

Centers for Disease Control  
National Institute for Occupational Safety and Health  
Advisory Board on Radiation and Worker Health (ABRWH)  
139th Meeting

Wednesday, April 14, and Thursday April 15, 2021

## **Wednesday, April 14, 2021**

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### **Summary Proceedings**

The Advisory Board on Radiation and Worker Health meeting convened via teleconference at 1:00 p.m. Eastern Standard Time (EST), Dr. Rashaun Roberts, Designated Federal Official, presiding.

### **Attendees**

#### **Members**

Rashaun Roberts, Designated Federal Official  
Henry Anderson, Member  
Josie Beach, Member  
Bradley P. Clawson, Member  
R. William Field, 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

#### **Non-Members, Registered and/or Public Comment Participants:**

Adams, Nancy, NIOSH Contractor  
Barrie, Terrie, ANWAG  
Barton, Bob, SC&A  
Buchanan, Ron, SC&A  
Burgos, Zaida, NIOSH  
Calhoun, Grady, NIOSH ORAU  
Cardarelli, John, NIOSH ORAU  
Crawford, Chris, DOL  
Fester, Josh, on Behalf of Petitioner  
Fitzgerald, Joe, SC&A  
Gogliotti, Rose, SC&A  
Hand, Donna  
Lewis, Greg, DOE  
Naylor, Jenny, HHS OGC  
Nelson, Chuck, NIOSH ORAU

Ringen, Knut  
Rutherford, Lavon, DCAS  
Taulbee, Tim, DCAS

## **Roll Call/Welcome - Dr. Rashaun Roberts, DFO**

Dr. Rashaun Roberts called to order the Advisory Board on Radiation and Worker Health at 1:00 pm EDT on April 14, 2020, via teleconference. A roll call of all ABRWH members confirmed that a quorum was present. The quorum was maintained throughout the meeting. Dr. Roberts noted that Board members did not have any conflicts of interest for the sites on the agenda.

## **Program Updates: NIOSH, DOL, and DOE**

Grady Calhoun (NIOSH), Chris Crawford (DOL), and Greg Lewis (DOE) gave updates of each organization's activities for the EEOICPA Program and responded to questions from Board Members.

## **Procedures Review Finalization/Approval Process – Josie Beach, Chair, Subcommittee for Procedure Review**

Ms. Beach introduced the topic, describing the Subcommittee's recent activities and noting that there were 35 documents for which the Subcommittee had completed reviews that had not been presented to the Board. She discussed the method the Subcommittee proposes for bringing those documents to the full Board for approval. Kathy Behling, SC&A then presented the proposed method for reporting documents the Subcommittee had completed to the Board. The method is to prepare an issues matrix, much like the ones used by several Work Groups, that describes the document, lists review findings, and provides a chronology of Subcommittee discussion and resolution. This method would be used for documents without extensive findings, because the Subcommittee felt this method would be complicated and ungainly for more complex document reviews. Ms. Behling's presentation also included the proposed closure matrices for two documents, ORAUT-PROC-022, "Supplemental Requests for DOE Information," DCAS-PER-081, "Hooker Electrochemical." Additionally, Ms. Behling pointed out that 12 procedures, for which reviews had been completed by the Subcommittee, had been presented to the Board at past meetings, but the Board had not taken action to close them. Those procedures had been presented at six meetings over the span from March 2013 to April 2018. Finally, she pointed out that the Subcommittee did not necessarily present document reviewed that had resulted in no findings. However, those might also require Board (rather than just Subcommittees) closure and discussed possible way of bringing those to the Board.

During the discussion after Ms. Behling's presentation the board agreed by voice vote to adopt the proposed findings matrix approach for future presentation to the full Board. They further suggested that the Subcommittee task SC&A to review the transcripts of the Board meetings where documents reviews were presented by the Subcommittee but not closed by the Board members during those presentation. SC&A might need to work with DCAS to develop responses to the Board member comments. Finally, they provided some suggestions to the Subcommittee for the type of information to include when presented documents for which there were no findings.

