

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

convenes the

TWENTY-NINTH MEETING

ADVISORY BOARD ON  
RADIATION AND WORKER HEALTH

APRIL 11, 2005

The verbatim transcript of the Meeting of the  
Advisory Board on Radiation and Worker Health held  
telephonically on April 11, 2005.

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April 11, 2005

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### TRANSCRIPT LEGEND

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**P A R T I C I P A N T S**

(By Group, in Alphabetical Order)

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EXECUTIVE SECRETARY

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Senior Science Advisor  
National Institute for Occupational Safety and Health  
Centers for Disease Control and Prevention  
Washington, DC

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Occupational and Environmental Health  
Wisconsin Division of Public Health  
Madison, Wisconsin

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Director  
The Vanderbilt Center for Occupational and Environmental  
Medicine  
Professor of Medicine  
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Johnson Controls  
Los Alamos National Laboratory  
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GIBSON, Michael H.  
President  
Paper, Allied-Industrial, Chemical, and Energy Union  
Local 5-4200  
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GRIFFON, Mark A.  
President  
Creative Pollution Solutions, Inc.  
Salem, New Hampshire

MELIUS, James Malcom, M.D., Ph.D.  
Director  
New York State Laborers' Health and Safety Trust Fund  
Albany, New York

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Senior Nuclear Engineer (Retired)  
Richland, Washington

PRESLEY, Robert W.  
Special Projects Engineer  
BWXT Y12 National Security Complex  
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ROESSLER, Genevieve S., Ph.D.  
Professor Emeritus  
University of Florida  
Elysian, Minnesota

STAFF/VENDORS

CORI HOMER, Committee Management Specialist, NIOSH  
STEVEN RAY GREEN, Certified Merit Court Reporter

AUDIENCE PARTICIPANTS

ADDA, SUSIE  
ANDERSON, BOB, IAAP  
BEHLING, HANS, SC&A  
BEHLING, KATHY, SC&A  
BELL, TOM, SC&A  
BERRY, MS.(UNINTELLIGIBLE), ANWAG  
BROCK, DENISE, UNWW  
COOKMEYER, BEVERLY, IAAP  
DICKERSON, RICHIE, NIOSH  
DORNFELD, DEBBIE, JIM TALENT'S  
ELLIOTT, LARRY, NIOSH  
FIELD, BILL, UNIV. OF IOWA  
FITZGERALD, JOE, SC&A  
FUORTES, LAURENCE, UNIV. OF IOWA  
GOOD, JANET, IAAP  
GRAHAM, PAULA, IAAP  
HOMOKI-TITUS, LIZ, HHS  
HORGAN, TOM, SENATOR BOND  
IVERSON, TROY, IAAP  
KEEBER, VICKI  
KOTSCH, JEFFREY L., DOL  
LOVING, (UNINTELLIGIBLE)  
MAURO, JOHN, SC&A  
MAKHIJANI, ARJUN, SC&A  
MCGOLERICK, ROBERT, HHS  
MCKEEL, DAN, MD, WASHINGTON UNIV.  
MITAS, JIM, CONGRESSMAN TODD AKIN  
NETON, JIM, NIOSH  
NUGENT, MARY, GAO  
ROBERTS, DELORES, IAAP  
RYDER, (UNINTELLIGIBLE), IAAP  
SAMSON, BOB, GAO  
SCHUMACHER-KORDING, SHARON, IAAP  
STAUDT, DAVID, CDC  
THOMPSON, KATHLEEN, IAAP  
WEINREICH, REBA, IAAP  
WILEY, SHIRLEY, IAAP  
ZIMMERMAN, SUE, CONGRESSMAN LEACH

## P R O C E E D I N G S

(8:00 a.m.)

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25ATTENDANCE/ROLL CALL

**DR. ZIEMER:** Cori, would you take the roll call of the Board members, and then we'll ask the other members of the public and staff to identify themselves.

**MS. HOMER:** Dr. Anderson?

**DR. ANDERSON:** Present.

**MS. HOMER:** Dr. DeHart?

**DR. DEHART:** Present.

**MS. HOMER:** Mr. Espinosa?

**MR. ESPINOSA:** Present.

**MS. HOMER:** Mr. Gibson?

**MR. GIBSON:** Present.

**MS. HOMER:** Okay. Mr. Griffon?

**MR. GRIFFON:** Present.

**MS. HOMER:** Dr. Melius?

**DR. MELIUS:** Present.

**MS. HOMER:** Ms. Munn?

**MS. MUNN:** Here.

**MS. HOMER:** Mr. Owens?

(No response)

**MS. HOMER:** Mr. Presley?

**MR. PRESLEY:** Here.

**MS. HOMER:** Dr. Roessler?



1 Washington.

2 **DR. ZIEMER:** Any other Federal officials?

3 **MS. HOMOKI-TITUS:** Liz Homoki-Titus with Health and  
4 Human Services.

5 **MR. MCGOLERICK:** Robert McGolerick with Health and  
6 Human Services.

7 **DR. ZIEMER:** Okay. Let me ask for Congressional  
8 representatives.

9 (Whereupon, two participants began speaking at once,  
10 rendering both unintelligible.)

11 **DR. ZIEMER:** I'm sorry, I think we had two people  
12 simultaneously there. Could we hear those  
13 again?

14 **MS. ZIMMERMAN:** Sue Zimmerman, Congressman Leach's  
15 office, Burlington, Iowa.

16 **DR. ZIEMER:** Thank you. Was there another one?

17 **MS. DORNFELD:** Debbie Dornfeld, Jim Talent, Missouri.

18 **DR. ZIEMER:** Any others?

19 **MR. MITAS:** Jim Mitas with Congressman Todd Akin, St.  
20 Louis.

21 **DR. ZIEMER:** Thank you. And any others?

22 (No responses)

23 **DR. ZIEMER:** Then let's proceed with members of the  
24 public. You all just have to do this somewhat  
25 at random. I can't see who's there, so -- and

1 speak very clearly for our reporter, please.

2 **MR. ANDERSON:** (Unintelligible) alphabetically, Bob  
3 Anderson, IAAP, Mt. Wheaton\*, Illinois.

4 **MS. BERRY:\*** (Unintelligible) Berry, Alliance of  
5 Nuclear Worker Advocacy Group.

6 **MS. BROCK:** Denise Brock, Missouri, United Nuclear  
7 Weapons Workers, for Mallinckrodt.

8 **MS. WEINRICH:** Reba Weinrich, Oaklocka,\* Illinois,  
9 IAAP, (unintelligible) Iowa.

10 **MS. ADDA:\*** Susie Adda, Dothan, Alabama.

11 **MS. ROBERTS:** Delores Roberts, IAAP, Middletown.

12 **MS. GRAHAM:** Paula Graham, IAAP, Fort Madison, Iowa  
13 (unintelligible).

14 **DR. FUORTES:** Laurence Fuortes, University of Iowa.

15 **MS. (UNINTELLIGIBLE):** (Unintelligible), Des Moines  
16 Register.

17 **DR. MCKEEL:** This is Dan McKeel from St. Louis for  
18 the UNWW.

19 **MR. IVERSON:** Troy Iverson, IAAP, West Burlington.

20 **MR. FIELD:** Bill Field, University of Iowa.

21 **MS. THOMPSON:** Kathleen Thompson, Sperry, Iowa, IAAP,  
22 Middletown.

23 **MR. (UNINTELLIGIBLE):** (Unintelligible) IAAP,  
24 Burlington, Iowa -- or what's -- Middletown,  
25 Iowa.



1       **DR. ZIEMER:** Oh, I didn't mean to overlook them.

2               Please identify those SC&A --

3       **DR. MAKHIJANI:** This is Arjun Makhijani.

4       **MR. (UNINTELLIGIBLE):** This is Bob (unintelligible).

5       **MR. BELL:** Tom Bell.

6       **DR. MAURO:** John Mauro.

7       **MR. FITZGERALD:** And Joe Fitzgerald.

8       **MR. (UNINTELLIGIBLE):** Robert (unintelligible).

9       **DR. BEHLING:** Hans Behling, SC&A.

10       **MS. BEHLING:** Kathy Behling, SC&A.

11       **DR. ZIEMER:** Thank you. We didn't intend to overlook  
12               the Board's own contractor here. Any others  
13               that we missed?

14                               (No responses)

15       **DR. ZIEMER:** Thank you very much. Then let me  
16               officially call the meeting to order. This is  
17               the meeting of the Advisory Board on Radiation  
18               and Worker Health. The agenda for the meeting  
19               has been published. The various items on the  
20               agenda, the time estimates, are based on our  
21               best estimate of how much time would be needed  
22               for particular items. However, if we complete  
23               items earlier than shown, we'll move ahead  
24               sequentially with the next items on the agenda.  
25       I do want to provide an initial opportunity for our

1 Designated Federal Official, Lewis Wade, to  
2 make some opening remarks, but we're pleased  
3 that everyone has joined us this morning and  
4 Lew, please add your remarks and then we'll  
5 address the agenda directly.

6 **DR. WADE:** Thank you, Paul. I'd like to add my  
7 thanks to the Board and the public for joining  
8 us. I'd also like to put my apologies out for  
9 some of the confusion that involved trying to  
10 schedule this meeting. Certainly we know your  
11 time is valuable and we appreciate your -- your  
12 bearing with us towards this discussion.

13 From my point of view the discussions today really  
14 are to -- to make sure that we're all on the  
15 same page and we have our thoughts together as  
16 we head into our next regularly scheduled Board  
17 meeting, which is the 25th, 26th and 27th in  
18 Cedar Rapids, Iowa. I think there is important  
19 business for us to do, most notably business  
20 regarding the Mallinckrodt downtown petition as  
21 well as the Iowa petition. And I think it's  
22 terribly important that we go into those  
23 meetings with everyone being fully aware of the  
24 information that will be available, that is  
25 available, and have an opportunity now to try

1 and shape that meeting in any way that the  
2 Board members feel most appropriate. We will  
3 end -- we will have a discussion today of a  
4 very tentative agenda for that meeting to be  
5 sure that we have allotted adequate time in the  
6 right sequence for the discussions and reaching  
7 closure on those most important items.

8 So again, welcome, and thank you.

9 **DR. ZIEMER:** Thank you very much, Lew. Board  
10 members, as we proceed for the -- particularly  
11 for the benefit of Ray, our recorder, please,  
12 every time you speak, be sure to identify  
13 yourself so that we have that correctly on the  
14 record.

15 I also want to remind everyone that the thrust of  
16 what we are doing today has to do with process.  
17 We want to make sure that -- because there have  
18 been some subcommittee meetings that have  
19 ensued since our last full Board meeting, and  
20 there are some various recommendations that are  
21 underway. And we want to make sure that the  
22 Board is fully apprised of not only those  
23 activities but activities of the contractor,  
24 and to make sure that we all are in -- in some  
25 level of agreement on how to proceed on several

1 issues.

2 **REVIEW STATUS OF ACTIVITIES RELATIVE TO IAAP AND**  
3 **MALLINCKRODT**

4 Now let's turn to the agenda , which the first item  
5 is to review the status of activities relative  
6 to the Iowa and to the Mallinckrodt petitions.  
7 We'll start with the Iowa.

8 First of all, Board members received from me on March  
9 16th a memo which apprised them of a  
10 development that occurred after our Board  
11 meeting. You may recall that at the Board  
12 meeting a recommendation was developed that, in  
13 essence, was to go to the Secretary of Health  
14 and Human Services through the Director of  
15 NIOSH recommending Special Exposure Cohort  
16 status for the Iowa petitioners, at least for  
17 the defined time when the radioactivity was  
18 there. That -- after that --

19 **THE OPERATOR:** Excuse me, this is the operator.

20 **DR. ZIEMER:** Yes, operator?

21 **THE OPERATOR:** I have a Richard Espinosa that did not  
22 have the pass code. Does he belong on?

23 **DR. ZIEMER:** Yes, Richard Espinosa --

24 **THE OPERATOR:** I'll join him on.

25 **DR. ZIEMER:** -- should -- should be aboard.

1       **THE OPERATOR:** I'll join him on. Just one moment.

2       **DR. ZIEMER:** Thank you.

3       **THE OPERATOR:** He's on now, sir.

4       **DR. ZIEMER:** Good morning, Rich, we've -- we have  
5                   already started, as --

6       **MR. ESPINOSA:** Yeah, I got cut off and I didn't  
7                   remember the pass code.

8       **DR. ZIEMER:** Okay. Well, we're just getting underway  
9                   on the agenda.

10       In any event, the development in the Iowa petition  
11                   had to do with the review of the revision of  
12                   the site profile or the -- the document that  
13                   had been presented to us, and thus we had a --  
14                   what you might call a new review by NIOSH to  
15                   consider.

16       In addition -- one of the main thrusts of our  
17                   recommendation had to do, as you know, with the  
18                   transparency issue and the issue of whether or  
19                   not the dose reconstruction information could  
20                   indeed be made public. Now the new document  
21                   came along and indicated that there was a  
22                   revised site profile and that the post--  
23                   information that the post-1962 information had  
24                   been cleared for classification purposes. So  
25                   on that basis the Chair was concerned about the

1           probability that we would have a recommendation  
2           to the Secretary that was based on a different  
3           set of information and assumptions than NIOSH's  
4           recommendation to the Secretary.  And remember,  
5           the Secretary uses both of those pieces of  
6           information to make a determination.  Further,  
7           when our recommendation goes forward it starts  
8           the clock on when the Secretary must make the  
9           determination.

10          So in light of that, the Board felt -- or the Chair  
11          felt it was important that we have a chance to  
12          evaluate the revised site profile and the issue  
13          of transparency for the post-1962 information,  
14          as well as the quality of that data, which --  
15          some extent we had not fully looked into simply  
16          'cause the transparency issue seemed to be  
17          overriding.

18          But in any event, that -- that was a decision that  
19          the Chair made.  I'm aware that not all the  
20          Board members necessarily agreed with the  
21          Chair's decision on that, but we had not had an  
22          opportunity to actually meet and seek formal  
23          action one way or the other.

24          Now in the meantime, since we knew that we had this  
25          new site profile, I -- I've discussed with Lew

1           Wade, our Designated Federal Official, as to  
2           whether or not we could have our contractor  
3           move quickly to help us evaluate this new  
4           information so that we would have it by the  
5           time of our next meeting. So -- let's see, I  
6           think it might be appropriate if -- I'm just  
7           going to open this to comments from the Board,  
8           but I do wonder -- Lew, you might add anything  
9           to that in terms of subsequent action with our  
10          contractor.

11         **DR. WADE:** I would -- this is Lew Wade. When Paul  
12           made the decision that he just spoke to you  
13           about, and I was aware of that decision, it did  
14           -- it occurred to me that the process would be  
15           best served by having the Board's contractor  
16           look at the Rev. 1 of the Iowa TBD, the  
17           document that -- that Paul just referred to. I  
18           would have preferred that the Board ask SC&A to  
19           do that, but there really wasn't time to get  
20           the Board together, so I took it upon myself --  
21           and I have that authority as the Technical  
22           Project Officer -- to ask SC&A to begin  
23           immediately to review the Iowa Technical Basis  
24           Document. I asked them to do that under the  
25           site profile review task of the contract that

1           was already in place.

2       Also understanding that that review would likely  
3           require that SC&A individuals would have to  
4           review classified information as, you know, the  
5           nature of the classified information is  
6           critical to a number of decisions the Board  
7           will face, we expedited the activity to see  
8           that the two appropriate SC&A people were with  
9           classification, and they do have that -- that Q  
10          clearance now and when later we talk about  
11          events that will follow, we can talk a little  
12          bit about that.

