 18 are a  
20 sample is not quite correct. We started with 881.  
21 And we were able to place them either in the Class  
22 or not in the Class based upon the records that we  
23 had in hand initially.

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1           What we came down to was 18 that needed  
2 follow-up, that the records were not clear. And so  
3 this is not a sampling of 18 people. This is  
4 starting from 881 and working our way down, from  
5 that standpoint, to one that we needed to do  
6 follow-up on. So, that's the first point I'd like  
7 to make.

8           The second one is you are correct that  
9 had we not gone through this exercise in going  
10 through we would have missed Case No. 18 in this  
11 particular case. Actually, we would not have  
12 missed Claim No. 18 -- let me clarify that --  
13 because this individual does not have a cancer that  
14 is eligible for the SEC.

15           We would miss people like Case No. 18.  
16 So, coworkers of his that would file a claim in the  
17 future, had we not found this issue with the visitor  
18 inserts, would have been missed with regards to  
19 CPP.

20           Some of the ambiguity with the  
21 temporary badge reports was with the other areas  
22 of trying to place certain workers in other areas  
23 to do the follow-up and basically show that, yes,

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1 this person was monitored during this time period.  
2 They were not at CPP, they were in this other area.

3 And in doing so, that's when we found  
4 -- we kind of discovered the dose reconstruction  
5 issue of, hey, we really need these other files in  
6 order to complete dose reconstructions. So,  
7 that's how that issue got raised.

8 We had all of the CPP temporary badge  
9 reports since last April. But there is that gap  
10 of '69 through '73 that if they were not zero or  
11 if -- yeah, if they were zero -- if they were not  
12 zero, they were already in the system.

13 If they were zero and they were not one  
14 of the other prime contractors, although that's not  
15 consistent either, then they could have been  
16 missed.

17 So, people like No. 18 could have been  
18 missed from our Class Definition, yes.

19 DR. MAURO: Good, thank you.

20 MR. BARTON: If I could, at least from  
21 SC&A's side, when we talk about sort of really  
22 processing through the 800 to 900 claims that we're  
23 talking about that would be affected right now with

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1 this SEC Class, they were reviewed, but I want to  
2 point out that, at least on our side, it was to  
3 varying degrees.

4 When we set out with our last study I  
5 sort of did the mock SEC administration test to try  
6 to get down. And that's sort of where SC&A arrived  
7 at their claimants that we wanted to follow up on.

8 But that doesn't speak to the fact that  
9 certain claims, for example, if they had external  
10 dosimetry in that latter SEC period, we didn't dig  
11 any farther on them at all.

12 So, in a pragmatic sense, yes,  
13 absolutely, they'd either be covered or not. But  
14 even the covered claims, definitely for that latter  
15 part, weren't really investigated further to  
16 really test the Definition.

17 So I'm not comfortable saying that  
18 we've done a complete analysis on all available  
19 claims. The process that brought us to these 18  
20 involved some quick decisions saying, well, that  
21 person would be covered so we're not going to really  
22 dig any further.

23 So we don't know if there's other

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1 problem children out there that perhaps would be  
2 covered, but also have evidence in their file that,  
3 you know, for that specific period they were at CPP  
4 and we don't have the necessary requirements for  
5 that.

6 So I just want to kind of qualify that,  
7 at least from SC&A's standpoint. I don't know  
8 specifically what NIOSH's process was, but for ours  
9 we sort of -- if they immediately qualified for the  
10 Class Definition as written, we didn't dig any  
11 further.

12 DR. TAULBEE: Same with NIOSH. We did  
13 the same thing that you did, Bob, in that if they  
14 immediately qualified and they had monitoring  
15 between 1970 and '74 based upon the Class  
16 Definition we did not look further, no. Because  
17 they were already part of the Class.

18 So, I totally agree with you 100 percent  
19 the review was to varying degrees as we were  
20 whittling this down.

21 ACTING CHAIR BEACH: This is Josie, if  
22 I may interrupt for a minute.

23 The website just posted both reports,

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1 so they are now available online if anybody is  
2 looking for those.

