

US Department of Health and Human Services  
Centers for Disease Control  
National Institute for Occupational Safety and  
Health  
Advisory Board on Radiation and Worker Health  
140<sup>th</sup> Meeting  
Wednesday, October 20, 2021

The Board convened via teleconference at 10:30 a.m.  
Eastern Time, Henry A. Anderson, Chair, presiding.

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Members Present:

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

Also Present:

Barrie, Terrie, ANWAG  
Barton, Bob, SC&A  
Behling, Kathy, SC&A  
Buchanan, Ron, SC&A  
Fitzgerald, Joe, SC&A  
Hughes, Lara, DCAS  
Naylor, Jenny, HHS OGC  
Nelson, Chuck, ORAU Team  
Rutherford, LaVon, DCAS  
Taulbee, Tim, DCAS

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## Proceedings

(10:31 a.m.)

Welcome and Roll Call

Welcome and Roll Call

Dr. Roberts: All right, great. Thank you so much. So it's about 10:31 a.m. Eastern Time. So time to officially open this meeting. I'd like to wish everyone a good morning and a welcome. I'm Rashaun Roberts. I'm the Designated Federal Official for the Advisory Board on Radiation and Worker Health, and this is a full Board meeting.

So let me just get through the preliminaries as per usual. The meeting agenda is posted on the NIOSH website under the schedule of meetings for this month. So you can go to the website to access it. Since this is a telephonic meeting, I do want to make sure that our use of technology is non-disruptive.

So in order to keep the meeting moving forward without interruption, I have asked each of you to please mute your phone unless you need to speak. If you don't have a mute button, press \*6 to mute. If you need to take yourself off, press \*6 again. And also because we're unable to see each other for this meeting, please identify yourself before comments or questions.

So with that, I'd like to formally start this meeting. The primary purpose of today is to prepare for a December 8th or 9th, 2021 Board meeting, which will take place virtually. So with that said, let me move into roll call now. I'll start with the Board members in alphabetical order, and it so happens with we start with our Chair Anderson.

(Roll call.)

Dr. Roberts: Again, just to keep things moving, let's periodically check our phone to see that we're on mute. Again, \*6 to mute, \*6 to unmute, and without

further delay I'll go ahead and turn the floor over to Dr. Henry Anderson, our Board Chair.

Chair Anderson: Thanks Rashaun. Welcome everybody to our 140th meeting. Time flies. I hope everybody had a good summer as we move into fall, and winter is coming. Just a couple of update pieces of information I have. As you know, that we've recruited for new Board members to be made, and that has closed.

It was extended for another month to encourage more people to apply, and I hear from NIOSH that there was a good spread of nominations that were received, and NIOSH is moving forward with review and making proposals. So hopefully early next year if not earlier we'll -- they will announce to us a selection of new Board members. So that's the update that I have on that.

I don't have much else. Rashaun, does Jenny want to give us an update on her status and her activities?

Dr. Roberts: Yes Jenny, over to you.

Ms. Naylor: Great. Thank you so much and thank you for the opportunity for me to address the Board. As you heard from the roll call, there are actually three attorneys from HHS OGC, and that's because I'm actually leaving CDC and my last day with the organization is November 6th.

But I'll be taking leave starting on October 25th, so this Monday, and then lastly I will have access to my CDC emails and (telephonic interference) is actually October 21st. So I just wanted to quickly say that, you know, I joined HHS OGC in October 2009 and I have been with the same organization since then, and I remember when we, you know, with the Board and the supporting staff used to have in-person meetings that lasted three days, it would take up a whole week.

And I think my first SEC petition was Blockson, so it's

been a while. I'm very grateful for the work that you do and the value the amount of effort that you have put into the SEC and the Dose Reconstruction Program. I know that the work that you has tremendous impact on the workers and the claimants and their families.

Aside from our professional relationship, I have also come to call many of you my friends, and there are so many memories that I will always treasure, our winery trip, organized by Wanda. So I hope you'll stay in touch and I'm sure our paths will cross again in an interagency setting maybe, and thank you for your public service. Thank you Rashaun.