13       **DR. ZIEMER:** Let me interrupt here. We're getting  
14          some background noise of crying babies. I  
15          wonder if this -- does one of the members of  
16          the Board or the public have a child who's --  
17          are others hearing this?

18                               (Multiple affirmative responses)

19       **DR. ZIEMER:** Could we ask whoever has the crying baby  
20          to please either mute their phone or remove  
21          themselves for now from the line? Thank you.  
22       Proceed.

23       **DR. WADE:** Okay, sure. As I was saying, I took it  
24          upon myself to ask SC&A to commence such a  
25          review. I mean in no way was I attempting to

1           usurp the Board's responsibility and its unique  
2           relationship with the contractor. I just felt  
3           due to the occurrence of events, the very tight  
4           time lines, that it was -- it was the right  
5           thing to do. Again, if the Board wishes, we  
6           can (unintelligible due to electronic  
7           interference on telephone line) as this is the  
8           first time that the Board is together.

9           I was also in my mind looking at paralisms (sic)  
10          between our Mallinckrodt actions and processes  
11          as well as Iowa. And as you know, we'll talk  
12          more about it, we have a revised Mallinckrodt  
13          site profile and we will have -- for the April  
14          23, 24th and 25 meeting -- an SC&A review of  
15          that site profile. And I thought it would be  
16          in the best interests of this overall process  
17          to see paralism in terms of Iowa, the Iowa TBD  
18          and an SC&A review. So I took that action.  
19          Again, if the Board wishes to rescind that  
20          action, it can do so today.

21          I would like to thank John Mauro and his very  
22          professional staff for their understanding and  
23          their willingness to work in a very expedited  
24          way to bring quality product to the Board to  
25          assist the Board's deliberation.

1           Again I'd point out that what I asked SC&A to do, I  
2           asked them to do under the site profile review  
3           task. We don't really have an active SEC  
4           review task in place in the contract. We will  
5           talk about that today and hopefully have such a  
6           task in place very quickly, but I asked them to  
7           do this under the site profile review task.

8           So again, those are the actions I took. I took them  
9           looking at a fair, balanced and open process.  
10          I do apologize for the action, particularly --  
11          I know Board members feel that SC&A is,  
12          quote/unquote, their contractor. My action was  
13          not intended to -- to modify that belief. It  
14          was just to put something in place that I  
15          thought served what we were trying to do.  
16          That's all.

17         **DR. ZIEMER:** Okay, let me open it to the Board  
18           members for comments or questions on this  
19           proceeding on the Iowa material.

20         **UNIDENTIFIED:** Hello?

21         **MR. GIBSON:** Dr. Ziemer, this is Mike Gibson.

22         **DR. ZIEMER:** Yes, Mike.

23         **MR. GIBSON:** I think this perhaps -- and you have the  
24           -- kind of the chronology of events in front of  
25           you it may be helpful to go over for the Board

1           and the public and the government officials,  
2           the time -- kind of the time frame that went  
3           on, you know, in our February 9th meeting, you  
4           know, when we voted on the SEC petition --

5       **DR. ZIEMER:** Yes, I have some of that --

6       **MR. GIBSON:** -- when we determined that NIOSH --

7       **DR. ZIEMER:** -- Larry Elliott or -- or Lew Wade could  
8           help fill in, but we met on February 9th and  
9           that's when our action was taken. Correct?  
10          And then on February 14th it's my understanding  
11          that that was the date that DOE informed NIOSH  
12          that they, DOE, had made a determination on the  
13          revised site profile that -- basically that  
14          it's -- is considered to be unclassified. I  
15          think what happened technically was that DOE  
16          did not redact any material from that, so in  
17          essence it became fully unclassified. So that  
18          was on March 14th.

19       I was informed of that I think on the 15th and that -  
20       - and that there now was this revision of the  
21       site profile. Now keep in mind, a revision  
22       existed prior to our Board meeting, but none of  
23       us had seen it because of the classification  
24       issue. So the information that became  
25       available was that -- that this revised site

1           profile now was available for the Board to  
2           view. And as a result of that, I wrote the  
3           letter on March 16th -- or dated March 16th, I  
4           began drafting it right away -- but on March  
5           16th I sent by e-mail the letter to all the  
6           members of the Board informing them of this  
7           information and also informing them that I've  
8           talked -- that I had talked with John Mauro of  
9           SC&A and with Lew Wade to see whether or not we  
10          could enlist SC&A's assistance in evaluating  
11          this revised site profile. So that -- that  
12          occurred on the 16th.

13         Then let's see, what would -- what has occurred  
14           since, I guess?

15         **MR. GIBSON:** Excuse me, Dr. Ziemer, so we -- we made  
16           our recommendation on the 9th of February.

17         **DR. ZIEMER:** Right.

18         **MR. GIBSON:** DOE informed NIOSH on February 14th,  
19           five days later --

20         **DR. ZIEMER:** Right.

21         **MR. GIBSON:** -- and it wasn't till a month later that  
22           NIOSH approved the revised site profile  
23           (unintelligible) --

24         **DR. ZIEMER:** I believe that -- correct. I believe  
25           that there was a month time period after it had

1           been released by DOE where NIOSH had, I  
2           presume, an internal review -- and Larry or Lew  
3           could speak to that -- and -- and then it was  
4           released on March 14th and on the 16th I  
5           started this process of -- be -- because in the  
6           meantime I had been working with material --  
7           Jim Melius had assisted in drafting some  
8           wording, and I had Jim's wording and had  
9           drafted materials -- I actually had it ready to  
10          send out when this new material came and -- and  
11          then we made the contact immediately, I think  
12          probably that day, with SC&A to see whether  
13          they could assist in reviewing this in time for  
14          our upcoming Board meeting in -- in April.

15        **DR. WADE:** Now I could talk a little bit -- and  
16        Larry, please correct me if I -- if I misspeak  
17        about the time frame from mid-February to mid-  
18        March. DOE approved the IAAP Rev. 1 -- it  
19        approves it in non-electronic form. An  
20        electronic version needed to be generated,  
21        including the reconstitution of the tables, and  
22        then that document went through an in-depth  
23        review by the OCAS and ORAU staff until it was  
24        finally cleared by the OCAS Associate Director  
25        of Science on March 14th. So the period from

1           February 14th to March 14th was taken up in  
2           generating an electronic document and then  
3           getting that document in-depth reviewed.  
4           Larry, is that correct?

5           **MR. ELLIOTT:** Yeah, Lew, that is -- you're very  
6           correct. That's correct.

7           **MR. GIBSON:** This is Mike Gibson again. Just one  
8           concern I want to be placed on the record is  
9           that, you know, once the Board made a  
10          recommendation, there was information that  
11          subsequently or became available, and that in  
12          essence delayed what the Board's recommendation  
13          was to do. Whether or not it was to start a  
14          time clock sending a letter to the Secretary or  
15          -- I just believe that perhaps NIOSH should  
16          have informed our Chairman so that our Chairman  
17          could have informed us that -- and gave the  
18          Board the decision maybe not to go forward with  
19          the letter if that was appropriate due to this  
20          additional information, but not just to be left  
21          in the dark to where we get carbon'd in on  
22          letters from concerned Congressmen and  
23          Senators, which -- very appropriate on their  
24          part when (unintelligible) happened in public,  
25          it just -- to me, it -- I look at it personally

1 as it -- it -- it speaks to the credibility of  
2 the Board and we were left in the dark about  
3 that and I just -- I just think there can be a  
4 better process put in place that would keep  
5 this from happening in the future.

6 **DR. ZIEMER:** I think your point is well taken, Mike,  
7 and -- this is Ziemer again. Your point is not  
8 only well taken, but we may need to consider  
9 some sort of a formal process as to how we  
10 handle such situations in the future,  
11 particularly where information emerges that --  
12 that could have an impact on our  
13 recommendation. This -- in a sense, there's no  
14 real precedent one way or the other on this  
15 beyond simply trying to use best judgment and  
16 say what do we do now that we have this  
17 information. But --

18 **DR. WADE:** Might I ask, Liz, if you could briefly  
19 explain for us the process that begins when the  
20 Board submits a recommendation to the Secretary  
21 and the time clock that's started? Again, I  
22 think it's important that everyone understands  
23 that.

24 **MS. HOMOKI-TITUS:** Certainly. This is Liz Homoki-  
25 Titus with Health and Human Services. In

1           accordance with the 2005 Defense Authorization  
2           bill, once the Advisory Board sends a  
3           recommendation to the Secretary, a 30-day clock  
4           is triggered and the Secretary has to  
5           (unintelligible) a final decision to Congress,  
6           assuming that the Advisory Board's  
7           recommendation was to add a class. If the  
8           Advisory Board's recommendation is to not add a  
9           class, then there is no process triggered. Is  
10          that enough or do you want (unintelligible) --

11       **DR. WADE:** Mike, I think your point is extremely  
12          well-made and -- and I just think as we  
13          consider what the right way to do things would  
14          be in the future, it's important to keep that  
15          clock in mind because it does potentially  
16          dictate certain outcomes that we want to be  
17          aware of.

18       **MR. GIBSON:** This is Mike Gibson again. I'm well  
19          aware of the time constraints and the time  
20          limitations in the -- in the bill. There  
21          again, I think that should be -- and I don't --  
22          speaking personally as a Board member, I'm not  
23          speaking for the Board, I don't want to send up  
24          something that is inadequate that may have an  
25          adverse effect on a SEC petition for potential

1 claimants. But I just -- again, I think that  
2 there's just -- this is a Board decision to say  
3 this is something that needs to be transparent  
4 and we all need to take that -- be made aware  
5 of that, and you know, again, I don't -- I  
6 don't want to start a bogus time clock that  
7 could potentially impact something, but again,  
8 it was just -- it was just the way this -- this  
9 happened. It just really -- I want the Board  
10 to have credibility with the public 'cause we  
11 have a job to do that we were appointed by the  
12 President and I want that, you know, just as a  
13 body to be made aware and let us make the  
14 determination as to what goes on.

15 **DR. ZIEMER:** Thank you, Mike. Let me ask if there's  
16 other comments or questions from other Board  
17 members on this issue or related to this.

18 **DR. MELIUS:** This is Jim Melius. I would just add  
19 that we should add to our agenda for the next  
20 meeting the end of April that this be discussed  
21 and we work out these procedures.

22 **DR. ZIEMER:** Yeah, we can -- we can certainly do  
23 that, and what -- it would seem to me that what  
24 is needed is some sort of process that  
25 stipulates in advance how we will handle --

1 particularly documents that emerge like this  
2 one did and that may seem to impact on a  
3 recommendation in some way. It may or may not  
4 impact, but we don't always know that in  
5 advance.

6 **DR. ANDERSON:** This is Dr. Anderson. Paul, I mean  
7 the other issue is we weren't aware that there  
8 was a revised version when we went over the  
9 first one. It would seem that we probably  
10 ought to, if -- if something has been written  
11 and in review, it seems we ought to wait for  
12 that document before moving forward on an issue  
13 like this.

14 **DR. WADE:** Well, just to make the record clear --  
15 this is Lew Wade -- Henry, I think you were  
16 connected by phone, but Larry Elliott I think  
17 did make it very clear on the record that --  
18 that this revised TBD was in the offing, so I  
19 think the Board was aware of that information.

20 **DR. ZIEMER:** But at that time we had --

21 **DR. ANDERSON:** I may have missed that.

22 **DR. ZIEMER:** -- no clue as to the outcome nor the  
23 timetable, did we?

24 **DR. WADE:** No.

25 **MR. ELLIOTT:** This is Larry Elliott. At the February

1           9th meeting I wanted the Board and the public  
2           to understand that we did have a revised site  
3           profile developed and under review by the  
4           Department of Energy to determine if it was a  
5           classified document or not. And in that -- in  
6           that message, I thought I had also indicated  
7           that we had modified that site -- made that  
8           revision to the site profile based upon input  
9           that we got from workers at Iowa in a couple of  
10          town hall situations -- or one town hall  
11          meeting and then a worker outreach meeting.  
12          And we took those comments very seriously and  
13          started to address those back in -- we heard  
14          those comments in July of last year, June and  
15          July of last year, and then we started to  
16          address those comments in August and through --  
17          on through October. Then we went into the  
18          secure setting with DOE and the records that  
19          were used -- the classified records that were  
20          used to come up with a revised site profile  
21          that we hoped was non-classified. So I'd just  
22          offer that, Henry. I think you perhaps missed  
23          part of that because of the phone connection.

24          **DR. WADE:** This is Lew Wade again. I'd just like to  
25          say on the record I think the Board took



1 two memos which listed approximately 65  
2 questions and issues. That was delivered on  
3 March 22nd, and then another one on March 31st.  
4 And those issues were discussed at a three-hour  
5 conference call on Friday, this -- this past  
6 Friday. Simultaneously arrangements  
7 (unintelligible) ongoing dialogue regarding  
8 those. By the way, that was -- that conference  
9 call was recorded and a transcript will be made  
10 available. There were representatives of  
11 NIOSH, of course SC&A, and also representatives  
12 of the Board on that conference call.

13 Of the approximate 60 or so questions, I would say  
14 perhaps 50 of the -- 50 percent of them, half  
15 of them, we were able to engage in a technical  
16 dialogue and get some clarification, and the  
17 other 50 percent had to be put on hold because  
18 they dealt with classified issues. As you can  
19 imagine, that was -- the conference call was  
20 not (unintelligible) conference call by any  
21 means, we just discussed non-classified  
22 information.

23 This Tuesday two of our members and two members of  
24 the Board -- tomorrow -- will be going to  
25 Germantown to spend a day reviewing the



1           Wednesday -- again for SC&A, NIOSH and Board  
2           members to engage in discussion on the types of  
3           issues that John mentioned -- after the  
4           classified review takes place on Tuesday. And  
5           again, that will be reported and a transcript  
6           made available of that call. Is that correct,  
7           John?

8           **DR. MAURO:** That's correct. I apologize, I  
9           overlooked that. That's correct.

10          **DR. WADE:** And if there does need to be subsequent  
11          interaction between NIOSH and SC&A, my  
12          commitment to the subcommittee that met  
13          recently was that we would let the Board know  
14          of such calls and we would keep a record of all  
15          such interactions.

16          **DR. ZIEMER:** This is Ziemer again. Let me ask if  
17          there's other questions or comments on the Iowa  
18          or on the (unintelligible) process. As Lew's  
19          indicated earlier, the Board has the  
20          prerogative of requesting that the Chair  
21          proceed with the original recommendation. Or  
22          if there is no objection, we would proceed with  
23          this process that's gotten underway to review  
24          the revised document and then come up with a --  
25          the final determination at the next meeting.

1           But I think we would, you know, like to have  
2           some level of consensus as -- how we proceed on  
3           this Iowa petition and -- and (unintelligible).

4   **MR. ANDERSON:** Dr. Ziemer, Bob Anderson.

5   **DR. ZIEMER:** Yes?

6   **MR. ANDERSON:** A point of order, should not the Board  
7           -- if it intends to stay an advisory board,  
8           should it not pass at this time a motion that -  
9           - to hold the first motion so they're not a  
10          neutered board and go forward from that point?

11   **DR. ZIEMER:** Well, I'm basically asking the Board  
12          what they wish to do, so...

13   **MR. ANDERSON:** Thank you, Doctor.

14   **DR. ZIEMER:** Thank you.

15   **MS. MUNN:** This is Wanda Munn.

16   **DR. ZIEMER:** Yes, Wanda.