3 DR. TAULBEE: What you'll find with the  
4 NIOSH one is that it's heavily redacted.

5 MEMBER MELIUS: I was going to say,  
6 hopefully redacted, right?

7 DR. TAULBEE: Heavily redacted.

8 MEMBER MELIUS: Yes, I know, I know.  
9 But hopefully that one was the one that was posted.

10 MR. BARTON: Yeah, I'm trying to pull  
11 it up right now. I mean, what's there, just the  
12 title page?

13 MEMBER MELIUS: Tim, this is Jim  
14 Melius. Do you have a timeframe on the indexing?

15 DR. TAULBEE: I don't at this time. I  
16 can give a guess, which I'd really rather not.  
17 DOE asked the site to give them a cost estimate and  
18 a timeframe in order to do that.

19 MEMBER MELIUS: Okay.

20 DR. TAULBEE: And that just occurred  
21 last Thursday. And so they were working to see  
22 what it is that they would need in order to do this  
23 indexing.

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1           My -- well, I said I wasn't going to  
2           guess. My guess is six months to a year. There  
3           are 21 boxes still to be scanned. We had tagged  
4           them with temporary badge reports from other areas,  
5           but they have not even been scanned yet.

6           DR. NETON: Sorry, Tim, this is Jim. I  
7           missed the estimate you gave.

8           DR. TAULBEE: Okay. My best guess  
9           would be six months to a year for them to index  
10          these. We tagged 21 boxes of temporary badge  
11          reports last week and those are going to be scanned  
12          the week of the 25th. We'll have some data  
13          scanners out there doing that. And then all the  
14          records will be available to DOE to index.

15          They can start indexing now, though,  
16          because all of the visitor insert cards we already  
17          turned over to them and told them these were of  
18          highest priority first because those were directly  
19          CPP visitor cards.

20          MR. BARTON: This is Bob. We've sort  
21          of been using specific cases or observations, what  
22          have you, as springboards for this discussion.

23          There is one more, and it was SC&A's

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1 Observation 6, Case 6 for us. And it's actually  
2 NIOSH's first case. And this was an individual who  
3 we have -- this is the classical problem that we  
4 started with back in July where we have an annual  
5 external exposure record showing the person in  
6 question monitored from 1963 to 1965, but we do not  
7 have any individual dosimetry records to say where  
8 that person was actually badged.

9 And from what I'm hearing, this might  
10 become important because, if that person was part  
11 of these visitor cards that haven't been captured  
12 yet, I don't think they would make it into the  
13 system. They shouldn't have made it into the  
14 system to show that they were monitored from '63  
15 to '65.

16 So, again, we have that gray area where  
17 we know they were monitored, we're not quite sure  
18 where. And even with the supplemental data  
19 request we don't have additional information,  
20 individual dosimetry logs, what have you, that  
21 would place that monitored worker in a specific  
22 location.

23 That was the problem back in July and

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1 we really solved most of them. Most of them were  
2 solved by the construction dosimetry that was  
3 captured later.

4 But, again, this is one that I was  
5 surprised at because, again, we have an annual  
6 record for this person. So they made it into the  
7 system somehow, but those files at least were not  
8 transmitted as part of the supplemental request.

9 And, again, that's Observation 6, Case  
10 6 for SC&A, and Case 1 for NIOSH.

11 DR. TAULBEE: If I may speak to this one  
12 a little bit here. Part of why this individual  
13 made it into the system was he was monitored at CPP  
14 in 1959 and he received a substantial dose as a  
15 visitor at CPP. That's in the temporary badge  
16 reports that we have. And he was actually  
17 monitored for a fission product intake at that  
18 time.

19 The in-between time period which you're  
20 referring to, in the 1963-65 time period, we looked  
21 again through all of the CPP temporary dosimetry  
22 reports and did not find this individual in there.  
23 We did not look through all of the other temporary

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1 badge reports of other areas. And as I pointed  
2 out, if he was a zero dose then he was not in there,  
3 or he may not have been entered.

4 The time period for the visitor inserts  
5 only applies from '69 to '73 for CPP, in that they  
6 are not currently included or indexed from that  
7 standpoint.

8 So, I guess my -- I just wanted to make  
9 that kind of clarification there for other people.  
10 We did look through the '63-'65 temporary badge  
11 reports and did not find this individual.