## **Subcommittee on Dose Reconstruction Review Update – Dave Kotelchuck, Subcommittee Chair**

Dr. Kotelchuck presented two areas of recent Subcommittee activity: progress on blind on dose reconstruction reviews and tracking decision points that require professional judgement. Blind dose reconstruction reviews involve the Subcommittee reviewing the results of dose reconstructions performed independently by DCAS and SC&A for a single case. When a case is selected for blind review, SC&A is

given access to all the claim information and the relevant DCAS technical documents for completing dose reconstruction, but no the dose reconstruction report that DCAS had completed. The Subcommittee then examines similarities and differences in the two organizations' dose reconstructions. Dr. Kotelchuck reported that the Subcommittee has completed 44 blind dose reconstruction reviews, and provided breakdowns of the sites of employment, years employed, and genders of the energy employees for those cases. He also provided a comparison of the probability of causation (POC) values obtained by each organization for blind review numbers 28 through 44.

Dr. Kotelchuck noted that often small differences in the two organizations' dose reconstructions resulted from different technical judgments which both were consistent with the guiding technical document. In order to track cases where this occurred, SC&A, at the Subcommittee's request, started collecting those cases on a spreadsheet which shows for each case a broad topic, a specific topic within that board area, the guiding technical documents(s), and additional information that describes why the two dose reconstructions differ. During the ensuing discussion Board members noted that the Board originally planned to review 2.5% did not appear to be achievable. Now, though, the claim rate has slowed, and the Board, SC&A, and DCAS have a well-developed process for the reviews, so a higher percentage might be attainable. Consequently, the Subcommittee was asked to consider whether increasing the target review percentage was desirable. Additionally, for several years the Subcommittee's reviews have focused on cases with POC values from 45% to 52%. In light of the fact that DCAS and its subcontractor already employ additional quality review to cases in that range, it was suggested that the Subcommittee consider expanding the range of POC's selected for review.

## **Board Work Session**

Dr. Roberts reminded Board members of the dates for the next several meetings: telephone meeting June 23; virtual meeting August 18 & 19; telephone meeting October 20; and a planned in-person meeting December 8-9, with the expectation that COVID restrictions that are in place for this fiscal year would be lifted by then. The Board expects to discuss location at its August meeting so that arrangements can be made as soon as the new fiscal year begins. The following dates were selected for future meetings: February 16, 2022 for a telephone meeting and April 27 & 28 for an in-person meeting. Work Group chairs reported on issues under consideration, recent progress, and planned investigations and meetings. Dr. Roberts announced the membership and support staff of the Pinellas Work Group, which had been proposed at the last Board meeting: Phil Schofield, Chair, Josie Beach, Member, Brad Clawson, Member, Henry Anderson, Member, Bob Barton, SC&A, Megan Lobaugh, DCAS.

## **Public Comment**

Dr. Roberts noted that she had received a letter from advocate Terry Barrie, and an exhibit from the Savannah River Site SEC petitioner and had circulated both to all Board members. Members of the public provided comments related to the Savannah River Site and the timeliness of SEC petition evaluations. Dr. Roberts the read into the record a letter from Representative Joe Wilson's office for the 2<sup>nd</sup> District of South Carolina asking the Board to act on SEC Petition 103 for the Savannah River Site. Following public comment, Dr. Roberts adjourned for the day at 5:30pm EST.

**Thursday, April 15, 2021**

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### **Non-Members, Registered and/or Public Comment Participants:**

Nancy Adams, NIOSH Contractor  
Bob Barton, SC&A  
Zaida Burgos, NIOSH  
Grady Calhoun, DCAS  
John Cardarelli, DCAS  
Josh Fester,  
Joe Fitzgerald,  
Rose Gogliotti, SC&A  
Warren Johnson,  
Greg Lewis, DOE  
Jenny Naylor, HHS  
Chuck Nelson, DCAS  
Lavon Rutherford, DCAS  
Tim Taulbee, DCAS

## **Roll Call/Welcome – Dr. Rashaun Roberts, DFO**

Dr. Rashaun Roberts called to order the Advisory Board on Radiation and Worker Health at 1:00 pm EST on April 15, 2021 via teleconference. A roll call of all ABRWH members confirmed that a quorum was present. The quorum was maintained throughout the meeting. Dr. Roberts noted that no members have conflicts of interest with respect to the topics on today's agenda.