17   **MS. MUNN:** This is a thorny issue. I think it's  
18          difficult for everyone to deal with. I  
19          personally appreciate Dr. Wade's action to go  
20          ahead and get an additional review underway  
21          based on the action of the Department of Energy  
22          taken after our previous meeting. It certainly  
23          was confusing for me for a week or so as to  
24          (unintelligible) because we didn't have any way  
25          of fully understanding, even though I was

1           vaguely aware of the statement that Dr. (sic)  
2           Elliott had given us earlier about the  
3           existence of the additional document that we  
4           had not been able to review because of  
5           classified issues.

6           I don't know of any simple way to get around the  
7           difficulty that arises when these circumstances  
8           occur in this chronological order, and know it  
9           is -- if it's confusing for us, it must be  
10          doubly so for the public and for other people  
11          who have very closely-held interests in what  
12          we're doing here. I look forward for an  
13          opportunity for us to establish a better kind  
14          of process trying to second-guess the potential  
15          for these types of circumstances in the future.  
16          In the interim, my personal feeling is that  
17          we're on the right road. I think it's improper  
18          for us to continue with the recommendation that  
19          we made at our prior face-to-face meeting in  
20          light of the fact that we now have additional  
21          status of information that was not on the table  
22          at the time we had our earlier discussions.

23          So I guess that's a long way of saying although it's  
24          confusing and I wish it had not happened that  
25          way, I believe that the process that's ongoing

1 right now is (unintelligible).

2 **DR. ZIEMER:** I didn't hear the -- Wanda, are you  
3 still there?

4 **MS. MUNN:** Yes, I am.

5 **DR. ZIEMER:** Okay. I didn't hear the end of that.  
6 There seemed to be some noise, but did you  
7 finish your statement?

8 **MS. MUNN:** Yes, I did. It was long-winded, for which  
9 I apologize. It's very early on the west  
10 coast.

11 **DR. ZIEMER:** Let me ask for other comments or any  
12 actions?

13 **UNIDENTIFIED:** (Unintelligible)

14 **DR. ZIEMER:** Who is it?

15 (No responses)

16 **DR. ZIEMER:** Did somebody ask to make a motion?

17 **MS. MUNN:** Someone made a comment about it, but I  
18 don't think anyone was asking to make a motion.

19 **DR. ZIEMER:** Other Board members have comments?

20 (No responses)

21 **DR. ZIEMER:** Do any of the Board members wish to make  
22 specific motion or motion regarding the process  
23 on the Iowa petition?

24 **MS. MUNN:** I will move that we withhold further  
25 official action until we have had an

1           opportunity to read the review of the now-  
2           available documentation.

3       **DR. ZIEMER:** You've heard the motion from Ms. Munn.  
4           Is there a second?

5       **MR. PRESLEY:** This is Bob Presley. I'll second.

6       **DR. ZIEMER:** Any discussion?

7       **MR. GIBSON:** This is Mike Gibson. I have a little  
8           bit of a discussion.

9       **DR. ZIEMER:** Sure.

10      **MR. GIBSON:** I -- I think we should wait until we  
11           have a chance for the Board or a working group  
12           or a subcommittee to get together and develop a  
13           task order for our contractor on what we want  
14           them to do review, not only on Iowa but also on  
15           the Mallinckrodt site profiles. You know, I  
16           understand that Dr. Wade has the authority to  
17           go ahead and ask them to review various things,  
18           but -- but again, I just want to point out that  
19           it's -- it's our duty to be auditors, so to  
20           speak, of what the government agencies are  
21           doing. And I think that we should be the ones  
22           to develop a task order to tell our contractor  
23           what we want them to review and find -- and  
24           give them our set of questions on what we want  
25           them to review so that we can independently

1           develop Board consensus and give our opinion to  
2           NIOSH and to ultimately to the Secretary or  
3           whoever.

4       **DR. WADE:** Mike, this is Lew Wade. I mean I would  
5           welcome that action. I would hope we could  
6           discuss that today, and you know, I would  
7           welcome the Board developing its questions for  
8           its contractor with regard to Iowa or  
9           Mallinckrodt or any action.

10       The only thing I would remind you is that we're doing  
11           both of those reviews under the task that looks  
12           at site profile reviews.

13       **DR. ZIEMER:** Yeah, SC&A is currently working under an  
14           existing task that the Board has approved. The  
15           tasks themselves are worded rather broadly so  
16           that we're able to ask SC&A to review the  
17           revised site profile under the existing site  
18           profile task that the Board has in fact  
19           approved. But we do have, you'll notice on the  
20           agenda, whether or not we should have a  
21           specific task for Special Exposure Cohort work,  
22           which would be more directly focused on Special  
23           Cohort petition review. So the comment's  
24           certainly in order and it may be, Mike, that we  
25           can even do that here today is to develop, at

1           least conceptually, the wording that would --  
2           or the scope of what the task for Special  
3           Cohort petition reviews would look like.

4   **DR. WADE:**   And this is Lew Wade again --

5   **DR. ZIEMER:**   Because otherwise, you know -- well, in  
6           a sense -- are you asking or -- asking that we  
7           would not (unintelligible) --

8   **MR. GIBSON:**   I'm sorry, Dr. Ziemer, I didn't hear  
9           you.

10   **DR. ZIEMER:**   Yeah, we're getting a lot of noise on  
11           the line.  At the next -- if we wait till the  
12           next meeting, then all of this comes to a  
13           screeching halt.  But if we're able to do  
14           something today, that would be helpful.

15   **DR. WADE:**   And just -- this is Lew Wade.  Just by way  
16           of clarification, I think it would be  
17           appropriate for the Board, under the existing  
18           task -- that is site profile review as it  
19           relates to Iowa and then also Mallinckrodt --  
20           to frame some questions it would like the  
21           contractor -- their contractor to consider in  
22           that review.  I've alerted David Staudt to the  
23           fact that this discussion might take place.  It  
24           would finally be up to the contracting office  
25           to determine if those questions are

1           appropriate. But I think as Paul mentioned  
2           there is a great leeway available to the Board  
3           in framing such questions.

4           The second issue is I think we need to move with some  
5           dispatch to get a task in place for SC&A to do  
6           the kind of things the Board would like it to  
7           do for Special Exposure Cohorts. And again,  
8           that's an agenda item for this call and if  
9           we're able to come to some agreement -- the  
10          Board is able to come to some agreement, it  
11          might be possible for us to have that task in  
12          place by the time we get together in -- at the  
13          end of April.

14       **MS. MUNN:** This is Wanda Munn again. I don't think  
15          that Mike's comments are in any way at odds  
16          with the intent of the motion that I just made.  
17          I will comment that having been one of the  
18          Board members on line at the time the questions  
19          posed by John Mauro and his group were  
20          discussed, I find the questions that have  
21          already been posed with regard to the Iowa  
22          petitions are in-depth and quite broad. Having  
23          read them and been a part of the discussion, I  
24          individually am satisfied that scope is  
25          adequate, but I do agree that it's appropriate

1           for the Board to have an opportunity to pose  
2           its own questions.

3       **DR. ZIEMER:** Yes, and keep in mind -- just to  
4           emphasize, Mike -- we did have Board members  
5           involved in all of these interactions, albeit  
6           not the full Board because we couldn't do that  
7           without having an official meeting. We've had  
8           several Board members at each of these  
9           interactions to make sure that there's some  
10          Board input to -- to unrolling the process.  
11       The motion before us -- Ms. Munn's motion is to --  
12          was it to withhold action on the Iowa petition  
13          until our next meeting?

14       **MS. MUNN:** No, it was to --

15       **DR. ZIEMER:** What was the wording on that?

16       **MS. MUNN:** -- to withhold any notice to the Secretary  
17          until we've had an opportunity to review.

18       **DR. ZIEMER:** The Secretary until we've had further  
19          opportunity to review.

20       **DR. ANDERSON:** I wonder if we couldn't just make that  
21          -- this is Dr. Anderson -- till the next  
22          meeting, Wanda?

23       **MS. MUNN:** Yes, that was my intent --

24       **DR. ANDERSON:** Well, let's --

25       **MS. MUNN:** -- until our next face-to-face meeting.



1 on Ms. Munn's motion?

2 (No responses)

3 **DR. ZIEMER:** I'll take the silence to -- they're  
4 either ready to vote or all asleep. Right? We  
5 appreciate -- Wanda Munn is -- what is it, 5:30  
6 in the morning out there or --

7 **MS. MUNN:** Uh-huh.

8 **DR. ZIEMER:** -- 6:30 in the morning or something?  
9 Anyway -- okay, let me call for a vote on this  
10 motion.

11 All in favor of -- oh, we'll have to do it by roll  
12 call. Cori --

13 **MS. HOMER:** Yes.

14 **DR. ZIEMER:** -- take the roll call here, starting  
15 alphabetically.

16 **MS. HOMER:** Dr. Anderson?

17 **DR. ANDERSON:** Yes.

18 **MS. HOMER:** Dr. DeHart?

19 **DR. DEHART:** Yes.

20 **MS. HOMER:** Mr. Espinosa?

21 **MR. ESPINOSA:** Yes.

22 **MS. HOMER:** Mr. Gibson? Mr. --

23 **MR. GIBSON:** I'll abstain.

24 **MS. HOMER:** -- Gibson? I'm sorry?

25 **MR. GIBSON:** I'll abstain.

1       **MS. HOMER:** Okay. Mr. Griffon?

2       **MR. GRIFFON:** Yes.

3       **MS. HOMER:** Dr. Melius?

4       **DR. MELIUS:** I -- I abstain.

5       **MS. HOMER:** Ms. Munn?

6       **MS. MUNN:** Yes.

7       **MS. HOMER:** Dr. -- or Leon Owens, Mr. Owens?

8                               (No responses)

9       **MS. HOMER:** He's still not in attendance. Mr.

10                    Presley? Mr. Presley?

11                               (No responses)

12       **DR. ZIEMER:** Did we lose Robert?

13       **MS. HOMER:** We may have lost him.

14       **MR. PRESLEY:** Yes.

15       **MS. HOMER:** Okay. Dr. Roessler?

16       **DR. ROESSLER:** Yes.

17       **MS. HOMER:** Dr. Ziemer?

18       **DR. ZIEMER:** Yes.

19       **MS. HOMER:** Okay, the -- the ayes have it.

20       **DR. ZIEMER:** The motion carries, and we will then

21                    continue at the next meeting to have the

22                    opportunity to have the input on the -- on the

23                    revised document, the input from our

24                    contractor, and then make a determination as to

25                    whether or not that in any way affects the

1 previous action of the -- of the Board.

2 **DR. WADE:** Dr. Ziemer, this is Lew Wade. I guess a  
3 question and then a comment. Do I assume by  
4 this motion that it is appropriate to allow  
5 SC&A to continue its work as -- as they  
6 started? And then my comment is I do think it  
7 would be appropriate for the Board to have some  
8 discussion of whether or not there are  
9 particular questions they would like to pose to  
10 SC&A on this matter. Ms. Munn defines the  
11 process as acceptable to her, from her point of  
12 view, as it's unfolding. If that's the case, I  
13 would just like to hear some discussion of  
14 that.

15 **MS. MUNN:** Wanda. I had thought I had incorporated  
16 in the motion that we'd proceed with the  
17 activities that are underway. If I failed to  
18 incorporate that, that was my intent.

19 **DR. WADE:** Oh, no. Okay. Thank you.

20 **DR. ZIEMER:** Well, perhaps it would be useful -- I  
21 don't know whether that was understood by  
22 everyone. I think the -- the thrust of the  
23 vote may have been directed more toward whether  
24 or not to withhold the action until the next  
25 meeting --

1       **MS. MUNN:** Yes --

2       **DR. ZIEMER:** -- but it would be helpful to get some  
3                   clarity on whether we should have the  
4                   contractor proceed with the review.

5       **MR. PRESLEY:** Bob Presley, I --

6       **DR. ZIEMER:** And -- and to frame specific issues, if  
7                   there are additional -- and particularly beyond  
8                   the set of questions which were developed by  
9                   the contractor and with some input from Board  
10                  members. I believe -- believe Mark Griffon and  
11                  Wanda and Robert were -- were all involved in  
12                  that, were you not?

13       **MR. PRESLEY:** (Unintelligible)

14       **MS. MUNN:** (Unintelligible)

15       **MR. GRIFFON:** I wasn't on that call. This is Mark  
16                  Griffon.

17       **DR. ZIEMER:** I'm sorry?

18       **MR. GRIFFON:** I wasn't able to get on that call.

19       **DR. ZIEMER:** You weren't on that call.

20       **MS. MUNN:** I was there.

21       **MR. PRESLEY:** This is Bob Presley. I was there.

22       **DR. ZIEMER:** Yes. So --

23       **MR. PRESLEY:** (Unintelligible) --

24       **DR. ZIEMER:** -- what's the Board's pleasure on the  
25                  issue --

1       **MR. PRESLEY:** -- motion (unintelligible) that effect.

2       **DR. ZIEMER:** Say it again.

3       **MR. PRESLEY:** Would you like to have a motion to that  
4                   effect?

5       **DR. ZIEMER:** That would be in order.

6       **MR. PRESLEY:** I'll go ahead and make that motion that  
7                   we go ahead and let SC&A continue their work.

8       **DR. ZIEMER:** Motion to (unintelligible) SC&A to  
9                   continue their review of the revised Iowa  
10                  petition as previously outlined?

11       **MR. PRESLEY:** That's correct.

12       **DR. ROESSLER:** I second it.

13       **DR. ZIEMER:** Seconded by Dr. Roessler.

14       **MR. ELLIOTT:** Excuse me, Paul, this is Larry Elliott.  
15                  I -- you just said petition and I think you  
16                  wanted to say site profile.

17       **DR. ZIEMER:** I'm talking about the -- not the  
18                  petition but the Technical Basis Document  
19                  revision, which is basically the site profile  
20                  revision. Be TBA Rev. 1, I guess, is it -- or  
21                  Rev. 0? What's the correct --

22       **MR. ELLIOTT:** Rev. 1, this is Larry Elliott. Rev. 1.

23       **DR. ZIEMER:** TBA Rev. 1 for Iowa. So that would be  
24                  the motion. It's been seconded. Is there  
25                  discussion?

1       **MR. GIBSON:** This is Mike Gibson again. I -- you  
2                   know, I do not want to slow down any of this  
3                   work because I think this process needs to move  
4                   ahead, I think, so that we can hopefully get  
5                   these claimants compensated that deserve  
6                   compensation.

7       **UNIDENTIFIED:** (Unintelligible) of the IAAP and I'm  
8                   with the ammunition plant and --

9       **DR. ZIEMER:** I'm sorry?

10      **UNIDENTIFIED:** -- (unintelligible).

11      **DR. ZIEMER:** We have a Board discussion ensuing.  
12                   Please -- go ahead, Mike.

13      **MR. GIBSON:** Again, I -- I don't want to delay the  
14                   process, to slow it down in any way because I  
15                   believe we need to get this done, we need to do  
16                   our duty so we can see the people get  
17                   compensated that deserve compensation.  
18                   However, I -- SC&A continuing to spend the  
19                   resources that we have allotted to -- that  
20                   NIOSH has allotted to them without the Board  
21                   giving them direction what we want them to do -  
22                   - I'm just concerned about it eating up the  
23                   funds before we have the proper input what we  
24                   want them to do based on Shelby Hallmark's  
25                   comments (unintelligible) in previous meetings,

1           public meeting, seeming to indicate that funds  
2           are limited for our contractor, so if  
3           (unintelligible) --

4       **DR. WADE:** If I could -- if I could clari-- this is  
5           Lew Wade --

6       **MR. GIBSON:** -- (unintelligible) concerns me that,  
7           you know, given that -- I won't call it a  
8           veiled threat, but it -- but in his comments  
9           that there may be limited funds, I'm just  
10          concerned that we have the input on what our  
11          contractor does.

