

Centers for Disease Control
National Institute for Occupational Safety and
Health
Advisory Board on Radiation and Worker Health
136th Meeting
Tuesday, October 27, 2020

The meeting convened telephonically at 11:00 a.m.,
Eastern Daylight Time, Rashaun Roberts, Designated
Federal Official, presiding.

Present:

Rashaun Roberts, Designated Federal Official
Henry Anderson, Member
Josie Beach, Member
Bradley P. Clawson, Member
David Kotelchuck, Member
James E. Lockey, Member
David B. Richardson, Member
Genevieve S. Roessler, Member
Phillip Schofield, Member
Loretta R. Valerio, Member
Paul L. Ziemer, Member

Also Present:

Nancy Adams, NIOSH Contractor
Barrie, Terrie
Buchanan, Ron, SC&A
Calhoun, Grady, DCAS
Crawford, Chris, DOL
Fitzgerald, Joe, SC&A
Kinman, Josh, DCAS
Naylor, Jenny, HHS
Nelson, Charles, DCAS
Rutherford, Lavon, DCAS
Taulbee, Tim, DCAS

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Proceedings

(11:01 a.m.)

Roll Call

Dr. Roberts: Good morning, everybody, and thank you all for joining today. This teleconference is for the Advisory Board on Radiation and Worker Health. I am Rashaun Roberts and I'm the Designated Federal Official for the Board.

Before we move right into the meeting agenda, let me start by covering a couple of brief items.

The agenda for today's meeting can be found on the NIOSH website. And for those who may not have an agenda in front of you right now, know that the agenda is very brief, it's pretty straightforward, and you should find it easy enough to follow along even without it. There are no other meeting materials for today.

The second item I want to cover pertains to our meeting technology today. So, we're back to old-school just doing this via telephone.

But in order to keep things running smoothly, I'd like to ask each of you to please mute your phone unless you need to speak.

If you don't have a mute button on your phone, press *6 to mute. If you need to take yourself off mute, press *6 again.

So, with that, I'd like to go ahead and formally start and welcome everyone to the teleconference for the Advisory Board on Radiation and Worker Health.

The primary purpose of today's meeting is to prepare for our December 8th and 9th Board meeting, which, like, many of this year's meetings, will take place virtually.

So, let's go ahead and do roll call. And let me just note that because this is just an administrative

planning meeting, we don't need to address conflict of interest during the roll call. So, I'll start with the Board members in alphabetical order.

(Roll Call.)

Dr. Roberts: Thank you all again and welcome.

This should be a relatively brief meeting. First on the agenda we do have an update from Mr. Lavon Rutherford.

Special Exposure Cohort (SEC) Petition Status
Update - Mr. Rutherford, DCAS

Mr. Rutherford: Alright. Thank you, Dr. Roberts.

Okay. For the December board meeting we had planned to present the Y-12 addendum for SEC 250, but recently several former Y-12 workers were identified to interview. So, we are working to set up those interviews.

As you know, the process for scheduling the interview is interviewing the individuals, getting the notes reviewed for classification, pulling together the notes from all the people involved, and drafting a summary which we have to send out to the interviewee to verify the summary is correct; and then reviewing the summary for input into the addendum takes some time.

Therefore, I don't anticipate the addendum will be completed in time for the December Board meeting. We will plan to present the addendum at the April 2021 Board meeting.

There are no new SEC petition evaluations to present at the December meeting, but we do have one petition that has recently qualified and we are starting the evaluation process.

The petition is for the Pinellas plant. The petitioner identified an issue that was not previously addressed by NIOSH or the Advisory Board Work Group and SC&A during the Site Profile Review.

I think, as most of you remember, we had a pretty significant review of the Site Profile for Pinellas, and this was one issue that wasn't addressed. So, we qualified that petition.

We have two petitions in the qualification phase; one for Rocky Flats and the other for Pantex.

Again, there will be no new SEC petition evaluations. I expect that most everything will be done. There will be Work Group updates on current SEC petitions.

And that's all I have. Any questions?

Dr. Roberts: Any questions from the Board?

(No response.)

Dr. Roberts: Okay. Well, I don't hear any at this time. So, thank you, Bomber, for the update.

Member Kotelchuck: Dave Kotelchuck.