12 MR. BARTON: I agree with that. But it  
13 almost makes it more troubling to me because this  
14 individual made it all the way into the  
15 computerized printout for annual doses in  
16 1963-1965.

17 And as you said, this sort of anomaly  
18 of not included in them in the main system if they  
19 had zero dose wouldn't apply to those years. So,  
20 we're still talking about an individual who was  
21 monitored that we see via the annual dose totals,  
22 which are zero, but we can't find them anywhere.  
23 So we don't really know where they were actually

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1 monitored at.

2 I do agree with your comment about the  
3 1959. That's pretty clear. I think he was at CPP  
4 and got monitored both internally and externally  
5 in 1959. But the fact remains we simply don't know  
6 where that individual was during those first three  
7 years of the SEC period.

8 DR. TAULBEE: That is correct. And  
9 the only way I think we're going to find where those  
10 zeros came from is the temporary badge reports for  
11 this individual.

12 MR. BARTON: But as you said, they  
13 should be there unless we're talking about the  
14 '69-'74 time period. Before that he should have  
15 cropped up.

16 DR. TAULBEE: They're only in the  
17 temporary badge reports that we have scanned  
18 already for CPP. The other ones we have not  
19 scanned yet or reviewed. And so if they were under  
20 a temporary badge they were then entered into the  
21 dosimetry system for that particular area even if  
22 he was a zero. If they were already in the system.

23 So, it's one of the other temporary

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1 badge areas is where this person likely was. I can  
2 say with considerable confidence that he was not  
3 at CPP from '63 to '64.

4 MR. BARTON: I guess my concern is why  
5 those -- I mean, why the Department of Energy  
6 supplemental request for this directly from the  
7 site wouldn't have identified those temporary  
8 badge reports for the other site beyond CPP.

9 DR. TAULBEE: Because there's one  
10 index.

11 MR. BARTON: I'm not talking about the  
12 visitor cards. I'm talking about the listing of  
13 temporary badge reports.

14 DR. TAULBEE: The temporary badge  
15 reports had not been indexed either. The visitor  
16 cards were the temporary badge reports. Neither  
17 of them have been indexed.

18 MR. BARTON: I see.

19 DR. TAULBEE: And that's what the site  
20 is going to be working on, because we need them.

21 DR. MAURO: Tim, this is John again.  
22 The level of granularity that you're working on is  
23 incredible. And I've been listening very, very

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1 carefully. And what I heard was the 18 that you  
2 went through, you learned a lot. You learned that,  
3 yes, the Definition as used was problematic. And  
4 so used, you could have missed some people. So  
5 that was revealing. That's what I heard.

6 But then you also said something very  
7 important, that is, in the process of going through  
8 this you found so much other information in the form  
9 of boxes of index cards and visitor badges, all of  
10 which provide additional information which is now  
11 being scanned. I assume we're talking about names  
12 of people.

13 Now, granted that the names are  
14 problematic, you know, spellings and stuff like  
15 that. But what I'm hearing now is that you're  
16 loading up a database now that will add names.

17 Once that's done and that information  
18 is available to NIOSH and Labor, would you say that  
19 the people that you would have missed, you will no  
20 longer miss now because of this fix, this patch,  
21 to go in and grab things?

22 And that would be one level of  
23 questions, that now you've made certain repairs on

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1 the database that now the people that you had  
2 affirmative evidence that you would have missed,  
3 now you have evidence that, no, you would have  
4 caught them.

5 But I also heard you say, however, in  
6 the process of going through this, you revealed  
7 certain categories of problems where there may  
8 still be some people out there that this new list,  
9 this new and expanded database, could still have  
10 missed because of the certain root cause issues  
11 that emerged.

12 That means that, well, even with the  
13 addition of this database and these additional  
14 data, there's still elements to things that you've  
15 learned that says that, yes, there still could be  
16 some people that the process with the new and  
17 expanded database could still miss.

18 I go back to this kind of question  
19 because it sort of steps out of the weeds and tries  
20 to get back up to what did we all learn from this  
21 process.