12       **DR. ZIEMER:** Yeah, good -- good point, Mike. Lew,  
13          can you address that?

14       **DR. WADE:** When I -- Mike, your point is excellent.  
15          When I discussed this with Paul and I took my  
16          unilateral action, I told Paul that I would see  
17          that additional funds were made available to  
18          cover this action as I understood it not to  
19          have been mandated by the Board. So I tried to  
20          -- to assure Paul that that would take place,  
21          and I intend to -- to live true to that. But  
22          your point is well made. Again, I -- I don't  
23          think that the action that I took would limit  
24          the Board's prerogatives with regard to funds.

25       **MS. MUNN:** This is Wanda. I, too, have

1 (unintelligible) with respect (unintelligible)

2 --

3 **DR. ROESSLER:** It's hard to hear Wanda.

4 **DR. ZIEMER:** Can you speak a little louder, Wanda?

5 **MS. MUNN:** Yes, I have considerable concern about the  
6 amount of time that we have available to us  
7 financially in order to get these things done.  
8 And I probably would have greater concern about  
9 the process that's underway had I not been  
10 privy to the discussions (unintelligible)  
11 questions that our contractor (unintelligible).  
12 I think the inquiry is going the right way,  
13 Mike, but I certainly agree with you that the  
14 issue of how much time we can actually expect  
15 our contractor to give under the circum-- or  
16 under the contracting circumstances that we  
17 have is a key issue. But if we do not address  
18 -- and I'm not at all sure that we can address  
19 it on this phone call. I'm not sure we have  
20 information to address it. But certainly it  
21 appears to me that this is (unintelligible)  
22 item for discussion at our meeting.

23 **DR. ZIEMER:** Thank you, Wanda. Let me -- other Board  
24 members have input -- remember, we have a  
25 motion on the floor now which -- a motion to

1           allow SC&A to continue their review of the --  
2           of Rev. 1 of the Iowa Technical Basis Document.

3   **MR. ESPINOSA:** (Unintelligible) Espinosa.

4   **DR. ZIEMER:** Okay, Rich Espinosa.

5   **MR. ESPINOSA:** I'm in agreement with what  
6           (unintelligible) is saying and do you know --  
7           I'm worried about the funding, too, so is there  
8           a Federal official or somebody from the  
9           (unintelligible) comment?

10   **DR. ZIEMER:** Well, Lew's comment. I don't know if  
11           there's any others --

12   **UNIDENTIFIED:** (Unintelligible)

13   **DR. ZIEMER:** I'm sorry?

14   **UNIDENTIFIED:** (Unintelligible)

15   **MS. MUNN:** There's background conversation.

16   **DR. ZIEMER:** Background conversation.

17   **DR. WADE:** But I will take it as my responsibility to  
18           see that those funds are made available.

19   **DR. ZIEMER:** That may be the best that he can do for  
20           you today, Rich.

21   **DR. ANDERSON:** But this'll be for the full review?

22   **DR. ZIEMER:** This is for the Iowa. Right?

23   **DR. ANDERSON:** Yeah, but for this -- this new  
24           activity.

25   **DR. ZIEMER:** Yes.

1       **DR. WADE:** Right.

2       **DR. ANDERSON:** Because what I -- this is Andy, I --  
3               what I don't want to do is if we approve moving  
4               forward now, it switches back to our contract  
5               once we've suggested it move forward versus if  
6               we do that. As long as we're held harmless to  
7               the rest of the task that we've already  
8               decided, then it's worth moving forward.

9       **DR. WADE:** That is my intention.

10      **DR. ANDERSON:** Okay.

11      **DR. ZIEMER:** Other comments or questions?

12      **MR. PRESLEY:** This is Bob Presley. My comment is  
13               we've gone this far, we've got two more weeks  
14               before we go into our full open committee  
15               meeting. It would be a shame to stop their  
16               work now for two weeks and then have them pick  
17               it back up again.

18      **DR. ZIEMER:** Okay. Thank you, Bob. Other comments  
19               or questions? Anyone speaking against the  
20               motion? I think it's important Board members,  
21               one way or the other -- if you feel it's not  
22               the way to go, let us -- let us hear from you.

23      Are you ready to vote on this motion?

24      **MR. GRIFFON:** Paul, this is Mark Griffon.

25      **DR. ZIEMER:** Mark? Thank you.

1       **MR. GRIFFON:** Yeah, I -- I just have a ques-- I mean  
2                   just -- just res-- sort of responding to what  
3                   Bob just said, that we have two weeks, and --  
4                   and I -- since the subcommittee meeting we had  
5                   in Cincinnati I'm still not sure that -- that  
6                   we're allowing ourselves enough time here to  
7                   consider this -- this -- or reconsider, I  
8                   guess, this Iowa petition. You know, we're --  
9                   I'm jumping on a plane tonight to go to  
10                  Washington to see some classified data, but any  
11                  notes we take or any -- any discussions we have  
12                  certainly have to go through a declassification  
13                  process. We can't discuss them outside the  
14                  classified areas. But --

15       **DR. ZIEMER:** (Unintelligible) --

16       **MR. GRIFFON:** -- I also understand (unintelligible) -  
17                   -

18       **DR. ZIEMER:** -- even if we move ahead it doesn't  
19                  guarantee that we'll have everything we need by  
20                  our next meeting, does it?

21       **MR. GRIFFON:** That's right. That's right. And I'm  
22                  not saying that we should -- you know, I'm not  
23                  saying that we shouldn't continue to make -- to  
24                  move ahead and make progress on this. But I'm  
25                  just pointing out that, you know, to rush a



1 motion passes, to have additional input to  
2 SC&A. And Mike, there's specific things,  
3 either on Iowa or in general terms of the  
4 review process, those can certainly be added  
5 immediately, if needed.

6 Let's proceed to vote at this point then. All in  
7 favor of the motion to allow SC&A to continue  
8 the review of the Iowa Technical Basis Document  
9 Rev. 1 --

10 **MS. HOMER:** Dr. Ziemer, would you prefer that I take  
11 a roll vote?

12 **DR. ZIEMER:** Yes, take a roll call vote again. We'll  
13 have to do it that way.

14 **MS. HOMER:** Okay.

15 **DR. ZIEMER:** Please say aye when your name is called,  
16 or no or (unintelligible).

17 **UNIDENTIFIED:** Repeat the motion again.

18 **DR. ZIEMER:** Motion is to allow the Board's  
19 contractor, SC&A, to continue with their review  
20 of the Iowa Technical Basis Document, Rev. 1.  
21 And parenthetically I'll add with the intent of  
22 providing the Board some input for our decision  
23 on -- at our next meeting.

24 **DR. ROESSLER:** But what does that mean?

25 **DR. ZIEMER:** The motion allows the contractor to





1           known to someone or -- whether it's NIOSH or  
2           the Department of Energy or anyone else, I  
3           don't know if there's anyone from the  
4           Department of Energy on line, but --

5       **DR. ZIEMER:** You're really asking about the  
6           completeness of the material that the Board  
7           will have on which to make its decision, I  
8           think. Right, Mike?

9       **MR. GIBSON:** Well, I'm asking that once we're  
10          presented with information to make a decision  
11          or reconsider our decision, is there all of a  
12          sudden, two or three days later or a day later  
13          down the road, some additional information's  
14          going to be put out that will again throw us  
15          right back in this same cycle.

16       **DR. WADE:** This is Lew Wade. I can speak to that and  
17          then Larry, possibly. What I think we'll have  
18          before us -- what you'll have before you is the  
19          revision to the Technical Basis Document. You  
20          will have a review by SC&A on that document.  
21          You've recently been provided a supplement by  
22          NIOSH to the review of the SEC petition. I  
23          assume at the meeting there'll be an  
24          opportunity for petitioners to -- to make  
25          comment, and I don't know what they might say,

1           but I think at this point in time that  
2           represents all the information that we have any  
3           reason to believe would be available.

4       Larry, anything in addition that you can think of?

5       **MR. ELLIOTT:** Thanks, Lew. No, I -- this is Larry  
6           Elliott. I do not envision there will be any  
7           additional information beyond that point.  
8           We've covered what will be available, what will  
9           be prepared and provided for the Board's  
10          deliberation, and I believe that will be all  
11          that we have to submit.

12       **MR. GIBSON:** Okay. This is Mike Gibson again, and I  
13          appreciate that. I would again like to ask, is  
14          there anyone from the Department of Energy on  
15          this call that could make a comment as to  
16          additional information that may be brought out  
17          days or weeks after we make our next move so  
18          that we don't go through this cycle again?

19       **MR. ELLIOTT:** I don't -- Larry Elliott again. I  
20          don't believe we heard anyone from DOE join  
21          this call, but if there is someone on from DOE,  
22          now is the time to recognize that person.

23       **DR. ZIEMER:** Larry, I -- I underst-- I -- it is my  
24          understanding there aren't any other documents  
25          under review by DOE that you have submitted,

1           are there?

2       **MR. ELLIOTT:** No, that is correct, Dr. --

3       **DR. ZIEMER:** You have everything back from DOE that  
4           was submitted for their review on the Iowa  
5           document.

6       **MR. ELLIOTT:** That's correct, we have everything  
7           back. There are no other documents in front of  
8           DOE that we've put there.

9       **DR. ZIEMER:** Thank you very much.

10      **MR. PRESLEY:** Hey, Paul, this is Bob Presley --

11      **DR. ZIEMER:** Yes, Bob?

12      **MR. PRESLEY:** -- I (unintelligible) --

13      **DR. ZIEMER:** Yes?

14      **MR. PRESLEY:** About information showing up, I think  
15           this is an ongoing problem that we're going to  
16           have down the road, especially with the  
17           facilities that have been closed down. They  
18           can come up with a site profile and then  
19           somewhere down the road somebody can come up  
20           with some pertinent information which might  
21           change things. This is -- this is  
22           unfortunately going to be a problem we're going  
23           to have.

24      **DR. ZIEMER:** Well, there obviously are no guarantees.

25           I think Mike's concern is that the -- the

1           existence and review of Rev. 1 was known and I  
2           think the record will probably show that the  
3           Board was made aware of it, but probably we  
4           were not quite prepared for the fact that it  
5           would be, in essence, unclassified and  
6           therefore available in a very different way  
7           than we had anticipated. But certainly if  
8           there's documents that come to light later that  
9           impact on any decision, pro or con, they would  
10          have to be made available at the point when  
11          they became -- but we don't know of anything.  
12          And Mike is really asking do we know of other  
13          material that's critical in our decision-making  
14          that we're not being told about.

15       **MR. GIBSON:** This is Mike Gibson again. It just -- I  
16           guess to go one step further, and if it would  
17           be in order at this point, Dr. Ziemer --

18       **DR. ZIEMER:** Yes.

19       **MR. GIBSON:** -- I would like to make a motion that  
20           the Board draft an apology to the workers and  
21           survivors and claimants at Iowa and  
22           Mallinckrodt for this -- this turn of events  
23           about this information that has -- could  
24           potentially delay or change our -- our  
25           recommendation because we were not -- due to

1           circumstances we were not timely notified of  
2           everything and, you know, I think they got  
3           their hopes up and -- and this turn of events  
4           has delayed things and I would just like to  
5           make a motion that we -- the Board issue some  
6           sort of apology at our next meeting to the  
7           claimants of Iowa and Mallinckrodt for this  
8           turn of events.

9           **DR. ZIEMER:** Your motion is in order. I would  
10           suggest that it be done in two parts, the Iowa  
11           and Mallinckrodt. The Mallinckrodt has gone  
12           forward, as prescribed at our last meeting.  
13           And after we discuss Mallinckrodt, if you have  
14           a similar motion, we can certainly make it,  
15           Mike. But would you be agreeable to  
16           restricting this motion to the Iowa?

17           **MR. GIBSON:** Yes, I would.

18           **DR. ZIEMER:** Is there a second?

19           **MR. ESPINOSA:** I'll second that, Paul.

20           **DR. ZIEMER:** I'm sorry?

21           **MR. ESPINOSA:** This is Rich Espinosa. I'll second  
22           that motion.

23           **DR. ZIEMER:** Okay, Rich Espinosa is seconding the  
24           motion. Before I ask for discussion, Mike, as  
25           I understand the motion, we could actually have

1           a working group draft the wording -- if it  
2           passed, draft the wording and have it available  
3           for formal action at our next meeting?

4   **MR. GIBSON:** Yeah.

5   **DR. ZIEMER:** Would that be your intent?

6   **MR. GIBSON:** Yes.

7   **DR. ZIEMER:** So that everyone can have a chance to  
8           see the wording of the apology at that point.

9   **MR. GIBSON:** I'm sorry, there was some background  
10          noise. I didn't hear all that you said, Paul.

11   **DR. ZIEMER:** So that the formal action on the actual  
12          wording could be taken at the meeting. Is that  
13          (unintelligible)?

14   **MR. GIBSON:** It would be the intent of my motion --  
15          that would be fine, as long as that wording can  
16          be worked out and the apology be made at our  
17          next meeting.

18   **DR. ZIEMER:** Okay. You've heard the motion, the  
19          second. Are there -- is there any discussion,  
20          pro or con?

21   **MS. MUNN:** This is Wanda. I have a request to make  
22          of the people who are on the line, then a  
23          comment with respect to the motion. Will the  
24          people on the line who are carrying on other  
25          conversations or who have other people in the

1 room with them please put their phone on mute.  
2 It really is distracting and it makes it almost  
3 impossible for all the members of the Board to  
4 hear the details of the conversations that are  
5 going on when other conversations are taking  
6 place in the background. We can hear you quite  
7 well.

8 **DR. ZIEMER:** Thank you, Wanda. That's an appropriate  
9 request.

10 **MS. MUNN:** With respect --

11 **DR. ZIEMER:** Go on with your comment.

12 **MS. MUNN:** With respect to a motion that's before us,  
13 I find this a difficult motion for a simple  
14 reason. I don't believe that the Board has  
15 done anything improper, and therefore it's  
16 difficult for me to see -- I can understand why  
17 claimants would be concerned about this.  
18 Certainly if I were a claimant I would be  
19 concerned about it, also. However, the Board  
20 has acted in good faith and I think  
21 appropriately based on the information that we  
22 had at hand. To write up a note of explanation  
23 I would have no objection to, but to apologize  
24 for a circumstance which truly was -- was not  
25 ill-intentioned nor was it in any way to be

1           laid -- blame to be associated with the Board's  
2           action, it concerns me. I guess -- do you  
3           understand what I'm saying, Mike? I don't --  
4           I'm not in opposition to the concept, it's just  
5           that I -- I don't feel the Board has done  
6           anything improper.

7           **MR. GIBSON:** Well --

8           **DR. ZIEMER:** Thank you, Wanda. Others --

9           **MR. GIBSON:** -- (unintelligible) --

10          **DR. ZIEMER:** -- on this, pro or con?

11          **MR. GIBSON:** Wanda, I understand what you're saying,  
12           and I don't -- I don't think we have done  
13           anything improper, either. However, I think --  
14           I think that the agencies that are supposed to  
15           be providing us with information put us in a  
16           bad light in the public's eye, and therefore I  
17           would just like it -- let it be known to them  
18           so that we don't lose credibility with the  
19           public, that -- yes, we were acting on the best  
20           information we had. But I think that the  
21           agencies that are responsible for providing us  
22           with information to review or audit could do a  
23           better job. So I guess it's more of --

24          **DR. WADE:** This is Lew Wade. I mean I think your  
25           last comment, Mike, needs to be considered and



1       **DR. ZIEMER:** Mike, you're suggesting that -- you  
2                   describe what -- the action as drafting a  
3                   letter of regret or -- is that what you said?