Dr. Roberts: Okay. Sure.

Member Kotelchuck: Let me ask you -- there was a Rocky Flats SEC petition offered [identifying information redacted]

As I read the letters and material that was sent to us, it did not qualify -- is that correct -- or is that a not finished?

Mr. Rutherford: Yeah, that's a not finished.

As I mentioned, I think, at the last board meeting, the petition went to administrative review.

The administrative review panel did offer findings back to us and asked us to provide additional detail to the petitioner, which we are working on at this time.

We will provide that information to the petitioner and then we'll go from there.

Member Kotelchuck: Very good. Thank you.

Dr. Roberts: Okay. Any other questions from the Board or comments?

(No response.)

Updates from Work Groups and Subcommittees

Dr. Roberts: Okay. Well, hearing no additional, I think we can go ahead and move to the next agenda item, which is the updates from

Work Groups and Subcommittees, if there are any updates at this point.

Before I open it up to the Board members, I wanted to start this portion of the meeting by closing the administrative loop on SEC Petition 247, which encompasses all Atomic Weapons Employees who worked in any area at Superior Steel Company in Carnegie, Pennsylvania, between 1952 and '57.

A Board vote was taken on that petition at the August 26th through 27th, 2020, full Board meeting.

There were two missing votes from that meeting; one from David Richardson and the other from Brad Clawson. Both have since been collected.

With those two votes received, the Board has voted unanimously that dose reconstruction for the petition Superior Steel was feasible.

At this point, I'm going to turn it over to Paul Ziemer to go ahead and read the draft of the Board determination letter to HHS and see if the Board members would like to recommend any changes.

Paul?

Member Ziemer: Thank you, Rashaun. Let me also point out I think Board members actually also have copies of this. It was sent to them by email.

The correct version, I believe, was a version that was distributed yesterday. You might have gotten an earlier version of this.

So, I'm reading from what I believe is the correct version of this, which, on my email, was dated yesterday.

So, I'll proceed with reading the proposed letter to the Secretary of Health and Human Services.

Dr. Roberts: And, Paul, before you start --

Member Ziemer: Oh, sorry.

Dr. Roberts: I'm sorry, Paul.

The one -- the version you should have is one without a signature line.

Member Ziemer: Right. No signature line. Right.

Dr. Roberts: Yes.

Member Ziemer: And it also doesn't have the address line to the Secretary, per se. This is just the body of the letter. Okay?

Dr. Roberts: Yes.

Member Ziemer: So, I will proceed.

The Advisory Board on Radiation and Worker Health (the Board) has evaluated Special Exposure Cohort, SEC, Petition 00247 concerning workers at the Superior Steel Company in Carnegie, Pennsylvania, under the statutory requirements established by the Energy Employees Occupational Illness Compensation Program Act of 2000 and incorporated into 42 CFR Section 83.13. The National Institute for Occupational Safety and Health, NIOSH, has recommended that individual dose reconstructions are feasible for "all Atomic Weapons Employees who worked in any area at Superior Steel Company in Carnegie, Pennsylvania, during the period from January 1st, 1952, to December 31st, 1957." NIOSH found that it had access to sufficient exposure monitoring and other information necessary to estimate, with sufficient accuracy, the radiation dose received by members of this group and, therefore,

the Class covering this group should not be added to the SEC. The Board concurs with this determination. Based on these considerations and discussions at the December 13, 2018; April 17, 2019; and August 26 and 27, 2020 board meetings, the Board agrees with the NIOSH recommendation that this Class not be added to the SEC.

Enclosed is the documentation from the Board meeting where this SEC Class was discussed. The documentation includes copies of the petition, the NIOSH review, thereof, and related materials. If any of these items are unavailable at this time, they will follow shortly.

Dr. Roberts: Thank you, Paul. So, that's the letter.

I'd like to open it up to the Board for any comments or recommended edits.

Member Ziemer: This is Ziemer again. I just noticed one thing, which I hadn't noticed before in reading it.

The last sentence -- the second-to-last sentence, where it says, enclosed is the documentation from the Board meeting where this was discussed, it actually should be plural, "Board meetings."

We had already listed several meetings in the previous paragraph where it was discussed. I believe that should be plural.