22 DR. TAULBEE: To answer your first  
23 question with regards to do I feel that, once this

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1 database has been expanded and indexed with the CPP  
2 visitor inserts ,do I feel then that we would not  
3 miss any of these people? Absolutely correct. I  
4 believe that this fix of indexing the inserts will  
5 completely -- or will fill that particular gap if  
6 you will at this time.

7 The latter one is the one that I'm not  
8 quite sure what you're asking, because I don't  
9 believe -- the additional issue with the temporary  
10 badge reports having not been entered it for other  
11 areas doesn't really apply here to the CPP  
12 standpoint. Because we have the temporary badges  
13 already for CPP. Now, granted, DOE has not indexed  
14 them, but we have them available in our hands to  
15 where we can see them at this time, and assist if  
16 an issue comes up.

17 DOE is going to index them so that's  
18 part of that larger group of indexing. But once  
19 that is completed from the temporary badge reports,  
20 I don't see where we would be missing anybody. And  
21 I believe we would actually be improving dose  
22 reconstruction as a whole across the entire INL  
23 site, and ANL, by the way, in that we've now got

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1 all of these visitors that are coming and going and  
2 we have their dosimetry associated with it.  
3 Whereas before it wasn't available to us.

4 DR. MAURO: Okay, thank you.

5 ACTING CHAIR BEACH: Okay, Bob, at this  
6 point anything else on your report?

7 MR. BARTON: Those were --

8 (Telephonic interference)

9 MR. BARTON: -- main observations pertaining  
10 to the efficacy of the Class Definition. I think,  
11 as I said before, I mean, if you read both reports  
12 I don't think NIOSH and SC&A are in disagreement.

13 (Telephonic interference)

14 MR. BARTON: It's what you do with that  
15 information. As Tim said and we reiterate, you  
16 can't be 100 percent. And that's --

17 (Telephonic interference)

18 MR. BARTON: -- is how it was put. And  
19 it's really what do you do now.

20 ACTING CHAIR BEACH: That was what I  
21 was wondering, Bob. Yes.

22 MR. BARTON: Right. And it's an  
23 incredibly tough decision. And I think both NIOSH

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1 and SC&A have been wrestling with it to a great  
2 extent. And, you know, you look at the writeups  
3 on these 18 claims and you see --

4 (Telephonic interference)

5 MR. BARTON: -- and there's always  
6 going to be some level of uncertainty. And again,  
7 I mean, it's a tough one. And I think it really  
8 comes down to what is going to be acceptable to you  
9 all and the Board as far as assurance that not one  
10 single claimant might be missed.

11 I think there's certainly some  
12 indications of gray areas. I mean, we still have  
13 the one claim that might be a typo. We have the  
14 annual record, but maybe those can be explained by  
15 the temporary badge reports that haven't been  
16 captured yet. We don't know that. It's very  
17 difficult.

18 And, you know, one of the other things  
19 is the fact that we can't really validate the  
20 completeness of the temporary badge records, or  
21 when you get even to finer detail the visitor cards.  
22 Which the temporary badge report, again, is a  
23 listing of a bunch of workers who worked over a

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1 certain time span, usually a week or something like  
2 that. But we don't have any secondary reference  
3 that we can judge that against. And certainly the  
4 visitor cards, we don't have any reference to judge  
5 that against, whether those are all complete. So  
6 it's very difficult.

7 And, you know, I think NIOSH and SC&A  
8 are both in agreement that you just, you cannot  
9 reach 100 percent assurance, but to what level is  
10 going to be acceptable to the Board.

11 MEMBER MELIUS: This is Jim. I think  
12 the real dilemma, at least for me, is the fact that  
13 we're not even going to be able to evaluate the  
14 temporary/visitor completeness, or evaluate the  
15 information in it until it is indexed, and that's  
16 going to take some period of months to do.

17 And so it's not like there's a  
18 straightforward next step to do. At the same time,  
19 what has bothered me throughout this process is  
20 that we keep discovering things about this site.

21 We discovered this new set of badges  
22 that weren't indexed. We discovered a policy  
23 change that we didn't know about earlier. So it

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1 keeps, you know, the target keeps changing  
2 somewhat, or the basic information available keeps  
3 changing.