Dr. Roberts read a letter received from Dr. Daniel McKee, SEC co-petitioner for Atomic Worker Employer sites General Steel Industries and Dow Madison in Illinois, and Texas City Chemicals in Texas. Dr. McKee had attempted to make these comments during the previous day's public comment session but was unable to make himself heard on the phone. The letter appears to provide new information about the use of thoriated magnesium alloy, that were manufactured at Dow Madison, at Rocky Falls.

## **SEC Petition Status Update & SEC Qualification Process – Chuck Nelson, DCAS**

Mr. Nelson reported that there were no SEC petitions in the qualification process. DCAS is working on the evaluation report for a petition from the Pinellas plant, and expects to present its findings to the Board at the August 2021 meeting; DCAS is preparing addenda to previously completed evaluation reports for Lawrence Livermore National Lab, Argonne National Lab-West, Area IV Santa Susanna, Metals & Controls, DeSoto Avenue Facility, and Reduction Pilot Plant. He also reported that DCAS has identified that it may forward an 83.14 SEC Evaluation Report for West Valley Demonstration Project but has not yet completed the evaluation.

## **Savannah River Site SEC Petition 103 – Brad Clawson, SRS Work Group Chair**

The Board resumed its discussion of the motion from the Savannah River Site Work (SRS) Group that an SEC class be added for subcontractor construction trades workers at SRS from October 1, 1972, to December 31, 2020 meeting.

Following this introduction, Tim Taulbee, DCAS, presented a summary of the information DCAS had assembled that led them to conclude that dose reconstruction was feasible for all employees at SRS for the period under consideration. There was some Board discussion of the information Dr. Taulbee had presented, then at the suggestion of Mr. Clawson, SRS Work Group chair, the Board agreed to hear the presentation from SC&A.

Joe Fitzgerald, SC&A, presented SC&A's evaluation of the information DCAS had provided. SC&A's determination was that, while there was a good deal of bioassay data for subcontractor workers at SRS, it appears that those data were from the routine bioassay program. An SRS self-assessment in the mid-1990s found that only 21% of the individuals who were supposed to leave job-specific bioassays actually left them, and SC&A felt there was no reason to believe compliance with the job-specific program was better in earlier years. DCAS had been unable to show for most areas of SRS that required job-specific bioassay samples had, in fact, been collected. The Board discussed the information that had been presented extensively, then Dr. Roberts asked for the SRS SEC petitioner to present the information they had prepared.

Two representatives of the SEC petitioner presented information to the Board focusing on occurrences where DOE cited SRS for radiological noncompliance and the impact on SRS petitioners of having a petition under consideration for so long.

After extensive additional discussion, the Board voted 8 to 3 to add the class proposed by the Subcommittee:

“All construction trade employees of Department of Energy subcontractor – that's subcontractors, and there's a parenthesis – excluding employees of the following prime contractors who worked at the Savannah River Site in Aiken, South Carolina during the specified time periods, E.I. du Pont de Nemours and Company, October 1<sup>st</sup>, 1972 through March 31<sup>st</sup>, 1989; and Westinghouse Savannah River Company, April 1, 1989 through December 31<sup>st</sup>, 1990, who worked at the Savannah River Site from October 1<sup>st</sup>, 1972 through December 31<sup>st</sup>, 1990 for a number of work days aggregating at least 250 days within the parameters established for one or more other classes of employees included in the Special Exposure Cohort.”

Recognizing that this class definition had not been reviewed by the Department of Labor to determine if it could be properly administered, the Board recognized that the working of the class might be subject to change following such a review. Board members agreed that any additional action, including approving the

SEC recommendation letter to the Secretary, HHS, could be taken at the Boards' June teleconference meeting.

## **Meeting Adjourned**

The meeting was adjourned at 5:16 pm EST.