Chair Anderson: Thanks a lot Jenny. On behalf of the Board, I want to also offer my thanks for all you did, and I think the Board isn't aware of all you did kind of behind the scenes as well to keep everything on track and be sure that we're all up to snuff on the legal issues that are faced by the Board, that oftentimes we don't necessarily have a full appreciation for what are the issues and concerns.

So unfortunately we can't have a cake or donuts or anything as we would usually do for somebody who's retiring from the Board as you are, but that's as it may and again we offer our thanks and a round of applause from everybody, and as you say at one point we may have the opportunity to have you come back and speak to us, give us an update on your new assignment.

So with that, let me again say thank you and I don't know if any other Board members would like to say a few words or not. Feel free.

Member Kotelchuck: Jenny, sorry to see you go. Dave.

Member Ziemer: This is Paul Ziemer, and I don't know if all the Board members will have an opportunity to speak, but I think a simple way to do it would be that I would like to make a motion that

the Board pay tribute to Jenny and thank her for all that she has done for the Board over her time with us.

In all of the legal areas where we've needed her help. So I would like to move that we pay tribute to Jenny.

Chair Anderson: Do I have a second?

Member Kotelchuck: Second, Dave.

Chair Anderson: Thank you Paul. That's exactly what I was looking for, so we will -- I don't think we need to do a vote.

Member Ziemer: We don't need a --

Chair Anderson: Don't need to do a roll call vote.

(Simultaneous speaking.)

Member Ziemer: We can all say aye.

Chair Anderson: Everybody say aye and we'll --

(Chorus of aye.)

Chair Anderson: Okay. Thank you very much. So with that, let's move on to LaVon, you want to give us an update on the Cybersecurity Modernization Initiative?

Update on Cybersecurity Modernization Initiative

Mr. Rutherford: Yeah, okay. Thanks Dr. Anderson. Can everybody here me?

Participant Yes.

Mr. Rutherford: Okay, good. Well the good news is we -- say that again?

Member Valerio: LaVon, it's Loretta. I don't mean to interrupt, I do apologize. I am on the call. A little late, but I am here. Just to let Rashaun know. Thank you.

Dr. Roberts: Yes, thank you Loretta. Sorry LaVon.

Mr. Rutherford: Hey, no problem at all. No problem. So the good news is we are really starting to see some positive movement forward. As of last week, we have entered all of the cases sent to us by DOL into the new environment, so that our contractor ORAU can start processing them.

We have sent all final dose reconstructions to DOL. They have been received without any significant delay. We have processed all terminal expedite claims as we would use, you know, as we would usually with no delay. Although still a manual process, draft dose reconstruction production is steadily increasing. We have 157 drafts out since the pause as of yesterday.

Many of those have gone out in the last few weeks as new functions and increased productivity. We're still working on additional improvements in automation, which will help increase production in the short term. We have set up areas in the new environment for the Board members and SC&A access documents upon request, and we still do not have an automated system for searching and retrieving documents from the Site Research Database.

But we can manually retrieve and place documents in a Phase 4 Review when requested. SEC Petition reviews continue without really any significant delay, and other applications that we are used to seeing such as that search engine for the Site Research Database are in development, and I really can't give you a concrete date on when that, you know, that search engine will be complete. That's about all I got on cybersecurity. But questions?

Member Beach: LaVon, do you have anything tentative about when that might occur for the search?

Mr. Rutherford: Josie, I'll be absolutely honest with you. We ask about it all the time, just as you, because it's not only slowing the Board, SC&A down, it slows us down as well. With that, I mean it makes

things difficult. So we haven't really got even a tentative date. As soon as we get a tentative date, a good date, we will get -- we'll sit with, we'll let the Board and SC&A know.

Member Beach: Okay, great. Thank you.

Mr. Rutherford: Yes.