4       **MR. GIBSON:** Yeah, I'd just change from apology to we  
5                   regret that the action we'd taken -- the  
6                   actions we've taken, then the turn of events  
7                   and timeliness of the turn of events --

8       **MS. MUNN:** (Unintelligible) --

9       **MR. GIBSON:** -- have delayed this --

10      **DR. ZIEMER:** Yeah, I don't think we need to draft  
11                   this letter today.

12      **MR. GIBSON:** Fine, I'm just trying to --

13      **DR. ZIEMER:** What we would be doing would be to -- if  
14                   the motion passes, it would be the intent of  
15                   the Chair to ask Mike and maybe one other  
16                   person to work with Mike to -- as a -- as a --  
17                   in essence, a working group to develop the  
18                   wording for our next meeting. Then we can vote  
19                   it up or down. But it's basically a motion  
20                   that -- that's a draft letter of regret or  
21                   explanation or -- to be drafted to the Iowa  
22                   workers -- or it'd basically be to the  
23                   petitioners, I suppose. Does that frame the  
24                   motion properly, Mike, in --

25      **MR. GIBSON:** Yes, yes, it does.

1       **DR. ZIEMER:** Without wording it at this point?

2       **MR. GIBSON:** Yes.

3       **MS. MUNN:** That's fine for me.

4       **DR. ZIEMER:** Board members, are you ready to vote on  
5               Mike Gibson's motion? Okay, all in favor will  
6               say aye when the roll is called.

7       **MS. HOMER:** Dr. Anderson?

8       **DR. ANDERSON:** Aye.

9       **MS. HOMER:** Dr. DeHart?

10       **DR. DEHART:** Aye.

11       **MS. HOMER:** Mr. Espinosa?

12       **MR. ESPINOSA:** Aye.

13       **MS. HOMER:** Mr. Gibson?

14       **MR. GIBSON:** Aye.

15       **MS. HOMER:** Mr. Griffon?

16       **MR. GRIFFON:** Aye.

17       **MS. HOMER:** Dr. Melius?

18       **DR. MELIUS:** Aye.

19       **MS. HOMER:** Ms. Munn?

20       **MS. MUNN:** Aye.

21       **MS. HOMER:** Mr. Presley?

22       **MR. PRESLEY:** Yes.

23       **MS. HOMER:** Dr. Roessler?

24       **DR. ROESSLER:** Aye.

25       **MS. HOMER:** Mr. Owens? I might have

1 (unintelligible). Dr. Ziemer?

2 **DR. ZIEMER:** Aye. The motion carries. Mike, if you  
3 would take the lead on drafting that, and who  
4 volunteers to help Mike with this? Any  
5 volunteer? Let's ask for one person  
6 (unintelligible) this.

7 **MR. ESPINOSA:** Dr. Ziemer, Richard Espinosa. Since I  
8 seconded, I'll help Mike with this.

9 **DR. ZIEMER:** Thank you. Mike, if you would exchange  
10 drafts with Rich before our next meeting and  
11 then come to the Board with your proposed  
12 letter and we'll have it on the agenda for  
13 action.

14 Okay. We -- let me ask if there's any other items  
15 relating to Iowa petition that Board members  
16 wish to raise before we turn to Mallinckrodt --  
17 or on the SC&A work?

18 (No responses)

19 **DR. ZIEMER:** Okay. Now let's review the status of  
20 Mallinckrodt. The Mallinckrodt piece, the  
21 Chair prepared the letter to the Secretary and  
22 sent it through the Director of NIOSH, together  
23 with all of the supporting documents, which  
24 included the transcript of the Board's  
25 discussion on Mallinckrodt, the public comments

1           on Mallinckrodt, the petition itself, the NIOSH  
2           review of the petition -- there may have been  
3           some other pieces, but it was a packet of  
4           everything. That I sent on to the Director of  
5           NIOSH -- I'm looking to see if I have the exact  
6           date here. I may not have my copy before me.  
7           Lew, do you have a record of that -- when that  
8           --

9           **DR. WADE:** In fact I don't in front of me, Paul.

10          **DR. ZIEMER:** It was several weeks ago, I think. And  
11           Lew, maybe you can pick up and tell us where  
12           that package is in terms of NIOSH.

13          **DR. WADE:** The package has made its way through the  
14           NIOSH director and is with the Secretary. I am  
15           not aware at this moment of any action that the  
16           Secretary has taken. If anyone on the line has  
17           that knowledge, please -- but the package is  
18           with the Secretary.

19          **MS. BROCK:** This is Denise Brock. Can I comment  
20           then?

21          **DR. WADE:** Sure.

22          **MS. BROCK:** Dr. Wade, I believe that it went to the  
23           Secretary or (unintelligible) Secretary's desk  
24           on the 15th of March, and I just spoke with  
25           somebody from Senator Bond's office within the

1           last hour or so and I will be hearing something  
2           probably very soon, maybe before our  
3           conversation has ended.

4       **DR. WADE:**   Okay.  I would expect action very quickly,  
5           but I'm not aware of any action having taken --  
6           been taken by the Secretary.

7       **MS. BROCK:**  That is my understanding, too, Dr. Wade.

8       **DR. WADE:**  Thank you.

9       **DR. ZIEMER:**  You may recall, Board members, in the  
10           case of Mallinckrodt the recommendation was to  
11           -- you recommend Special Cohort status to two  
12           of the -- of the subsets of the Mallinckrodt  
13           and to withhold judgment on the third one until  
14           we had opportunity both to review the -- again,  
15           there was a revised document and some other  
16           documents that surfaced at the time of our last  
17           meeting.  And so the action included the  
18           statement that it was the Board's intent to  
19           take action on that third group -- and I'm  
20           using the word "third group" because I don't  
21           have right before me the exact description of  
22           that group, but does everybody know what I mean  
23           by the third group?  It's defined by -- by  
24           years, and --

25       **DR. WADE:**  Larry, is it 1948 to 1957, is that the...

1       **MS. BROCK:** It's '49 to '57, excuse me.

2       **DR. ZIEMER:** I believe -- yeah, '49 sounds correct.

3               In any event, we have the -- the other  
4               documents now have been provided to the Board  
5               members. I believe you have those and we have  
6               SEC (sic) also doing some reviewing on that,  
7               and let's see, who can give us an update on  
8               where SEC (sic) is on the Mallinckrodt --

9       **DR. WADE:** Let me define the situation overall. We -  
10              - the Board should now be in possession of a  
11              revision to the Iowa -- excuse me, to the  
12              Mallinckrodt downtown site profile.

13       **DR. ZIEMER:** Right.

14       **DR. WADE:** If you recall, SC&A has agreed to provide  
15              the Board its review of that revised site  
16              profile one week before the next Board meeting.  
17              The Board should also be in possession of a  
18              supplement that was prepared by NIOSH to the  
19              SEC petition review.

20       John Mauro, are we still operating on the assumption  
21              that the Board will see the SC&A work product a  
22              week before its next meeting?

23       **DR. MAURO:** We delivered on April 5th a draft work  
24              product that we were hoping to have an  
25              opportunity to discuss with NIOSH and the

1 Board. So there is something -- a document  
2 that is fairly complete. Work is continuing,  
3 more is being done, but we were hoping to have  
4 an opportunity to discuss our draft report as  
5 we -- as the review cy-- in accordance with the  
6 review cycle. We're trying to keep in line  
7 with the review cycle where we'll prepare a  
8 draft and have an opportunity to be discussed  
9 with NIOSH and the Board for factual accuracy  
10 review. And so our hope is that we would get  
11 some feedback and opportunity for dialogue on  
12 the draft that we submitted, and then we will  
13 submit a final version shortly thereafter.

14 **DR. WADE:** I would imagine those discussions would  
15 take place later this week, although I don't  
16 think they've been formally scheduled. But  
17 we'll notify the Board of that schedule.

18 **DR. NETON:** This is Jim Neton from NIOSH. We have  
19 received the draft from SC&A and we're going  
20 over it. We intend to get with them as soon as  
21 possible, but that may not be until very early  
22 next week -- like Monday. There's a key person  
23 from ORAU who is out of the office until  
24 Thursday this week. But as we discussed at the  
25 subcommittee meeting, we're going to constrain

1           our discussion I believe until -- to the '49 to  
2           '57 time period 'cause that is the issue at  
3           hand in the upcoming Board meeting.

4       **DR. ZIEMER:** Right.

5       **DR. NETON:** Okay.

6       **DR. MAKHIJANI:** This is Arjun Makhijani. Could I ask  
7           a question about the schedule? A week from now  
8           is the 18th, and if we don't hear from NIOSH  
9           until the 18th, then of course we can't  
10          incorporate comments, so it will be very  
11          difficult -- and deliver a report to the Board  
12          on the 18th.

13       **DR. WADE:** I mean let us work to have that meeting  
14          take place at its earliest possible date.

15       **DR. ZIEMER:** Well, the goal is to have something to  
16          the Board in time for the next meeting because  
17          the Board has indicated its intent to make a  
18          decision on that portion of the Mallinckrodt  
19          worker group, so --

20       **MR. HORGAN:** Mr. Chairman, this is Tom Horgan from  
21          Senator Bond's office. I'm sorry to cut you  
22          off there, but I just want to say that --  
23          that's really not an unreasonable request, I  
24          don't think, and whatever can be done to  
25          accommodate the folks at Sanford Cohen -- I

1 know the Board and a lot of stakeholders would  
2 be interested in getting that report. Thanks.

3 **DR. ZIEMER:** Yeah. Thank you for your comment.

4 So the intent would be to have that for us in time  
5 for the Board meeting so that we have full  
6 information when action is taken.

7 Now I want to give Mike the opportunity -- Mike, when  
8 you originally talked about the letter to Iowa,  
9 you also mentioned Mallinckrodt. I just wanted  
10 to make sure you were aware that, with respect  
11 to Mallinckrodt, everything has proceeded as  
12 the Board outlined at its last meeting. So I'm  
13 wondering if -- do you still feel there's an  
14 additional explanation needed at this point in  
15 the Mallinckrodt case since we have proceeded -  
16 - the Secretary of Health and Human Services  
17 has the Board's recommendations before him at  
18 this time, the clock is going on that part of  
19 the petition, and we are essentially on  
20 schedule for taking action at our next meeting.

21 **MR. GIBSON:** Yeah, I'm fine with that. I'll withdraw  
22 the Mallinckrodt portion of it at this time.

23 **DR. ZIEMER:** Okay. Let me ask if any of the other  
24 Board members have questions or comments  
25 relative to the Mallinckrodt petition that they

1           would like to raise at this point?

2   **DR. DEHART:** Paul, this is Roy.

3   **DR. ZIEMER:** Yes, Roy.

4   **DR. DEHART:** I'm a little confused with the  
5           discussion that's been going on as to timing.  
6           If we're going to be discussing this at the end  
7           of the month, it really is critical that we  
8           have it available to us at least five to seven  
9           days before the Board meeting.

10   **DR. WADE:** And that would be Tuesday of next week.

11           Tentatively we're looking at a discussion of  
12           the Mallinckrodt --

13   **DR. ZIEMER:** Well, yeah, I think a week from Tuesday  
14           is what -- Roy's talking about the 19th, I  
15           think, Lew.

16   **DR. WADE:** Then we have to -- let me work to see that  
17           that delivery's made.

18   **DR. DEHART:** Fine.

19   **DR. ZIEMER:** Yes, Roy, the intent is that we will  
20           indeed have that. Now if that doesn't occur,  
21           then we'll have to deal with that issue.

22   **DR. WADE:** Well, we do have a draft of an SC&A report  
23           that, if nothing else, could be made available.  
24           I think, you know, following our process, the  
25           more interaction between SC&A and NIOSH that

1           can take place to resolve issues, the better.  
2           But we do understand the importance of having  
3           something to the Board next Tuesday.

4       **MS. MUNN:** This is Wanda. Do we have a feel of how  
5           extensive that material is going to be over and  
6           above the material that was provided for us  
7           under the April 5th memorandum -- the  
8           preliminary -- partial review.

9       **DR. ZIEMER:** Who can answer that then -- John or Lew  
10          or -- maybe John Mauro.

11       **MS. MUNN:** I'm trying to think in terms of my time  
12          availability in that time slot and whether it's  
13          going to be an overwhelming number of hours or  
14          whether the document itself is going to be of  
15          the approximate size that we already have from  
16          the preliminary review.

17       **DR. WADE:** I guess we could only ask John Mauro and  
18          then NIOSH to speculate on that -- and it would  
19          be speculation.

20       **MS. MUNN:** Yeah, I understand.

21       **DR. WADE:** John and Jim?

22       **DR. NETON:** Wanda, this is Jim Neton. My first look  
23          at -- I believe there were 25 pages of comments  
24          that came --

25       **MS. MUNN:** That's correct.

1       **DR. NETON:** And my first look through the document,  
2                   my sense was that many of the comments were  
3                   carried through -- that were reflective of the  
4                   issues of the pre-1949 time frame. I don't  
5                   know -- I don't know that the bulk of them are  
6                   going to be in the '49 to '57 time frame, so I  
7                   suspect it's going to be much -- much -- many  
8                   fewer pages than 25, but I have not looked at  
9                   it in detail myself to make a judgment.

10       **MS. MUNN:** Fine, that -- that gives me a feel. I  
11                   appreciate that.

12       **DR. WADE:** John -- John Mauro, anything to add?

13       **DR. MAURO:** I believe it's going to be abbreviated.  
14                   It's not going to be much larger than the  
15                   document you folks already received.

16       **DR. ZIEMER:** Okay.

17       **DR. MAURO:** There are a couple of other areas that  
18                   we're exploring, and certainly we will develop  
19                   additional material based on the dialogue we --  
20                   we have with -- with NIOSH over the next week,  
21                   but it -- it is not going to be a 100-page  
22                   report or 200-page report, as you have seen in  
23                   the past. It'll be a -- an abbreviated version  
24                   of the report, trying to zero in on those  
25                   issues that remain outstanding.



1           there.

2       **MR. GRIFFON:** Paul --

3       **DR. ZIEMER:** Yes?

4       **MR. GRIFFON:** -- Mark Griffon. Don't we need to -- I  
5           think you missed an item, the task order for  
6           Special Exposure Cohort?

7       **DR. ZIEMER:** Yes. On the agenda that -- that's the  
8           item after this. Do you have the current --

9       **MR. GRIFFON:** Oh, okay, I'm -- I'm probably looking  
10          at an old version of the agenda. I'm sorry.

11       **DR. ZIEMER:** Yeah. I think -- I think on the --  
12          you're right, on the -- the original agenda  
13          showed that as next, but I think the revised  
14          agenda when the -- when the time change  
15          occurred, it showed up after this.

16       **MR. GRIFFON:** That's fine.

17       **REVIEW DRAFT AGENDA FOR UPCOMING MEETING**

18       **DR. ZIEMER:** Okay. That -- that is on our agenda  
19          this morning, as well, Mark. Thank you.  
20       Okay, if -- do all the Board members have their draft  
21          copy of -- of the agenda for the Iowa meeting?

22       **MS. MUNN:** Yes.

23       **DR. ROESSLER:** Yes.