Do you concur?

Dr. Roberts: Yes.

Member Ziemer: Yeah.

Member Kotelchuck: Dave Kotelchuck.

The last sentence I just noticed, and I think this is correct, if any of these items "is" unavailable at this time, not "are," because "any" is -- it's "any one of these items is unavailable."

I think that's correct English. Could someone check

or -- I think that's proper English usage is "any" should be one, "if any is unavailable."

I defer to people who are better informed with --

Member Ziemer: If you omit the phrase "of these items," it would -- which you can omit for this purpose -- "if any unavailable" versus "if any is unavailable," is what you're saying?

Member Kotelchuck: Right. Yes. I think that's correct. Again, I defer to my high school English teachers. I think --

Member Ziemer: I think we've been using that sentence for several years in the form that it's in.

Member Kotelchuck: Okay. I'll check this. I didn't notice it until just now and I'm not certain about it.

Either way, this is not a major issue, but I just --

Member Anderson: It's been part of the template we've used in the past.

Member Kotelchuck: Well, okay. Fine.

Member Anderson: But that doesn't mean we can't -
-

Member Ziemer: I think "any" can be considered plural.

Member Kotelchuck: Yeah.

Member Ziemer: Because "any" could be one. It doesn't say "any one." It could be multiple items. "If any items are unavailable."

Member Kotelchuck: "If any items are unavailable." You may -- that may be the case. That may be the case.

I would -- we could certainly --

Mr. Calhoun: Either is acceptable.

Member Kotelchuck: Okay. Fine.

Member Clawson: Unless you guys want -- unless you guys want me to start Okie-ing it together, we could really get this letter going.

(Laughter.)

Member Kotelchuck: Alright. Then let's stick with what we have and I will seek advice from my English teacher friends for the future.

Dr. Roberts: Okay. And other comments or edits?

(No response.)

Dr. Roberts: Okay. So, hearing none, okay, so what I'm understanding is that there would be one edit to the final paragraph, which would now read, "Enclosed is the documentation from the Board meetings where this SEC Class was discussed." And then the documentation includes copies of the petition, the NIOSH review thereof and related materials. If any of these items are unavailable at this time, they will follow shortly.

Okay? Great. So, we're done with this item. Is it okay to move on?

Member Kotelchuck: Don't we have to have a vote? A formal vote?

Member Ziemer: Actually, the action was on the SEC. I think we've never voted on these letters, we've just looked --

Member Kotelchuck: Oh, okay.

Member Ziemer: -- to see if there were any grammatical things. It's usually a grammar issue.

Member Kotelchuck: Okay. Alright. Fine.

Dr. Roberts: Okay. Great. Okay. Well, thanks for doing that, Paul. That was excellent.

So, the next thing I want to bring up in this section

on work groups and subcommittee reports, is that, as Mr. Rutherford mentioned, late last week board members were notified that NIOSH qualified a SEC petition for the Pinellas Plant for evaluation.

Now, there was a Pinellas Plant Working Group, and my understanding is that it was retired after all the findings on the Site Review Profile -- Site Profile Review were closed, I guess, at that time.

But given a recent development, what we're going to need to do is stand up a Pinellas Working Group again.

So, Phil Schofield, Brad Clawson, and Poston were the Chair and members of the previous group from the Board.

So, Brad and Phil will need to consider whether they would like to sit on the revised Working Group.

If it's the case that both are willing to resume work on Pinellas, we'll need to identify at least one more member from the larger board to sit on that group since Poston is no longer on the Board.

And obviously there can be no conflict of interest for the person who volunteers to be on the group.

Member Clawson: Rashaun --

Dr. Roberts: Yes.

Member Clawson: -- this is Brad.

Dr. Roberts: Go ahead.

Member Clawson: I'm good with going back to it. That's fine with me.

Dr. Roberts: Okay. Great.

Member Schofield: Rashaun, this is Phil. I'm good with it, too.

Dr. Roberts: Thank you.

Member Anderson: I'd be happy to join that group.

Dr. Roberts: Is that you Henry? Who was that?

Member Beach: That was Henry Anderson.

Dr. Roberts: It was Henry. Okay. Perfect. Okay. Excellent. Okay. So, great. It sounds like that's taken care of.