Chair Anderson: And LaVon, is the process then for the various -- it sounds like there is access, although it's somewhat problematic as far as the volume and the speed of it.

But so is our process that if Committee members need to access specific documents or are looking for certain documents, should they be contacting you? Should they contact Rashaun who will then forward that to you, so you can pull those manually and put them into the special area?

Mr. Rutherford: Yeah. Rashaun can decide if it wants to be funneled through her. But it will -- from a DCAS standpoint send her -- do send the request through me.

Chair Anderson: Okay.

Dr. Roberts: Right, and as a general rule, the requests have been funneled through me as well so FYI.

Chair Anderson: Well, I'd just remind the Board members if you would normally be going to the database to find documents, won't be able to do that. So for the foreseeable future perhaps, let's route them through Rashaun and I think that has already been working to a certain degree. So let's just continue with that. Any other questions on the Modernization Initiative?

(No audible response.)

Chair Anderson: Okay. Then let's move on to LaVon continue with the Special Exposure Cohort Petition

Status Update.

### SEC Petition Status Update

Mr. Rutherford: Okay. Yeah, I don't have a lot to report here. We have one evaluation report we will present at the December Advisory Board meeting. That's the Pinellas Evaluation Report. That has taken some time. The pandemic has slowed the process down considerably.

However, the report was finalized late last week and is in final ADC review. We expect the report will be sent to the Petitioner and the Advisory Board next week once that review is complete.

So the only thing we've got from a new standpoint is this petition evaluation report for the December meeting, and that's all I've got.

Chair Anderson: Okay. Any questions people have?

(No audible response.)

Chair Anderson: Okay. Updates, we're moving along here quickly so we can have a lot of time to plan for December. But let's talk about the Work Groups. I think we had one Work Group meeting since the last --

### Updates from Work Groups and Subcommittees

Member Kotelchuck: Well, we had a -- this is Dave. We had a Dose Reconstruction Review Subcommittee meeting on the 29th of September.

It was wonderful to get back together and to take care of, take care of our responsibilities. Thanks very much to Lori Marion-Moss and Rose Gogliotti for helping us navigate the new modernization, the Cybersecurity Modernization.

We got started, we've met, we have now another meeting planned for January, January 19th. So moving again or finally moving right along.

Member Beach: Andy, this is Josie. I don't have any Work Group announcements, but I do have the Procedure Subcommittee is meeting on November 3rd. So that will be the next one taking place I believe. That's all I have.

Chair Anderson: And no update on MC&A?

Member Beach: No, nothing new there.

Chair Anderson: Other committees?

(No audible response.)

Chair Anderson: Okay. We've been a little bit slow on committee issues, so Committee chairs take a look and if we need to start things up again or just get people together to remind them on what are the outstanding issues that we need to work on, think about that.

So I guess that brings us to planning for December. I'll turn it back to Rashaun to give an update on that.

#### Plans for the December 2021 Board Meeting

Dr. Roberts: Okay, thanks Andy. So I just wanted to get together about the agenda for December. Again, we're meeting Wednesday, December 8th and Thursday, December 9th. As far as the agenda, at the front end we have the typical agenda items. The NIOSH Program Update, DOL and DOE Program Updates, each slotted for 15 minutes apiece.

LaVon, I'm not sure but for the program update do you think Grady's going to need any more than 15 minutes?

Mr. Rutherford: You know, I think he'll focus that update on where we are with the Cybersecurity Modernization. So but I think you may need just a little bit more, but it won't be much more time.

Dr. Roberts: Okay. So more like 25 minutes or something like that?

Mr. Rutherford: Yes.

Dr. Roberts: Okay, all right. So I will definitely make that adjustment. I assume that DOL and DOE is fine with 15 minutes. That seems to generally work for them.

LaVon, you mentioned that there would be a presentation on the Pinellas Plant Evaluation Report. I have Dr. Lobaugh down for that, and I've allotted about an hour and a half for that presentation with discussion. Does that seem sufficient, too much, too little?