24       **DR. ZIEMER:** Okay. The morning of April 25th is  
25          devoted to a meeting of the subcommittee for

1           dose reconstruction and site profile reviews.  
2           That is an open meeting, but it is just the  
3           subcommittee.

4           The subcommittee has some items that they have been  
5           working on. One of those is the wrap-up of the  
6           first 20 dose reconstructions, and there -- the  
7           subcommittee made I think good progress on  
8           that. They have a -- they will have a proposed  
9           summary of the -- or a proposed wrap-up of the  
10          first 20 cases and Mark has been working on  
11          some words for -- some wording for kind of the  
12          overview, a summary of that. It will include  
13          the kind of scorecard, our contractor's  
14          scorecard on the individual dose  
15          reconstructions and a wrap-up of those that  
16          will include a matrix of -- of the findings and  
17          their -- the relative importance level of  
18          those. Also we -- and -- and perhaps some  
19          lessons learned. And this will provide a kind  
20          -- we hope this will provide a kind of template  
21          on the subsequent dose reconstruction wrap-ups  
22          and they'll be able to move along more rapidly  
23          after that. But that will be on the  
24          subcommittee's agenda.

25          I think the subcommittee is -- I'm trying to look

1           here to see what else will be on the  
2           subcommittee's agenda. I don't think we'll  
3           have the next 18 ready to look at yet, will we?

4 **DR. WADE:** I don't believe so.

5 **DR. ZIEMER:** I think these cases have ended up on the  
6           back burner because of the -- SC&A having to  
7           shift resources to the Mallinckrodt and the  
8           Iowa petition reviews.

9 **DR. MAURO:** Dr. Ziemer, this is John Mauro. If you'd  
10          like (unintelligible) on to that.

11 **DR. ZIEMER:** I'm sorry?

12 **DR. MAURO:** This is John Mauro.

13 **DR. ZIEMER:** Yes, John.

14 **DR. MAURO:** I'd just like to respond to the question  
15          regarding the second set of 18.

16 **DR. ZIEMER:** Yeah, you might tell us where the second  
17          18 are as (unintelligible) --

18 **DR. MAURO:** Yes, they -- we will have a draft of our  
19          version for factual accuracy review available  
20          to the Board by the end of April, so it will  
21          not be available for the meeting.

22 **DR. ZIEMER:** Right. Right. The subcommittee will  
23          also have an opportunity to take an early look  
24          at the Mallinckrodt and the Iowa materials and  
25          make any recommendations they wish to make.

1 I'm looking here in my notes to see what other  
2 items -- those are the main items.

3 Mark, were there some additional things that I've  
4 missed?

5 **MR. GRIFFON:** Yeah, the one thing that I thought was  
6 the task three report that was out a while ago  
7 by SC&A --

8 **DR. ZIEMER:** Oh, (unintelligible) --

9 **MR. GRIFFON:** -- we have to make an initial review of  
10 that.

11 **DR. ZIEMER:** -- report was on the procedures review.

12 **MR. GRIFFON:** Right.

13 **DR. ZIEMER:** And the question was how to handle the  
14 procedures review, and I think we did agree the  
15 subcommittee would -- would make a  
16 recommendation to the Board on how to handle  
17 procedures review. Right, Mark?

18 **MR. GRIFFON:** Yes.

19 **DR. ZIEMER:** That will also be in the subcommittee  
20 discussion. We also have -- although it's  
21 listed under subcommittee, hopefully all the  
22 Board members can be present by late morning.  
23 There -- we have on the schedule remarks by  
24 Senator Harkin.

25 **DR. WADE:** And it's possible there will be -- Senator

1           Grassley might also want to make remarks. I  
2           don't know at this point.

3       **DR. ZIEMER:** Right. Then we have the -- the full  
4           Board meeting beginning in the afternoon of the  
5           25th. We focus initially on the Mallinckrodt  
6           site profile in that -- in the schedule we have  
7           allowed basically all afternoon for that. We  
8           would have appropriate presentations and  
9           discussion and hopefully some action on that.  
10       There -- there's been time allowed, in case we don't  
11       complete Mallinckrodt, to continue that into  
12       the morning of the next day on Tuesday, so  
13       you'll notice that the early part of Tuesday  
14       morning also has been designated for  
15       Mallinckrodt, if needed.

16       **DR. WADE:** But have that Tuesday --

17       **DR. ZIEMER:** In the morning -- I'm sorry?

18       **DR. WADE:** Excuse me, Paul, but the -- on Monday  
19           afternoon we'd be looking at just -- the  
20           proposal, is that the site profile.

21       **DR. ZIEMER:** Right.

22       **DR. WADE:** There'd be an opportunity for public  
23           comment period on Monday evening, then on  
24           Tuesday morning would be devoted to the  
25           Mallinckrodt SEC petition.

1       **DR. ZIEMER:** I'm wondering if I'm looking at -- am I  
2                   looking at an old -- I may have an early  
3                   version of the agenda 'cause I'm not showing  
4                   the Monday evening --

5       **DR. WADE:** Okay, and it might not, but -- but that is  
6                   our plan, to have a public comment period on  
7                   Monday evening.

8       **DR. ZIEMER:** On Monday. Okay, the draft I'm looking  
9                   at shows it on Tuesday evening.

10      **DR. WADE:** But I think we probably -- this is open  
11                   for discussion -- considered both since Monday  
12                   evening we'd be in the midst of the  
13                   Mallinckrodt discussion and Tuesday evening  
14                   would be in the midst of an Iowa discussion. I  
15                   mean I take the Board's recommendation on that,  
16                   but the possibility exists to do two, Monday  
17                   evening and Tuesday evening.

18      **DR. ZIEMER:** Is the Board open to having two evening  
19                   sessions?

20      **MS. MUNN:** This is Wanda. If we actually need them,  
21                   I suppose so. I'm a little reluctant to commit  
22                   to that --

23      **UNIDENTIFIED:** (Unintelligible)

24      **MS. MUNN:** -- 'cause that's an extremely long day for  
25                   the Board members.

1       **DR. ZIEMER:** We might move that up and have it  
2                   (unintelligible) 4:15 time slot.

3       **MS. MUNN:** Okay.

4       **DR. ZIEMER:** How would that be?

5       **UNIDENTIFIED:** Sure.

6       **DR. ZIEMER:** We just have a marker there called  
7                   "other business". Is that -- am I looking at  
8                   the same version of the agenda as others?

9       **DR. WADE:** Yes, you are.

10      **MS. MUNN:** You're (unintelligible) looking at the one  
11                   I'm looking at.

12      **DR. WADE:** The one I'm looking at, as well.

13      **DR. ZIEMER:** So how about if we had public comment at  
14                   4:15? We didn't have quite such a long day  
15                   there.

16      **MS. MUNN:** (Unintelligible)

17      **DR. ROESSLER:** I think that that'll allow people who  
18                   leave work still to get there since that time  
19                   slot is from 4:15 to 6:15.

20      **DR. ZIEMER:** Yeah, that's Gen Roessler commenting, I  
21                   believe. Right?

22      **DR. ROESSLER:** Right.

23      **DR. WADE:** I think that makes sense.

24      **DR. ZIEMER:** Okay. And then -- then we have the --  
25                   the next morning set aside for final action on

1           that -- on Mallinckrodt petition.

2           And then in the afternoon of the 26th we would  
3           address the Iowa Army Ammunition Plant  
4           Technical Basis Document. This would -- this  
5           is the Rev. 1 document.

6           **DR. ROESSLER:** That is the 26th, Tuesday. And then  
7           that continues in through the afternoon on the  
8           Iowa document, and then an evening session with  
9           public comment period, and then into Wednesday  
10          morning we continue on the Iowa document. And  
11          we've set aside all morning again for that,  
12          which would include whatever discussion and  
13          action then the Board would take. So basically  
14          we have set aside all afternoon Tuesday, plus  
15          Tuesday evening and all morning Wednesday to --  
16          to work on the Iowa petition.

17          **DR. WADE:** And there's a design construct for both,  
18          Paul, is that we would begin with, you know, a  
19          half a day spent on -- in the case of  
20          Mallinckrodt -- the site profile review, and  
21          then follow that up with a half a day dealing  
22          with the Mallinckrodt SEC action. And then the  
23          same process for Iowa. I was curious as to  
24          whether or not the Board felt that order was  
25          appropriate and that the time frames allowed

1           are adequate. I know that at the last meeting  
2           I think we left with the feeling that we didn't  
3           have adequate time to do our work. And as I  
4           said before, I think the records that are  
5           created, the records made with regard to the  
6           SEC petition discussion is also important, so I  
7           wanted us to be sure that we had enough time,  
8           in the eyes of the Board going in, to address  
9           those important issues.

10       **DR. ZIEMER:** So are there any Board members --

11       **MR. ELLIOTT:** Dr. Ziemer, this is Larry Elliott. To  
12           follow up on what Lew just spoke to, within  
13           each of those particular agenda areas or agenda  
14           items, we would envision there would be  
15           presentations made on the revised site profile,  
16           there'd be a presentation by SC&A on the review  
17           of that. And then for the SEC petitions there  
18           would be a presentation made on the supplement  
19           -- evaluation report. And then of course  
20           petitioners' comment period. Am I correct in  
21           that understanding?

22       **DR. ZIEMER:** Yeah. Yeah, I think in addition to the  
23           public comments, the petitioners themselves  
24           would have that opportunity to present any  
25           comments relative to the new documents or new

1 findings. Right?

2 **DR. WADE:** So the question is, is a four-hour block  
3 of time, roughly, adequate for each of those  
4 four items in the eyes of the Board, or do you  
5 want more time or less time?

6 **DR. ZIEMER:** Any comments from Board members?

7 **DR. MELIUS:** This is Jim Melius. I mean I think that  
8 it may be adequate. It's just impossible to  
9 tell without seeing the documents, too, so till  
10 we get there we're not going to know. I think  
11 by having Wednesday afternoon if we --  
12 (unintelligible) we schedule Wednesday  
13 afternoon, if we have to go over into that,  
14 that -- that will be fine. That will give us  
15 the extra time. We may have to delay  
16 (unintelligible) afternoon schedule to -- till  
17 the next meeting.

18 **DR. WADE:** I agree.

19 **DR. ZIEMER:** On Wednesday afternoon we have Y-12  
20 petition review. Is Y-12 going to be ready for  
21 NIOSH --

22 **DR. WADE:** Probably not.

23 **DR. ZIEMER:** -- petition review?

24 **DR. WADE:** Probably not at this point. I mean it was  
25 put on at an early date as a place-holder. We

1           will probably not do Y-12.

2       **DR. ZIEMER:** We wouldn't have a Y-12 -- probably  
3           won't have a Y-12 petition review, and of  
4           course wouldn't have a -- we wouldn't have a  
5           contractor's review of Y-12 in any event 'cause  
6           we have not tasked them to look at Y-12 at this  
7           point.

8       **DR. WADE:** We would add -- we would add --

9       **DR. ZIEMER:** I think we have a fair amount of cushion  
10           there if we need it to go into Wednesday  
11           afternoon.

12       Any other Board comments? We don't need to take  
13           formal action on this agenda, but we did want  
14           to get input to make sure that at least you're  
15           relatively comfortable that we've allowed time.  
16           You'll notice that we really don't have any of  
17           our usual things, such as the program update  
18           and so on. We're really focusing on these two  
19           SEC petitions at this meeting, the Mallinckrodt  
20           and the Iowa, and those will consume the major  
21           portion of our activities for this time period.

22       **DR. DEHART:** Paul, this is Roy. Under the adverse  
23           condition of not having completed the reviews  
24           that we need for Iowa, will we still continue  
25           to make -- make our meeting in Iowa? Is that

1           the intent, either way, we're going -- that's  
2           where we're going?

3       **DR. ZIEMER:** Well, I'm -- I don't know that it'd be  
4           easy to change it at this point. You're saying  
5           what happens if the -- if the review -- as the  
6           folks get into the classified documents --

7       **DR. DEHART:** Exactly.

8       **DR. ZIEMER:** -- or on -- what if they're unable to  
9           complete the review and we're not ready for  
10          final action. I -- I think at this point -- I  
11          believe we're nonetheless locked into Iowa and  
12          we will still want to hear from the Iowa  
13          petitioners and the general public there, so  
14          even if we were at the point where we said, you  
15          know, we're not ready to even make a final  
16          recommendation, it seems to me we're still  
17          obligated to go there and go as far as we can  
18          with this material.

19       **DR. DEHART:** That's fine, I just -- I just wanted to  
20          --

21       **DR. ZIEMER:** (Unintelligible) --

22       **DR. DEHART:** -- confirm that 'cause we have some  
23          planning that we have to do, of course.

24       **DR. ZIEMER:** We're not going to be able to switch  
25          meetings, I don't -- or meeting places, nor

1           would we want to, I don't believe -- would we?

2   **DR. WADE:** I think we could; I don't know that we  
3           would want to.

4   **DR. DEHART:** Thank you.

5   **DR. ZIEMER:** But I think Roy is asking what if two or  
6           -- two weeks from now it became very clear that  
7           we could not finalize Iowa, would we want to  
8           wait till the following meeting so that we were  
9           there at the time when we took action. That's  
10          what -- really what you're asking, I believe.  
11          Right?

12   **DR. DEHART:** That's correct. Obviously we need a  
13          meeting, and I just wanted to assure that --  
14          that we all felt comfortable that that is where  
15          we're going to go.

16   **DR. ZIEMER:** Anyone -- any of the rest of you have  
17          comments on that? Do you --

18   **MS. HOMER:** Dr. Ziemer, this is Cori. We do have a  
19          contract with a hotel in Cedar Rapids, signed,  
20          so it'd be difficult to change locations at  
21          this late date.

22   **DR. ZIEMER:** Okay. Other comments? I think we're --  
23          I think we're going to proceed. We're going to  
24          be optimistic that we will have what we need to  
25          take action. Any -- anything else on agenda?

1       **MR. PRESLEY:** This is Bob Presley.

2       **DR. ZIEMER:** Bob.

3       **MR. PRESLEY:** On the agendas again, could I ask that  
4                    whoever sends the agendas out, sometimes the  
5                    agendas are still going out with some type of a  
6                    document. I don't know whether I'm the only  
7                    one on the Board or what it is, but I have not  
8                    gotten an agenda this time that I could read.

9       **DR. ZIEMER:** Really?

10       **MS. HOMER:** I'll make sure you get that, Bob.

11       **MR. PRESLEY:** Thank you.

12       **DR. ZIEMER:** Okay. Then I think we're -- we're ready  
13                    to move on to the Special Exposure Cohort task  
14                    issue. Mark --

15       **DR. WADE:** Why don't you let Mark Griffon --

16       **DR. ZIEMER:** -- you want to (unintelligible) off for  
17                    us?

18       **UNIDENTIFIED:** Sure.

19       **MR. GRIFFON:** I'm sorry, Paul, this is Mark Griffon.

20       **DR. ZIEMER:** Yeah, Mark.

21       **MR. GRIFFON:** One more thing on the agenda, I don't  
22                    have the agenda in front of me, either, did --  
23                    was there -- after the Iowa petition  
24                    discussion, are there any other agenda items on  
25                    -- on the agenda?

1       **DR. ZIEMER:** We have contract actions with SC&A on  
2                   there where we would -- if we have an action to  
3                   take on the -- on petition review task, there's  
4                   -- that's -- that would go, or any changes to  
5                   be made in contractor's task are on there, any  
6                   actions that come out of the subcommittee --  
7                   for example, we -- we -- I don't see it here  
8                   now, but I'll mention to Lew we'll need to have  
9                   a place for action on the wrap-up of the first  
10                  20 cases.