4 But Josie, what I would suggest is that  
5 -- I'm certainly not ready to make a decision or  
6 a recommendation at this point in time.

7 At the same time, I think it behooves  
8 the Work Group to come up with -- at least to  
9 evaluate this and report it in a way to the Board  
10 to give the Board input in terms of what should be  
11 the next step on this particular Class Definition  
12 and SEC recommendation.

### 13 **Work Group Recommendation**

14 And what I would suggest is that the  
15 Work Group plan to meet before the next Board  
16 meeting, which is at the end of March, and discuss  
17 this.

18 I mean, Tim's report we received two  
19 days ago, less than two days ago, and SC&A's about  
20 a week before that. I think based on some of the  
21 discussions here I think I understand them better,  
22 but I'd like to go back through them. And  
23 understand and go back to some of the earlier

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1 reports and presentations.

2 MEMBER ROESSLER: Jim, this is Gen.  
3 I'm sitting here listening to all of this the whole  
4 time and as a Board Member feeling a really huge  
5 responsibility. And I think it would be really good  
6 to, as you suggested, present this at the Board and  
7 in some way get input from other Board Members.  
8 Because it's their responsibility also.

9 We're really working on new ground.  
10 Whichever way we go on this, and we're going to have  
11 to go one way, we're going to be setting a precedent  
12 for this program and potentially other programs,  
13 and the impact that we make is rather huge. So I  
14 think the more input we can get from other Board  
15 Members and others would be very helpful.

16 ACTING CHAIR BEACH: I don't disagree  
17 with both of those. I'm also interested in NIOSH's  
18 position on this. It does set a precedent for SECs  
19 that we haven't encountered before. So, that's  
20 one area.

21 So, in presenting to the Board we can  
22 give them a quick update next week -- and I don't  
23 have any problem doing that -- on just where we're

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1 at, a brief overview, and what our next plan is to  
2 meet prior to the March meeting.

3 Does that sound about right? Jim and  
4 Dave, of course I want to hear from you also.

5 MEMBER ROESSLER: I think if you could  
6 draft something, Josie, in the next few days and  
7 pass it around to the Work Group Members. And then  
8 we can -- I don't know if this is acceptable, Ted,  
9 but then we can talk about it a bit.

10 ACTING CHAIR BEACH: Well, the next  
11 meeting is on Wednesday so there's not a lot of  
12 time.

13 MEMBER ROESSLER: I know, there's not  
14 a lot of time. But I think it should be a report  
15 from the whole Work Group. So if there's something  
16 that you could draft quickly and we could give input  
17 I think that would be helpful.

18 MEMBER MELIUS: I think a report should  
19 be sort of a process report.

20 ACTING CHAIR BEACH: Yeah.

21 MEMBER MELIUS: We've gone through  
22 this. There's issues and we plan to meet again and  
23 discuss in more detail at the March meeting.

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1           ACTING CHAIR BEACH: Yeah, because I  
2           can't imagine that the other Board Members would  
3           have any time to even come up with any good  
4           discussion for Wednesday.

5           So I think, just like you said, a  
6           process report and then plan on meeting and having  
7           a fuller report hopefully in March. Where people  
8           have time to read some of these reports. Because  
9           there's no time between now and Wednesday.

10          MEMBER ROESSLER: And there's probably  
11          not time at the meeting either now that I think  
12          about it for Board Members to absorb it and come  
13          up with anything.

14          ACTING CHAIR BEACH: No, not on  
15          Wednesday, I cannot even imagine that.

16          MEMBER ROESSLER: I agree.

17          MR. KATZ: Right. This is Ted. And  
18          following, I think, Josie's just getting this  
19          process report to let people know where things  
20          stand. I'll send out then both of these reports  
21          directly to all the rest of the Board Members.

22          And you can ask them, Josie, to read  
23          these and get familiar. Because it is, it's pretty

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1 dense, it's a lot of stuff, and it would be helpful  
2 if they had time to do their homework which they  
3 will if they get it very quickly. It'll be helpful  
4 for the discussion then in March wherever you get  
5 at that point.