Mr. Rutherford: I think that seems fine. We kind of - she's already worked on her presentation considerably and got a good feel that she will probably take about 40 to 45 minutes. Tim, do you agree with that, that the hour and a half should be fine?

Dr. Taulbee: Yeah, I think an hour and a half will be fine.

Dr. Roberts: Okay. All right. Then of course we have our Board session that will run for about an hour, which I assume will be sufficient. Andy, do you think we need any more than an hour for the work session?

Chair Anderson: I don't think so, unless something comes up between now and then that will take up more time. But I think it's been pretty quiet action, so I don't think we have that much to review.

Dr. Roberts: Okay, and then of course we have the public comment session that will go for an hour at the end of the first day. So I also have an allotment of 15 minutes for the SEC Petition Status Update from Chuck Nelson. I assume that that's sufficient?

Mr. Rutherford: Yes, that's fine.

Dr. Roberts: Okay. I have an hour on the agenda Josie for, you know, the Procedures Review

finalization and document approvals.

Member Beach: Yeah. Did we -- we had that hour the last, the last subcommittee meeting also didn't we, or not for subcommittee --

Dr. Roberts: Yes, I think there was an hour, and that seemed to work okay I'm thinking.

Member Beach: Yeah, I think so too, and we'll do some more planning during our call I'm sure on the 3rd. Is Kathy on the phone?

Ms. Behling: Josie yes, this is Kathy Behling. In fact, I was going to make mention to you. I think Anne sent out a handout that we are planning on hopefully we'll have time to discuss during our November 3rd meeting.

However, perhaps you and I or the subcommittee, we could talk offline and just let a few issues may -- yeah, issues resolution matrices that we want to prepare for the meeting, just so that I can get them prepared and through the Privacy Act procedure before the Board meeting.

So we may have to do that prior to our November 3rd meeting if that's okay with you.

Member Beach: Yes, that's fine.

Ms. Behling: Just a session on picking out a few, a few procedures that we want to present.

Member Beach: Okay. Do you want to just send that around or would that work for you?

Ms. Behling: I can. Yeah, I can. In fact, I had in mind that when I gave the presentation on the issues resolution matrix approach, there were two procedures, PROC 22 and a PER that I discussed during that time, and but we didn't, we didn't vote on those. We didn't discuss those.

So those might be two that seemed pretty obvious

that we could discuss again, and I have some of the preparation already done for those, and I'm thinking we could add one or two additional procedures prior to that.

Member Beach: Okay. If you send that to Rashaun, and Rashaun, if you could send that to the other subcommittee members, you could probably if Paul and Loretta, if everybody agrees, we could probably do that fair quickly via email.

Ms. Behling: Okay, okay. I'll do that. I'll probably put together at least four.

Member Beach: Okay, thank you.

Ms. Behling: Very good, thank you.

Member Beach: Sounds great. Thanks.

Dr. Roberts: Okay. But for the time being we are, we are thinking an hour is sufficient for the December 9th session roughly for this document approval process; correct?

Member Beach: Correct. I would say yes.

Ms. Behling: Yes.

Dr. Roberts: Okay, perfect. Okay, great, great, and I'll wait to get the email from you Kathy. Okay, and then there is an agenda item for the -- an update and discussion from the Subcommittee on Dose Reconstruction Reviews. I was thinking about an hour and a half for that update and to -- which would include discussion of any special issues.

I know that that Subcommittee wanted to raise a couple of things with the full Board. But Dave, how does that sound to you?

Member Kotelchuck: Sounds a little long to me, but I was trying to think about -- I mean there's not, there's not much to report for our one meeting for the -- in September. I'm trying to think what I would

be, we would be raising and we can talk a bit about the professional judgment.

But I don't recall having anything major to bring to the Board. Would other, would other Board member -- would other subcommittee members remind me if we have, what we might want to bring up?