If anyone else has an interest, please contact me offline and let me know.

Member Anderson: Was Brad the Chair or was it Phil?

Member Beach: Phil.

Dr. Roberts: I think it's Phil.

Member Anderson: Good. Okay.

Member Clawson: So, what? You don't want me, Henry? Is that what you're trying to say?

(Laughter.)

Member Anderson: I just thought if it happened to be Poston, then there'd be three of us members and nobody wanting to take the lead.

Member Clawson: No, that's good. I'm fine.

Dr. Roberts: Okay. Great. So, you'll still chair, Phil. That's great.

Okay. Well, with that, those pieces done, let me open it up to see if there are any Work Group or Subcommittee reports that the Chairs would like to offer at this time.

Member Schofield: This is Phil, Santa Susanna and De Soto. We had -- we're addressing -- we had a meeting on the 21st of October and one of the big things where we were trying to address some of the issues the petitioners have put forward, we still have a real problem with the fact that we can't identify people who are at which facility.

So, we will not be ready to take a vote on the petition for the full Board meeting in December.

Dr. Roberts: Okay. Okay. Any other reports?

Member Beach: Rashaun, this is Josie. I have a couple of just brief updates on my Working Groups.

So, starting with Metals and Control, I got an email from Lavon a couple of days ago -- in fact, the whole Work Group did -- just giving us an update.

Metals and Control, it looks like they are working on our items that we brought up in our last Work Group call and should be -- should have those to us mid-December.

I don't think on that one SC&A is going to need a whole lot of time. So, we can probably schedule out a Work Group meeting end of December/first of February.

And then for -- and, Lavon, if you think that's different, let me know.

And then for LANL, it looks like we will have our items in-hand same timeframe, mid-December.

I believe SC&A is going to need a little time with that, but I still think we can probably schedule something again sometime in February.

Mr. Rutherford: This is Lavon.

Member Beach: Go ahead, Lavon.

Mr. Rutherford: I was going to say I agree with that, Josie.

Member Beach: Okay. Perfect. So, I guess, Rashaun, that will be -- as long as those items, if they're late, if Lavon would let us know, I think we can go ahead and maybe start looking at some dates possibly for the February timeframe.

Dr. Roberts: Okay. Great. And you said end of

December or first of February for M&C?

Member Beach: Yes. Yeah.

Dr. Roberts: Okay.

Member Beach: So, I'm thinking maybe January for M&C and then --

Dr. Roberts: Okay.

Member Beach: -- possibly the end of January/first of February for LANL.

Dr. Roberts: Okay.

Member Kotelchuck: The Dose Reconstruction Review Subcommittee, just a reminder to folks, we're meeting on November 4th. A nice, quiet day this fall with not much hubbub.

Make sure you get enough -- go to bed early on the 3rd, for those of you on the west coast, so that you'll be up bright and early on the 4th. So, see you all on the 4th.

Dr. Roberts: Wow. And that's just next Wednesday.

Member Kotelchuck: Yes.

Member Beach: And, Dave, since you brought it up - - this is Josie -- I have a little bit of a conflict that day, but I already talked to Rashaun about it and I won't have a time that I'll have to step away until the day before, which would be the 3rd.

Member Kotelchuck: Okay.

Member Beach: So, I'll keep Rashaun posted on that.

Member Kotelchuck: Right. And thank you for that. And Rashaun also told me about that.

Member Beach: Okay.

Member Kotelchuck: So, appreciate it.

Member Beach: Okay.

Member Kotelchuck: There shouldn't be any problem. Thank you.

Dr. Roberts: Okay. Great. Anyone else with an update?

Member Clawson: Well, this is Brad. And now that I'm able to function and halfway move, I'm going to be starting to look forward on the Savannah River Work Group being able to get this together.

I've got some documents that have come out and I'm going to be getting with SC&A. I'll probably get with you, Rashaun, and we'll get a Work Group set up and go from there.

Dr. Roberts: Okay. Now, we do have the date already scheduled for SRS and the SEC joint groups on the 17th of November and the 20th of November.

And I'll be sending a draft agenda to you soon, Brad.

Member Clawson: Great. That sounds fine. I'll be there officially and October 29th I will officially be retired from -- not the Board, from my daily job here.