11       **MR. GRIFFON:** Right.

12       **DR. ZIEMER:** And I'm -- I believe -- we're hopeful  
13                  the subcommittee will also have a  
14                  recommendation on handling the procedures  
15                  review task, so we'll need -- need those to be  
16                  in that Wednesday afternoon slot.

17       **MR. GRIFFON:** Right.

18       **DR. WADE:** I was also going to try and do a cost  
19                  accounting of the contract --

20       **DR. ZIEMER:** Right.

21       **DR. WADE:** -- give you a sense --

22       **DR. ZIEMER:** Right.

23       **DR. WADE:** And then maybe look three Board meetings  
24                  out to start to roughly put together agenda for  
25                  subsequent Board meetings so we could have a

1 bit of a future planning in our process.

2 **DR. ZIEMER:** I would also suggest, and we can be  
3 flexible on this, but if we can have a 15 or  
4 20-minute program update as to where we are in  
5 the cases processed and so on. Usually we have  
6 it at the front end of our meeting, but if we  
7 had it here, even if we ran out of time, we  
8 could have it with a written report.

9 **DR. WADE:** Okay. That will be added.

10 **DR. ZIEMER:** Okay, Mark?

11 **MR. GRIFFON:** Yeah, and I think earlier in this call  
12 I think Mike Gibson mentioned the idea of a  
13 need -- or someone mentioned the idea of a need  
14 for discussing the Board process and procedures  
15 --

16 **DR. WADE:** Right, that --

17 **MR. GRIFFON:** -- going forward, and I think that  
18 should be an agenda item in that --

19 **DR. ZIEMER:** Right, right.

20 **DR. WADE:** As well as the motion on Mike's letter of  
21 explanation -- regrets. Yeah, my principal  
22 interest in the agenda to you is to get the big  
23 blocks of Iowa and Mallinckrodt understood and  
24 agreed upon.

25 **DR. ZIEMER:** Okay.

1        **TASK FOR SC&A, SPECIAL EXPOSURE COHORT PETITION WORK**

2        **DR. WADE:** Okay. To the -- to the question of a task  
3                for the contractor for SEC petition, obviously  
4                the activities of the last several months  
5                points out the possibility that the Board might  
6                want to engage, in a -- in a very timely  
7                fashion, its contractor on the review of SEC  
8                petitions. And we don't have a task in place  
9                and I would like to proceed with some dispatch  
10               to (unintelligible) task in place.

11        When the contract was originally framed, the original  
12               scope of work which was provided to you for  
13               discussion -- if you go to the last page of  
14               what was provided, it's page seven, there was  
15               language put in the original contract to deal  
16               with the review of SEC petitions, and I can  
17               read that language; it's very brief. (Reading)  
18               The contractor shall be available to assist the  
19               Advisory Board in reviewing SEC petition  
20               determinations. The contractor may be  
21               requested to assist in some or all of the SEC  
22               petition reviews.

23        It goes on to say (reading) The contractor shall  
24               review all relevant methodologies and/or  
25               procedures employed by NIOSH evaluating and

1           processing SEC petition consistent with the  
2           statute and the SEC regulations.

3       The reality of the SEC petition review work is that  
4           it would -- it would tend to be very  
5           spontaneous. It could be very different one  
6           case to the other. We don't know what kind of  
7           petitions we will receive. We don't know -- I  
8           don't know what the Board might want of SEC  
9           (sic) in any particular case. So -- so I think  
10          there are two things at play here. There is  
11          sort of a need to have a very responsive --  
12          potentially responsive task in place that the  
13          Board could say to the contractor please look  
14          at this for us, or look at these questions for  
15          us, or give us your opinion on these issues.  
16          And then the second is a more methodical review  
17          of methodologies and procedures.

18       Towards the first, what I would propose is that  
19           following a discussion here we look at putting  
20           a very open-ended task in place within the SC&A  
21           contract that would really basically say that  
22           the Board anticipates approaching SC&A on  
23           issues related to SEC petitions up to a certain  
24           number per year, and that the Board imagines  
25           that in response to that SC&A would have to

1 spend man-hours up to a certain amount of  
2 money. We could then get an independent  
3 government cost estimate for such a task, and  
4 then have that task in place quickly so that  
5 the Board could, at a moment's notice, ask SC&A  
6 under that task to take on particular work. We  
7 don't know exactly what that work would -- or  
8 could be.

9 We could move very quickly to do that if we had a  
10 discussion of the Board today and the Board is  
11 comfortable with such an open-ended task and  
12 then allows me to pursue an independent  
13 government cost estimate. It is very likely we  
14 could have a task in place -- a responsive task  
15 in place by the time we met in -- at the end of  
16 April.

17 There is also the more methodical potential review  
18 that is covered in the second sentence I read,  
19 and I think towards that end Mark had developed  
20 during the subcommittee meeting some language  
21 to -- to talk about a sort of a more review  
22 type of function. It is not so much a  
23 responsive function. I think we certainly need  
24 the responsive function and as the Board feels  
25 it's in order we could pursue a review

1 function. But I would like to see the  
2 responsive function in place quickly so that  
3 the Board could request action as early as its  
4 next meeting.

5 Mark, would you want to walk folks through the  
6 document you developed, as well?

7 **MR. GRIFFON:** Yeah. Yeah, I'm trying to in my mind  
8 sort out the -- the distinction. I mean mine -  
9 - yeah, this -- this is a -- I don't know if  
10 you forwarded this to the rest of the Board --

11 **DR. WADE:** Yes, we did -- I believe we did.

12 **MR. GRIFFON:** Okay. But it -- you know, it lays out,  
13 as best we -- as best I could, sort of trying  
14 to anticipate the work that might be done to  
15 support us and -- in SEC petition evaluation  
16 report reviews. And it starts off with  
17 reviewing the procedures that are in place --  
18 ORAU procedures (unintelligible) ORAU/NIOSH  
19 procedures.

20 **DR. ZIEMER:** Before Mark starts -- this is Ziemer  
21 again -- let me ask if the Board members in  
22 fact all have copies of Mark's draft. It's  
23 called Special Exposure Cohort Petition Review  
24 Task Order.

25 **DR. ROESSLER:** I think so, is it a two -- two-page

1 document?

2 **MR. GRIFFON:** A two-page --

3 **DR. ZIEMER:** A two-pager.

4 **MR. GRIFFON:** -- document, yes.

5 **DR. ZIEMER:** Let's see, Mark, the correct version --  
6 is there a date on the most recent version?

7 **MR. GRIFFON:** There's no date on what I forwarded,  
8 unfortunately. I apologize for that.

9 (Unintelligible) before the last subcommittee  
10 meeting.

11 **DR. ZIEMER:** Okay.

12 **DR. ROESSLER:** This is Roessler. I got one by e-mail  
13 on March 31st from Cori. Is it part of a March  
14 31st e-mail?

15 **DR. WADE:** Right, that would be it.

16 **DR. ZIEMER:** Yeah.

17 **DR. ROESSLER:** That's it? Okay.

18 **MR. GRIFFON:** Yeah, the title is Special Exposure  
19 Cohort Petition Review Task Order.

20 **DR. ROESSLER:** Right.

21 **MR. GRIFFON:** And it's got -- if you look down, it's  
22 five main items in the description of work.  
23 And like I said, the first one is to sort of  
24 review the procedures being used to develop the  
25 petition evaluation. Second is to help the

1 Board in developing its own procedure --  
2 drafting a procedure for how -- how -- how to  
3 review. The third is -- is just an estimate of  
4 the number of petitions and, to some extent,  
5 the type, because I think (unintelligible)  
6 there is a difference of (unintelligible)  
7 involved in a DOE petition or a AWE petition,  
8 or that -- a petition at a site where there's  
9 no site profile or TBD, so that the work  
10 required, the man-hours, might be different for  
11 those different types of sites or different  
12 types of petitions. And the fourth talked  
13 about (unintelligible), and then -- and the  
14 fifth talks about -- again, detailing some of  
15 the data and/or experts that the contractor  
16 shall be required to consider in -- in doing a  
17 technical review. And that -- and that's it,  
18 then the period of performance and the  
19 reporting and deliverables.

20 **DR. ZIEMER:** Now Lew, do you -- do you view this as  
21 being different from -- or just more detailed  
22 than what you just described initially?

23 **DR. WADE:** At least at this point in my thinking,  
24 Paul, I see the possibility of two tasks  
25 relative to SEC petition reviews, and I think

1           they flow each from the two sentences in the  
2           statement of work. What Mark has outlined is -  
3           - I would -- I would define as more of a  
4           methodical review of procedures and of work,  
5           and you know, I think we can pursue that if --  
6           if it's the Board's wish.

7           The first -- flowing from the first sentence in the  
8           statement of work would be a -- to put in place  
9           a more responsive potential task that would  
10          allow the Board to approach SC&A with a  
11          particular task or question regarding an SEC  
12          petition. It might -- it wouldn't fall, in my  
13          view, under the heading of a methodical review,  
14          but it would be saying to the contractor we  
15          would like you to focus on this petition, this  
16          question, this aspect of that petition; please  
17          get back to us in a fairly timely way.

18          These SEC things have clocks associated with them,  
19          and I think -- I would like to see the Board in  
20          a position to engage its contractor in a timely  
21          (unintelligible) as it needs it, and I would  
22          like to see such a task in place, if it suits  
23          the Board. It doesn't preclude the more  
24          systematic, methodical review that Mark is  
25          discussing.

1       **DR. ZIEMER:** It could -- it could be a general sort  
2                   of process that you described be one of the  
3                   subtasks in this document that Mark has  
4                   developed.

5       **DR. WADE:** It could be.

6       **DR. ZIEMER:** Or -- I'm just asking from a practical  
7                   point of view --

8       **DR. WADE:** I -- I --

9       **DR. ZIEMER:** -- is it better to have two separate  
10                  tasks or --

11       **DR. WADE:** Well, I --

12       **DR. ZIEMER:** -- or to have one task that's more  
13                  inclusive?

14       **DR. WADE:** Well, you know, I think you could argue  
15                  either way. I mean there are arguments that  
16                  say one task more inclusive. I was trying to  
17                  get something in place very quickly so that the  
18                  Board could have it. I guess we could do both.  
19                  We could get a task in place more quickly and  
20                  then have that task subsumed into the more  
21                  complete task that Mark is talking about and  
22                  that -- so that we would never (unintelligible)  
23                  have the ability to -- for the Board to engage  
24                  its contractor if it wanted to on an SEC  
25                  question.

1       **DR. ZIEMER:** Uh-huh, all right. Basically you're  
2                   asking whether or not you -- the Board would  
3                   like you yet at this meeting to begin putting  
4                   in place this sort of general SEC task.

5       **DR. WADE:** Right.

6       **DR. ZIEMER:** Or -- and alternatively, we would -- or  
7                   maybe both -- either alternatively or in  
8                   addition, at our Iowa meeting we would act  
9                   formally on this document that -- that Mark has  
10                  developed.

11       **DR. WADE:** Correct.

12       **DR. ZIEMER:** Or we could act on it here if we wished.  
13                  Board members, do you want to react, respond,  
14                  comment on these approaches?

15       **MS. MUNN:** This is Wanda. It's almost impossible for  
16                  me -- when I -- when I first read the document  
17                  when I received it, my first thought is the  
18                  stuff that sticks with me now as we discuss it.  
19                  I do not have personally a good feel for the  
20                  depth of resources we have here. I've had the  
21                  impression that our -- our requests of our  
22                  contractor are stretching not just their  
23                  resources, but the resources that are available  
24                  anywhere in the United States, for doing these  
25                  things. And I continue, as mentioned earlier,

1           to be concerned about how much financial  
2           cushion we have to do these things.

3           I don't see how I personally can take a position on  
4           what to do with this task in front of us. I  
5           understand what Lew's saying with respect to  
6           the need for rapid response in these  
7           circumstances. But by the same token, I don't  
8           have a strong feeling for what this means to  
9           our contractor.

10       **DR. ZIEMER:** I don't know if anyone's prepared to  
11           answer those questions, but they are some  
12           thoughts to be considered. Other comments or  
13           questions?

14       **DR. MELIUS:** Yeah, this is Jim Melius.

15       **DR. ZIEMER:** Jim.

16       **DR. MELIUS:** I agree that we're pressing our  
17           contractor, but I think it's pressing them in  
18           terms of the time expectations. We're giving  
19           them short time frames to respond to the  
20           document that has taken NIOSH months or years  
21           to develop, and then we're expecting them -- in  
22           two weeks or two months -- to (unintelligible)  
23           comprehensive review (unintelligible) out that  
24           (unintelligible) time to have done all the sort  
25           of procedural review (unintelligible) you know,

1           that would facilitate the (unintelligible) site  
2           profile reviews or whatever. So I'm not  
3           concerned about the resources of our  
4           contractor, except in the sense that what I  
5           think we're sometimes making unrealistic  
6           (unintelligible) on them.

7           Regarding this task order -- these (unintelligible)  
8           proposals (unintelligible) I'd be supportive of  
9           having the rapid response task order replaced  
10          by our (unintelligible) 'cause I think there  
11          may be some issues that may need to be dealt  
12          with that -- I'm a little reluctant to use that  
13          as our sole and only approach to dealing with  
14          SEC petition reviews because I think we need to  
15          develop a consistent approach. I don't  
16          (unintelligible) something that we can do by  
17          asking selective questions. I think the more  
18          comprehensive approach to evaluating those  
19          evaluations that (unintelligible) is producing  
20          and I -- I think that -- see, I would like to  
21          see, and again I'd be willing to approve a  
22          short-term -- the short term of selective rapid  
23          response, but that needs to be phased out and  
24          we need -- subsumed by a more comprehensive  
25          task order to evaluate the SEC petition

1           evaluations.

2       **DR. ZIEMER:** So bottom line, Jim, you're suggesting  
3           that perhaps we'd go ahead with the sort of  
4           general task order and then spend a little more  
5           time on developing the more detailed one? Is  
6           that...

7       **DR. MELIUS:** (Unintelligible) 'cause I think we -- on  
8           the more detailed one I think we need to be a  
9           little bit more specific about what questions  
10          we want them to address and how we want them to  
11          (unintelligible) questions that I'm not sure  
12          were quite there that (unintelligible) think we  
13          should be ready by the --

14       **DR. ZIEMER:** Okay, well --

15       **DR. MELIUS:** -- (unintelligible) set up by the time  
16          of the meeting in Iowa in a couple of weeks.

17       **DR. ZIEMER:** Okay. Other comments or suggestions?

18       **MR. GRIFFON:** Yeah, this is Mark Griffon. I mean  
19          that's part of my reaction I guess to the quick  
20          response or fast response open-ended task is  
21          that, you know, we're -- I'm just -- I get a  
22          little nervous that we're going to set  
23          ourselves up for problems with consistency on  
24          how we (unintelligible) petitions. And these  
25          first few that we handle are going to

1                   potentially set precedents, so I think that we  
2                   -- we really need to have that in mind as we  
3                   proceed, you know, understanding certainly the  
4                   time pressures that we have on these two. And  
5                   I also think it's important to put -- you know,  
6                   to just put this in a little bit of context  
7                   that, you know, the Board certainly considered  
8                   this a long time ago --

9                   **DR. WADE:** Uh-huh.

10                  **MR. GRIFFON:** -- and we had this in our initial  
11                   contract language.

12                  **DR. WADE:** Yeah.