Member Clawson: Dave, this is Brad. Remember the one case we brought up that NIOSH was still using the same process, even though they knew that it was a problem with the Work Group for over ten years?

Member Kotelchuck: Yes, yes. That, okay.

Member Clawson: That's the one that we wanted to bring to the full Board.

Member Kotelchuck: That's it. Okay, thank you very much. Right. Still, I think probably -- honestly, I think a half an hour would be more than enough, because we would bring that case up before the Board, and there's just simply a short summary of what we did in Set 30, because we did Category 1 cases in September, which don't really require much discussion with the Board. So I would say half an hour for that, because we have --

Member Beach: And Dave on the -- this is Josie. On the professional judgment, we had talked about getting the Methods Subcommittee back together to discuss that unless -- I don't remember that there was anything to bring forward at this time to the full Board.

Member Clawson: That's right, no. That's correct. What we -- professional judgment, we were talking about that as we accumulate more data, that we're going to have a meeting of the Methods Subcommittee to talk about that. But right now, there's nothing to report from that Committee.

Member Kotelchuck: Right. So I think a half an hour really is, would be fine.

Dr. Roberts: Okay, okay. Well then I will adjust things to a half hour for the Subcommittee on Dose Reconstruction Reviews report and discussion.

Member Kotelchuck: Right, right.

Dr. Roberts: Okay, all right. Well that is all that I had in terms of specific agenda items. Are we missing anything? Okay. I don't hear anything. If anything occurs to anyone, please feel free to reach out via email and we can make additions from there.

Chair Anderson: So Procedures will be on the 9th?

Dr. Roberts: No. Procedures will be November 3rd.

Chair Anderson: No, I mean we have -- we're holding the 8th and the 9th. I was just saying what --

(Simultaneous speaking.)

Dr. Roberts: Oh, I'm sorry. I was thinking of -- yeah. So right now, Procedures would be on Thursday, along with Dose Reconstruction would be on Thursday, uh-huh.

Chair Anderson: Okay.

Member Kotelchuck: I'm wondering folks, whether we really are -- have scheduled enough items for needing two days. It does seem to me that we have about, unless I'm wrong, we have about a day's worth of work. Of course other things may come up, so we certainly want to hold that. But I think we should give consideration possibly to just a single day. Henry and Rashaun you --

Chair Anderson: Well that's kind of what, what I was looking at. We don't want to cram too much, but if we couldn't do -- if we needed longer on the 8th.

Member Kotelchuck: You know actually I'm -- wait a minute. Let me back off on that, because we're only talking about an afternoon because we're having

Zoom meetings.

Chair Anderson: Yeah.

Member Kotelchuck: So we're really -- if we had, if we had a get-together agenda, then this would be a day. But for the two afternoon meetings, that's fine. That's I think we have -- I do think we have enough for two days, two short days on Zoom.

Dr. Roberts: Uh-huh, yeah, agreed, agreed. I think it's better, you know, given that we're on the Zoom platform, you know, to try to divvy it up as opposed to doing one long session.

Member Kotelchuck: Yeah, okay.

Dr. Roberts: Okay. All right. Well that is all I have, unless there are more comments or suggestions.

Chair Anderson: I think we've got prospective dates set. We did that the last time, so we've got the schedule for next year ready to go.

Dr. Roberts: Yes.

Member Kotelchuck: I do hope we'll have a chance to have some face to face meetings this year. I miss them.

Chair Anderson: Yeah.

Member Beach: Agreed Dave, I hope we do too.

Dr. Roberts: We are hopeful for spring.

Member Kotelchuck: I hope so.

Chair Anderson: Okay, are there any other issues? Rashaun, Board members, NIOSH?

Dr. Roberts: Nope.

Chair Anderson: Well this is a quick one then. So I look forward to it's been awhile in the works in December hearing about Pinellas. That will be good,

and we'll keep you up to date on what's happening with new Board members. So I don't believe we'll have that in hand by the December meeting, but we'll see if there's -- at least there's some movement out of NIOSH up to HHS. So we'll be hearing on that.