Dr. Roberts: Congratulations.

Member Kotelchuck: Congratulations. Yes, indeed.

Member Schofield: So, while you're at it, Brad, would you quit sending the snow and cold down this way?

Member Clawson: I'll get right on it, Phil.

Member Schofield: I appreciate that. Keep it up in Idaho where it belongs.

Member Clawson: Okay.

Dr. Roberts: Okay. Any other reports?

Plans for the December 2020 Board Meeting

Dr. Roberts: Okay. Great. Well, hearing none, we can

move into the next item, which is the plans for the December 8th through 9th Board meeting which will take place virtually.

Tentatively I have it scheduled for Tuesday, the 8th, starting at about 1:15 p.m. Eastern and starting about the same time on the next day, the 9th.

So, in terms of just the standard items, I have a welcome. We would have the NIOSH program update, a DLO and DOE program updates.

In terms of other content, Dave Kotelchuck, how do you feel about doing an update?

Is it possible to provide an update on the dose reconstruction review work?

(Pause.)

Dr. Roberts: Dave, if you're on mute, we can't hear you.

Member Kotelchuck: Sorry. I was on mute.

As I say, yeah, I'll be glad to give a report. As I've said, I don't think it will be an extensive report because there's no need for one, but I'll be very glad to update folks briefly.

Dr. Roberts: Okay. Great.

So, about how much time do you think would be appropriate for that?

Member Kotelchuck: Really, just 10 minutes -- 10, 15 minutes.

Dr. Roberts: Okay.

Member Kotelchuck: And I don't think we have extensive issues because we don't have a report to the Secretary to talk about. So -- and we're moving right along, so 10 or 15 minutes.

You want to make it 15 minutes?

Dr. Roberts: Sure. With some time for discussion or are you meaning 15 minutes total?

Member Kotelchuck: Honestly, 15 minutes total. I think if -- I don't anticipate much discussion, but you can -- then I'll talk for 10 minutes and have discussion for five.

Dr. Roberts: Okay. Okay. Great. That's good clarification.

Member Kotelchuck: Sure.

Dr. Roberts: And Mr. Rutherford said earlier that the Y-12 addendum would not be ready in time for the December meeting.

But since the Working Group did meet, is there a possibility of doing an update on Y-12? And that question would be for Bill.

(Pause.)

Dr. Roberts: And, Bill, if you're on mute, we can't hear.

Dr. Taulbee: Rashaun, was Bill Field present when you went through roll call?

Dr. Roberts: I thought he may be. Let me double-check that one.

Participant: I don't think he was.

Dr. Roberts: Yeah, you're right. Okay. Sorry about that. I don't know if there's somebody else that can speak on that possibility of doing an update, but I can get with him offline. Thanks for planning that out.

Okay. And then, of course, we would have the public comment session on the first day of this meeting and it would go from -- tentatively from 5:15 to 6:15 p.m. Okay?

Some other items that could potentially go on the agenda is depending on, I guess, what happens with

the joint meeting between SRS and the SEC Issues Work Group as an update on that joint work.

Is that a possibility for the agenda?

Member Clawson: I'd say I think it is.

Member Anderson: I would hope so, yeah.

Member Ziemer: This is Ziemer. I assume you're just talking about a report, not an action item here, right, or do you anticipate action, Brad?

Member Clawson: No, I just -- I was saying that I think that we would have an update, but we'd be able to -- you know, I don't know what we're going to come up to with this Work Group right now, but I'm sure that it would be good to have a little bit of time to be able to bring everybody up to speed, let them know where we're at and what our path forward is.

Member Ziemer: Yeah, I agree with that.

Dr. Taulbee: Rashaun, are you still there?

Dr. Roberts: Yes. Yes, actually. I was now talking with the mute button on.

So, about how much time would an update like that take, roughly?

Member Clawson: I'd say at least an hour because we've got an awful lot to cover.

Dr. Roberts: Okay. Alright. I will make a note of that. Okay. Then we would have room on the agenda for an SEC petition status update and qualifications process update from Mr. Rutherford.

Also, we would include in the agenda the Board Work Session that's typically included. Another possibility is including an update on the Santa Susana and De Soto Working Group.

So, Phil, what's your thought about that?