6 ACTING CHAIR BEACH: Correct.

7 MEMBER MELIUS: This is Jim again.  
8 And I would just say if there's issues as we look  
9 at the reports again and think about it, if there  
10 are issues of clarification, whatever, I think it  
11 might be helpful to pass those along to either SC&A  
12 or NIOSH or both of them prior to our Work Group  
13 meeting.

14 MR. KATZ: Yeah. And let's just do  
15 that through me so I can be sure that sort of the  
16 bases get covered. But I think that's a good idea.

17  
18 ACTING CHAIR BEACH: And I think we  
19 should probably try to plan a face-to-face before  
20 the March meeting.

21 MR. KATZ: If you want. Since I have  
22 four of you, all but Phil, on the phone, if you want  
23 to look at your calendars now we can actually pick

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1 a date.

2 MEMBER ROESSLER: Okay, let me get  
3 mine. I agree on the face-to-face.

4 MR. KATZ: But I'm sorry, are you  
5 saying this next meeting will be face-to-face?

6 ACTING CHAIR BEACH: Yes, the one  
7 before the March meeting.

8 MR. KATZ: Okay. That's fine,  
9 whatever you'd like.

10 DR. TAULBEE: This is Tim. While  
11 you're looking at your calendars, I did a quick scan  
12 through the dosimetry reports to see which years  
13 I could potentially verify the temporary badge  
14 reports for CPP area.

15 We certainly wouldn't have the other  
16 ones scanned yet. They'll be scanned but they  
17 certainly wouldn't be in our possession to do an  
18 evaluation on other areas.

19 But CPP, it looks like up through 1966,  
20 so we could evaluate '63-'66, and then '72-'74.  
21 There might be one more in between that gap, but  
22 I don't know about that.

23 I do see temporary badges being

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1 reported for CPP in some of those areas that we  
2 could potentially provide some input to the Work  
3 Group at a meeting.

4 MR. KATZ: For dates, if you folks have  
5 your calendars out, I think this should be  
6 sufficiently in advance of the meeting, because  
7 it's going to be a lot to report on for Tim and Bob  
8 and the Work Group to the Board.

9 How about the week of March 1st? How  
10 does that week look for you folks? For example,  
11 March 1st, March 2nd, 3rd.

12 MEMBER ROESSLER: I'm okay.

13 ACTING CHAIR BEACH: I'm clear.

14 MEMBER MELIUS: March 2nd, 3rd and 4th  
15 I'm not available.

16 MR. KATZ: Okay. How's March 1st?  
17 Okay for you, then?

18 MEMBER MELIUS: Yes.

19 MR. KATZ: And David? How's March 1  
20 for you? That's a Tuesday.

21 MEMBER RICHARDSON: March 1st looks  
22 okay.

23 MR. KATZ: Okay. So we are, just to be

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1 clear, we're going to plan for a face-to-face then  
2 in Cincinnati on March 1st.

3 MEMBER ROESSLER: Okay.

4 ACTING CHAIR BEACH: Okay.

5 MR. KATZ: And of course, if one of you  
6 can't travel because of teaching or other duties,  
7 you know, we'll have a phone hook-up too so you can  
8 join if you can. I'm thinking especially of David.

9 MEMBER MELIUS: And I assume Tim and  
10 SC&A, Bob, will be available?

11 MR. KATZ: Right. I mean, that's  
12 essential, right. So I'm assuming I would hear  
13 from you, Tim, or Bob, now if it's a problem. March  
14 1st?

15 MR. BARTON: I go where I'm told, Ted,  
16 so.

17 MR. KATZ: Okay. Well, how about Tim?

18 DR. TAULBEE: Yes, I am available.  
19 I'm very glad you picked that week because the  
20 previous week I'm not available.

21 MR. KATZ: Okay, okay. So there it is.  
22 It's March 1st. And we'll let the petitioners  
23 know, too, that we have that as a date.

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1 MEMBER MELIUS: Okay.

2 ACTING CHAIR BEACH: Okay. And on  
3 this, I will put together, with SC&A's help, a  
4 presentation for Wednesday, mostly just a status  
5 report. And of course, that will be sent to NIOSH  
6 hopefully by the first of the week. So, Monday,  
7 Tuesday morning at the latest.