Dr. Roberts: Okay.

Chair Anderson: Oh, the only other, other thing, as we went through it on trying to recruit Board members and all and talking to some of those current Board members, I was just noting that most of us are now retired and some mentioned they might be interested in retiring.

I just wanted to say that if we don't yet how many new Board members there will be, but we don't want to have a lot of people decide they want to retire just as we're bringing on a new set of Board members.

So I would encourage those who are thinking about retiring to think in terms of far enough into the future, so that we don't end up with, you know, two-thirds of the Board being all new and not have much experience there.

So I would hope people will stay with the Board to begin to mentor the new Board members that come along, and then that would be I think the best opportunity after that. If you're interested in stepping down to let Rashaun know and get as firm a date, time. But think in terms of giving a lot of notice if at all possible.

Member Ziemer: Well Andy, this is Ziemer. One additional thing in relation to that, since it's been quite a while since we've had new Board members, I want to remind folks, and may be mention to Rashaun that in the past we've always had special orientation sessions for new Board members.

I think typically they were done in Cincinnati and they covered at least a full day and maybe, maybe a little more than that, and involved not only the NIOSH

staff but a couple of the Board members who, you know, went over all of the procedures and details on how we operate and so on.

So it might not be a bad idea to start thinking about developing an up-to-date current orientation session for when those Board members come aboard, and not have them hit a meeting cold.

Chair Anderson: Yeah, absolutely, and I just remembered the early training sessions. It was, as I said, not particularly easy to navigate the online system to find documents, and I think the training we got as with our little CDC computers as to how you get into the system and how you find things, more of us that are currently on the Board may need an update when we get into the cybersecurity changes that may be made, and what we are used to doing may have changed as well.

So we ought to think -- I agree with you, that we ought to be when the new Board members get appointed. Hopefully it isn't just a few days before a meeting, so we can begin to plan how we would do that kind of a training.

Member Clawson: And Andy, this is Brad. Don't forget the ever, ever-importance of ethics training.

Chair Anderson: Yes.

Member Kotelchuck: Right. But having a training, particularly now that we're really going to have a new system and, you know, as much as we got in for our September 29th meeting, there's just lots of new bells and whistles, and we have to get used to them. So with training for the Board, once the Modernization Initiative has completed, will be -- will be valuable for all us.

Chair Anderson: That was good. Rashaun just want to take a look at our file to keep that in mind, and we may want to think about one of the Board meetings, having that kind of a training session.

We'll see what we have for SECs coming up and things like that. But if we have a bit of a slow period here, as we begin to ramp up to in-person meetings, getting kind of this administrative activities, fit that in is I think would be an opportune time to do that before we get overly-busy.

And again memberships on the various committees as well, we can take a look at and see where we're at on some of these. We've sort of been on cruise control here, and I think we need to take a close look at what we can do to streamline things moving forward. So any other comments people have?

Member Beach: None here Andy, but those are all good suggestions. This is Josie. I agree with all of that.

Chair Anderson: Okay Rashaun, anything else?

Dr. Roberts: No. Yeah, I'm done with what I need to review. So everything's fine.

Chair Anderson: So LaVon anything else from NIOSH?

Mr. Rutherford: No, we're good here.

Chair Anderson: No new staff coming on?

Mr. Rutherford: No. Actually, we did have a new health physicist that came on, but it's been a while back. I think it was reported to the Advisory Board that we had a new HP. However, we do have -- we do have an additional position that we are going to be filling this year.

Chair Anderson: Oh good, good. Okay. I will accept a proposal to adjourn the Board meeting.

Member Clawson: Move to adjourn.

Member Beach: I second it.

Chair Anderson: Okay. All in favor say aye?

(Chorus of aye.)

Chair Anderson: So we have a couple of meetings coming up, and then we'll see everybody on the Zoom meeting in December.

Member Kotelchuck: Very good.

Chair Anderson: We stand adjourned, thank you.

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