(Pause.)

Dr. Roberts: Unmute.

Member Schofield: I was going to say that I think 30 minutes will be enough to update it.

Dr. Roberts: Okay. Great. Okay. And then how about an update on Metals and Control or, Josie, do you think that that's a good thing to include?

Member Beach: Yeah, I could. Just the other thing I was also thinking is the Procedures Work Group, I think there's a -- I'd have to check in with Kathy, but there was a few that we didn't get to at the last meeting, I think, that were on the schedule -- maybe two meetings ago.

So, I think we're behind in some of the updates for Procedures.

Dr. Roberts: Okay.

Member Beach: I don't know if anybody is on that can address that.

Member Ziemer: This is Ziemer. I'm on Procedures also. I think a brief report would be adequate, Josie; don't you think?

I don't think there's anything that we're going to require Board action on other than to report what's sort of an update report.

Member Beach: I just thought there was some old procedures that -- and I know that Ted always had SC&A go through them. I can check offline with Kathy and get back with you, Rashaun.

And a Metals and Control update probably 15, 20 minutes --

Dr. Roberts: Okay. Great.

Member Beach: -- just to give you an idea of where we're at.

Dr. Roberts: Okay. Great. And you'll let me know

about Procedures.

Are there any other agenda items that we should add to this?

Member Ziemer: Could you remind us where we will be on Pinellas by then? I think Lavon mentioned it earlier and I didn't make a note of it.

What's the timetable on the new petition from Pinellas?

Mr. Rutherford: Yeah, Dr. Ziemer, yeah, this is Lavon. That petition just qualified.

So, I think it's going to be -- I would suspect the August Board meeting next year or, at the earliest, the April Board meeting. It will not be in December.

Member Ziemer: Yeah. It's a ways off then. I wasn't sure where they were on that. Thanks.

Dr. Roberts: Okay. So, we'll wait on Pinellas.

Any other items?

(No response.)

Dr. Roberts: Okay. Well, hearing none at this time I think that pretty much concludes what we are -- what we've been talking about.

Okay. What about a general agenda item on Work Group and Subcommittee reports? Is that something to add to this?

Mr. Rutherford: Rashaun, it's already on there for the 3:15 to 4:15 period. It's under the Board Work Session. It has Work Group/Subcommittee reports.

Dr. Roberts: Okay. Yes. You're right. We do have that covered.

Okay. Well, if there's nothing else, I think that this is a good place to go ahead and adjourn.

Are there any final comments or any final

suggestions?

Member Clawson: Rashaun, this is just Brad. I just had a question for Lavon.

On that Pantex petition that you were talking about, where are you guys at on that?

Mr. Rutherford: It's in the qualification phase. We haven't determined whether it's going to qualify or not.

It's a petition for the years after the existing SEC. I think it starts in 1992.

Member Clawson: Okay. That's what I was -- I was wondering if I could get any kind of information of what they were looking at. Usually we don't see it until after they have qualified and stuff.

So, I was just wondering if there was something -- I was trying to understand what was left there on that. So, I may give you a call to just chat with you.

Mr. Rutherford: Sounds fine.

Member Clawson: Thank you.

Member Valerio: Dr. Roberts?

Dr. Roberts: Yes.

Member Valerio: This is Loretta again. Sorry, my other meeting was cancelled.

You just mentioned that the ethics training that we got an email on was in addition to the ethics training we took during the Board meeting; is that correct?

Dr. Roberts: Yes.

Member Valerio: Okay. Alrighty. Thank you so much.

Dr. Roberts: Sure. Absolutely. Absolutely.

Any other questions?

(No response.)

Adjourn

Dr. Roberts: Okay. Well, hearing none, this has been quite productive.

Did anybody want to add anything before we adjourn?

Member Clawson: Just that everybody have a nice day and it's been good to hear everybody again.

Member Beach: Oh, it's been good to hear you on the phone, too, Brad.

Member Kotelchuck: Yes, indeed.

(Laughter.)

Member Anderson: Don't forget to vote if you haven't already voted.

Member Kotelchuck: Yes.

Dr. Roberts: Alright. And on that note, we're adjourned. Thank you.

(Whereupon, the above-entitled matter went off the record at 11:42 a.m.)