8 MEMBER MELIUS: NIOSH won't be around  
9 Monday. It's a holiday.

10 ACTING CHAIR BEACH: A holiday for you  
11 guys. Okay, Tuesday morning at the latest, then.

12 MEMBER MELIUS: And the earliest is  
13 fine too.

14 ACTING CHAIR BEACH: The earliest.  
15 Okay. So we'll get that out.

16 MR. KATZ: I'm sure you'll be fine,  
17 Josie. It's a process. You're not going to be  
18 getting into any --

19 ACTING CHAIR BEACH: Right, right.  
20 Yeah. And then, Ted, could you at this time, if  
21 there's nothing else on either report or any  
22 questions, could you go through the petitioner's,  
23 the authorized representative's email?

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1       **Petitioner Comments**

2                   MR. KATZ: I was waiting to do that.  
3       We sort of jumped the gun and got into this matter.  
4       But let me just read this for the record for the  
5       Work Group meeting.

6                   So, NIOSH had sent an email, the  
7       petitioner counselor for NIOSH, to one of the  
8       petitioners, the representative of the petitioner  
9       asking about -- who had looked at the agenda and  
10      saw what the issue is. And here's what he wished  
11      to convey at least.

12                  "As the authorized representative for  
13      the INL petitioner, the proposed Class, if it still  
14      requires proof of a radiation monitoring badge for  
15      CPP, then my position is that is not a viable manner  
16      of implementation of the SEC.

17                  "I'm aware that the Board has also  
18      presented this concern to NIOSH. I am concerned  
19      that if approved with this Definition then there  
20      will be some workers that are not accounted for in  
21      the SEC Definition.

22                  "I know from Mr. Taulbee's presentation  
23      at previous meetings that the records were

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1       efficiently kept at INL.       However, as an  
2       authorized representative for workers at INL, I  
3       affirm that there will very likely be exceptions  
4       and issues that will challenge that proposed  
5       Definition."

6                   And that's it, that's his comment.

7                   ACTING CHAIR BEACH:    Thank you for  
8       that.   Any other items to discuss before we move  
9       to the next brief update?

10                   (No response)

11       **Brief Update on Other DCAs**

12                   ACTING CHAIR BEACH:    Hearing none,  
13       then we were going to hear from NIOSH and from SC&A  
14       on updates of other activities to date.

15                   So, Tim, would you like to start on  
16       that?

17                   DR. TAULBEE:    Okay.   I'm not sure what  
18       other activities you're wanting an update on, but  
19       I will give you one.

20                   ACTING CHAIR BEACH:    I didn't put this  
21       together so I was assuming that --

22                   MR. KATZ:    So, this is Ted.   I'll speak  
23       for it because I did put it together although I

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1 shared it with everybody for their comment and got  
2 no comments.

3 But I'm assuming there was other SEC  
4 work aside from this getting done, this  
5 definitional matter getting done on both sides of  
6 the fence, both at DCAS and SC&A. And I thought  
7 it might be useful for the Work Group just to hear  
8 how the rest of that is going along.

9 DR. TAULBEE: Okay. Well, then, from  
10 my standpoint on the SEC side of things, since the  
11 update in November we have been working diligently  
12 on the ANL-West SEC. And I have seen an early draft  
13 of that and DCAS has reviewed it. And ORAU is  
14 implementing our comments into the report. And we  
15 are expected to get a re-draft on Tuesday of next  
16 week.

17 So that one is rolling along to where  
18 we should definitely be able to present it to the  
19 Board at the March meeting for sure, and hopefully  
20 actually get it to you 30 days in advance, at least  
21 that is our target right now. So, that could be  
22 unprecedented in and of itself.

23 So, that's the other SEC activities

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1 that we have been working on.

2 ACTING CHAIR BEACH: That's terrific.

3 Okay.

4 MEMBER MELIUS: Tell us where to send  
5 the bottle of champagne.

6 (Laughter)

7 DR. TAULBEE: Well, we haven't  
8 achieved it yet. Give it time.

9 ACTING CHAIR BEACH: Okay, thank you  
10 for that. And it sounds like you're right on  
11 target from what we discussed last meeting.

12 Bob, or anyone from SC&A, could you let  
13 us know what you're working on?

14 MR. STIVER: This is Stiver. I can  
15 give you kind of a thumbnail sketch of where we are.

16 ACTING CHAIR BEACH: Okay.

17 MR. STIVER: As everybody is I'm sure  
18 aware, the week of the 25th through the 28th of this  
19 month we'll be out at the site doing worker  
20 interviews and some data capture.

21 You'll recall the primary focus of the  
22 data capture is to look at Burial Grounds and also  
23 CPP in the pre-1963, the pre-SEC period. And also

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1 to see if we can find some actual measurements of  
2 dissolver content and so forth, anything above and  
3 beyond what Ron Buchanan was able to locate in the  
4 SRDB, to kind of try to validate the OTIB-54 and  
5 TBD-5 approaches of using the index fission product  
6 radionuclides to estimate -- based on the ratios,  
7 to estimate the potential intakes of actinides and  
8 other fission products.

9 So, that's going to take up most of that  
10 week. In addition, we were tasked to do a couple  
11 of other activities.

12 One was to create an issues matrix.  
13 And we have that pretty well in hand. It still  
14 needs to be fleshed out a bit for the SEC. I had  
15 a mechanical related question regarding that. In  
16 reviewing the transcript from our last meeting, it  
17 seemed to me that what you wanted, I think Josie  
18 had mentioned this, was kind of one comprehensive  
19 matrix that would cover the entire waterfront, both  
20 the Site Profile and the SEC. And typically what  
21 we do is we try to keep those separate.

22 ACTING CHAIR BEACH: No, I think I  
23 wanted those separate.

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1                   MR. STIVER:    You want them separate?  
2                   Okay.    So that'll make our job a lot easier.  We  
3                   already have the Site Profile one.  All those  
4                   issues are still kind of in abeyance, really, at  
5                   this point, or they're kind of on the back burner  
6                   until we get a handle on the SEC.

7                   ACTING CHAIR BEACH:  No, John, let's  
8                   definitely keep those separate.

9                   MR. STIVER:    Okay.  Well, that's going  
10                  to make it a lot easier for us, then.  It shouldn't  
11                  take much longer than a couple of weeks.

12                  Having said that, I'm not going to be  
13                  around.  I'll be here next week, and then the week  
14                  after the trip.  So, probably sometime in February  
15                  we could get that out.

16                  MR. KATZ:    And John, are you setting  
17                  these up on the BRS?

18                  MR. STIVER:    We will, yeah.  Right now  
19                  it's just in a Word format.  But yeah, it will  
20                  definitely be up on the BRS once we get it all  
21                  fleshed out.

22                  And the other thing, I believe, was you  
23                  wanted the prioritized list of the 52 reactors,

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1       which ones that we felt were probably the most  
2       pertinent for the SEC discussion determinations.  
3       And that report is in the works and should be also  
4       done sometime in February.

5                ACTING CHAIR BEACH:     So, possibly  
6       we'll have both of those before the --

7                MR. STIVER:    That would be the goal, to  
8       have them before our face-to-face meeting.

9                ACTING CHAIR BEACH:    Okay.  Before the  
10      March 1st meeting.  Terrific.

11               MR. STIVER:    Right.  And that's all I  
12      had.  Unless anybody else -- Bob, do you have  
13      anything else to add to that?

14               MR. BARTON:    No, I think you covered  
15      the waterfront there.

16               MR. STIVER:    Okay.

17               ACTING CHAIR BEACH:    Okay.  And then,  
18      Work Group Members, any additional comments,  
19      clarifications?

20               MEMBER ROESSLER:    Nothing here.  Good  
21      job, Josie.

22               ACTING CHAIR BEACH:    Okay, thank you.  
23      And Jim, anything from you or Dave?

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1 MEMBER MELIUS: No.

2 MEMBER RICHARDSON: No.

3 ACTING CHAIR BEACH: Okay. So we've  
4 already discussed the petitioner comments and the  
5 worker recommendations. And I would say, unless  
6 there's something else, we are at a point we can  
7 close.

8 MR. KATZ: Very good. Thank you,  
9 Josie. Thank you, everybody else.

10 (Whereupon, the above-entitled matter  
11 was concluded at 1:02 p.m.)

12

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18