13                  **MR. GRIFFON:** I mean I remember drafting this stuff -  
14                   - I think it was over two years ago. I  
15                   remember it being discussed in Idaho and I  
16                   remember that basically we were told that --  
17                   that NIOSH felt that -- that our contractor  
18                   should not have a role in regard to SEC  
19                   reviews. So now to be put under the gun to  
20                   sort of ad hoc phrase questions and review  
21                   petitions I think could put us in a jam as we  
22                   go forward. I think -- you know, part of the  
23                   reason in this task order that I drafted, part  
24                   of the reason for number two -- I think it's  
25                   number two -- is so that we have some sort of

1 consistent procedures internally, within the  
2 Board, on how we're going to handle these, and  
3 that may include some more specific, you know,  
4 framed questions that we want to address when  
5 we kick into that kind of review.

6 Also I should say that I don't anticipate that for  
7 every petition we would necessarily take --  
8 make a Board motion to (unintelligible) have it  
9 reviewed by -- by -- you know, by SC&A. You  
10 know, some petitions may have issues that we  
11 believe we're fully capable of handling without  
12 the technical assistance of SC&A and we proceed  
13 as we did on the first two classes within  
14 Mallinckrodt. But where it is -- you know,  
15 where we do decide that we need technical  
16 assistance, I think we -- we -- I'm worried  
17 about that consistency.

18 **DR. WADE:** Understood.

19 **DR. ZIEMER:** This is Ziemer again. Let me pose a  
20 question to Lew. Is -- is there anything that  
21 would change between now and our regular full  
22 meeting if we have the -- sort of this general  
23 task order that you described? We already have  
24 covered -- the Iowa and the Mallinckrodt are  
25 being covered under the tasks of the -- of the

1 site profile reviews, so those will continue in  
2 any event. Right?

3 **DR. WADE:** Correct.

4 **MR. GRIFFON:** Paul, but the -- this is Mark Griffon.

5 I mean they're being covered in the sense that  
6 the site profile documents are being reviewed,  
7 but the contractor has not been asked to review  
8 the petitions in any way, and there is a  
9 distinction there.

10 **DR. WADE:** That's right.

11 **DR. ZIEMER:** Yes, but I'm asking if anything would  
12 change for these two in the next two weeks if  
13 we had this --

14 **MR. GRIFFON:** Oh, I see --

15 **DR. ZIEMER:** -- supposed doc-- in other words, is  
16 there an urgency on doing that or can we -- can  
17 we delay until our meeting where we fully  
18 discuss Mark's draft and whether or not we need  
19 the -- this additional sort of broad task  
20 order.

21 **DR. WADE:** Right. The only -- the only contingency  
22 that I would (unintelligible due to static on  
23 telephone line) not knowing what would happen  
24 at the next (unintelligible) holding open the  
25 possibility that the Board might decide at that

1 point that it would want some, quote, SEC work  
2 done by the contractor and I was trying to have  
3 a mechanism in place. The path --

4 **DR. ZIEMER:** So ready --

5 **DR. WADE:** -- we're on now --

6 **DR. ZIEMER:** -- to go --

7 **DR. WADE:** -- of having --

8 **DR. ZIEMER:** -- immediately.

9 **DR. WADE:** Excuse me?

10 **DR. ZIEMER:** So it would be ready to go immediately?

11 **DR. WADE:** Right. But you know, I also understand  
12 Mark's concerns and the logic of what he's  
13 saying. I mean developing this, you know, more  
14 fully at the next meeting is also fine. I was  
15 just trying to have something in place as a  
16 contingency, not knowing what might happen at  
17 the next Board meeting -- or subsequent Board  
18 meetings. But you know, I do understand the  
19 need to take the more methodical approach, and  
20 I'm not opposed to that.

21 **DR. ZIEMER:** If the Board wishes to have the -- what  
22 I'll call the contingency task in place, and we  
23 would -- the Chair would like a motion to that  
24 effect. In the absence of a motion, it would  
25 be my intent that we would take full action on

1 Mark's draft at our upcoming meeting.

2 **MR. GRIFFON:** Can I ask one more question? Mark  
3 Griffon.

4 **DR. ZIEMER:** Yes.

5 **MR. GRIFFON:** At the -- at the subcommittee meeting I  
6 was under the understanding that, you know, we  
7 have this -- this (unintelligible) that I  
8 brought this up (unintelligible) meeting and I  
9 was under the understanding that we -- we said  
10 to Lew -- Lew Wade, you know, we're -- we're  
11 comfortable (unintelligible) entire Board is  
12 (unintelligible) comfortable with Lew going  
13 away and doing (unintelligible) cost estimate  
14 for this and moving forward pending a vote by  
15 the full Board on this draft task order. I  
16 don't understand if -- if this more  
17 comprehensive task would take longer to work  
18 through the system than the -- than the other -  
19 - the other task that Lew was describing, the  
20 more general task, the (unintelligible) open-  
21 ended task.

22 **DR. ZIEMER:** Lew, do you --

23 **DR. WADE:** I think in principle it would, Mark,  
24 although, you know, we won't know until we do  
25 that. You know, I think to develop a cost

1 estimate -- first to flesh this out and develop  
2 a cost estimate for it is going to take some  
3 time. You know, at any point you like we can  
4 start on that. I was just looking at the  
5 possibility of a contingency in place, but it  
6 really is at the Board's -- for the Board's  
7 needs that I was doing that. If the Board  
8 doesn't feel so inclined, that's fine with me.

9 **DR. ZIEMER:** One other option would be to do a sort  
10 of preliminary approval of this draft -- or an  
11 actual approval -- it's the Board's prerogative  
12 to approve it as it is -- and ask Lew to  
13 proceed on developing a government cost  
14 estimate. So that's another option, obviously.  
15 But the Chair is open to motions for specific  
16 action. Otherwise it will simply be delayed  
17 till our regular meeting next -- at the end of  
18 the month.

19 (No responses)

20 **DR. ZIEMER:** Are there no motions?

21 (No responses)

22 **DR. ZIEMER:** Okay. I hear no motion to have the --  
23 what I'm describing as the contingency task.  
24 Then without objection, this will be on the --  
25 on the agenda for action at the next meeting.

1 Now Mark, do you want to solicit -- in the meantime  
2 solicit any comments for wording and so on on  
3 this?

4 **MR. GRIFFON:** Sure, yeah. Yeah.

5 **DR. ZIEMER:** So Board members, if you want -- if you  
6 want to give feedback to Mark, and perhaps --  
7 perhaps we can give some thought, Mark, to  
8 adding a paragraph that would deal -- or would  
9 address sort of specific issue kinds of things.  
10 Maybe it's already contained in here, but you  
11 know, where -- where we're not asking for a  
12 complete review of all parts of a particular  
13 petition, but that's something that could be  
14 added.

15 **MR. ELLIOTT:** This is Larry Elliott. Dr. Ziemer and  
16 Mark, I would (unintelligible) both of you.  
17 Number -- item number three under Mark's draft  
18 speaks to reviewing numbers of petitions from  
19 different categories. I'm just -- I would  
20 offer for your consideration that perhaps maybe  
21 this -- this number three might be where you  
22 could craft that language so that you can  
23 provide a (unintelligible) reaction by review.  
24 We here in OCAS simply can't predict how many  
25 petitions are we going to get or where those

1           petitions are going to come from. And right  
2           now we have -- we do not even have eight.

3       **DR. ZIEMER:** Right. In fact I think we -- I think  
4           when we talked about this, Mark, we talked  
5           about making that up -- up to or something, and  
6           we put some numbers in there mainly so there'd  
7           be a way of getting our cost estimate, that the  
8           contractor would be able to give a unit cost  
9           based on a certain number (unintelligible).

10       **MR. GRIFFON:** That's correct, and I (unintelligible)  
11           it up to, I didn't circulate that yet, but  
12           that's correct.

13       **DR. ZIEMER:** Yeah, right. So -- yeah, we understand  
14           that, Larry, that we don't want to mandate  
15           they're going to do a certain number. We don't  
16           even if that number will come in, but we're --  
17           we're aware of that. Right?

18       **MR. GRIFFON:** Yes.

19       **DR. ZIEMER:** And I think minor modifications could be  
20           (unintelligible) so that it covered the things  
21           that Lew talked about, probably.

22       **DR. WADE:** Right. Just the one question that -- that  
23           I had, and obviously we can talk about this, is  
24           are we really talking about a retrospective  
25           review where we would be looking at the SEC

1 process as it had taken place, or are we trying  
2 to look at a task that would provide the Board  
3 information in real time as it makes decisions?

4 **DR. ZIEMER:** I think it's the latter. We're not  
5 looking at this as a -- as a quality control  
6 type of thing like we do on the dose  
7 reconstructions.

8 **DR. WADE:** Okay.

9 **DR. ZIEMER:** Isn't that correct? Is that everybody's  
10 understanding, that we're looking for  
11 assistance in the decision-making?

12 **MR. GRIFFON:** Yes, that's my understanding.

13 **MR. PRESLEY:** This is Bob Presley, that's my  
14 understanding.

15 **DR. ZIEMER:** Yeah. So in that respect it is  
16 certainly different from the other two  
17 processes, dose reconstruction and site profile  
18 reviews, as a quality control procedure.

19 Okay, I think we have what we need on this item  
20 (unintelligible). Right?

21 **DR. WADE:** Yes.

22 **DR. ZIEMER:** We're ready then to move to the public  
23 comment --

24 **MR. GRIFFON:** Paul, can I (unintelligible) --

25 **UNIDENTIFIED:** Excuse me (unintelligible) --

1       **DR. WADE:** One other issue (unintelligible) --

2       **DR. ZIEMER:** Are we getting interference?

3       **MS. MUNN:** I'm getting lots of interference. I can  
4               hardly hear you, Dr. Ziemer, and --

5       **DR. ZIEMER:** Again, let me ask that --

6       **MS. MUNN:** -- lots of static. Am I the only one --

7       **DR. ZIEMER:** -- (unintelligible) if you have  
8               (unintelligible) --

9       **MR. PRESLEY:** (Unintelligible) this is Bob Presley.  
10               I'm getting the same thing.

11       **DR. ZIEMER:** -- (unintelligible) your phones.

12       **MS. MUNN:** That's better.

13       **PUBLIC COMMENT PERIOD**

14       **DR. ZIEMER:** Now we are open for public comment and  
15               (unintelligible) on members of the public and  
16               the Board is not in a position to discuss with  
17               you specific cases. You're free to describe  
18               any particular things you wish, but these will  
19               be without comment (unintelligible) the Board  
20               (unintelligible) listen to what you may have to  
21               say --

22       **MS. SCHUMACHER-KORDING:** Dr. Ziemer --

23       **DR. ZIEMER:** -- (unintelligible) -- yes?

24       **MS. SCHUMACHER-KORDING:** This is Sharon Schumacher-  
25               Kording in (unintelligible). May I go first,

1           please?

2       **DR. ZIEMER:** We'd be glad to have you do so --

3       **MS. SCHUMACHER-KORDING:** I appreciate --

4       **DR. ZIEMER:** -- (unintelligible).

5       **MS. SCHUMACHER-KORDING:** -- the Board

6           (unintelligible) Iowa, but I have travel plans  
7           that cannot be broken. I will not be there. I  
8           have -- first question, has any representative  
9           of Grassley or Harkins (sic) come on board  
10          during this conversation?

11       **MR. (UNINTELLIGIBLE):** Yes, (unintelligible) is here  
12          with Senator Grassley.

13       **MS. SCHUMACHER-KORDING:** Okay, thank you very much,  
14          because I have a real concern about how  
15          intently our legislatures (sic) in Iowa are  
16          fighting for us versus those in Missouri.  
17          Those in Missouri are awarded. The comparison  
18          that NIOSH is making on this dose  
19          reconstruction, you use Pantex and using the  
20          bomb (unintelligible) of Japan. First of all,  
21          comparing IAAP with Pantex is about like  
22          comparing the state of Texas to the state of  
23          Iowa. They have one commonality and that's  
24          they're both states. Same thing with the dose  
25          reconstruction process. One commonality, they

1           were AEC plants. Other than that, it's totally  
2           different situations. That's a known fact,  
3           regardless of what NIOSH says it is  
4           (unintelligible).

5           Wanda's concern, other Board members' concerns about  
6           (unintelligible). I'm not sure how long the  
7           Board's been put together, two years or three  
8           years. There's a great deal of money spent  
9           (unintelligible). Everybody (unintelligible)  
10          yes, there's this problem and up front  
11          compensated all these people there would have  
12          been several hundred thousand dollars saved  
13          (unintelligible). I'm disappointed totally in  
14          NIOSH (unintelligible) they have become  
15          (unintelligible) they have been non-  
16          communicative with some of us that would  
17          occasionally write down a question that  
18          (unintelligible) answers from them, very up  
19          front answers from them and at this point they  
20          have become non-communicative with us. I don't  
21          know why. I don't know why they don't feel  
22          that your contractor should not be involved in  
23          the SEC (unintelligible) something for you guys  
24          to decide.

25          It's just a real runaround. The Japanese bombings

1           comparatively to the amount of radiation  
2           exposure, that's like all of us going into the  
3           (unintelligible) of the apple tree that has a  
4           bunch of finches in it versus us all going out  
5           and sitting under a pine tree that has a bunch  
6           of vultures in it. One commonality, they're  
7           both birds. You know, the only commonality  
8           here is radiation (unintelligible) there's  
9           other people on this line (unintelligible) more  
10          detailed information, but I have also found  
11          (unintelligible) many, many sites that say that  
12          the time line for radiation is not what NIOSH  
13          claimed it to be, but it's longer. And how  
14          these people (unintelligible) IAAP put their  
15          hand in the pits and not have an adequate  
16          amount of dose exposure is beyond me. And I  
17          won't go into the sadness of the whole thing.  
18          You heard all that in St. Louis and I'm sure  
19          you'll hear it in Cedar Rapids.

20          There's documents that I would like to find ways of  
21          getting. I'm sure that (unintelligible) on the  
22          line will also have those concerns about  
23          (unintelligible) documents we heard about today  
24          and we'll have them.

25          My last question to you, at this point do you have

1           any idea when your meeting after Cedar Rapids  
2           would be?

3       **DR. ZIEMER:** What was the question, is when  
4           (unintelligible)?

5       **MS. SCHUMACHER-KORDING:** Your one in Cedar Rapids is  
6           (unintelligible) weeks.

7       **DR. ZIEMER:** Monday, April 25th --

8       **MS. SCHUMACHER-KORDING:** Right, when will your  
9           meeting following that be, an approximate time  
10          line month?

11       **DR. ZIEMER:** Oh, let's see, if Cori's on the line  
12          maybe you can --

13       **MS. HOMER:** I am.

14       **DR. ZIEMER:** We (unintelligible) rough time lines but  
15          I don't know if we have it pinned down yet.

16       **MS. HOMER:** We're looking at the second week of July,  
17          the 6th, 7th and 8th tentatively.

18       **MS. SCHUMACHER-KORDING:** Thank you, Cori, I  
19          appreciate that. This way I can have it on my  
20          calendar and not have anything else interfere  
21          with it, so I appreciate that. Thank you for  
22          your time.

23       **DR. ZIEMER:** Thank you. Other members of the public  
24          wish to comment?

25       **MS. GRAHAM:** Yes, I would.

1       **DR. ZIEMER:** Please give your name and location.

2       **MS. GRAHAM:** My name is Paula Graham and I'm from  
3               Iowa -- Fort Madison, Iowa, and I want to talk  
4               about the IAAP. And I've been taking notes  
5               here as you talked, and one thing I want to  
6               stress again is transparency. We need to be  
7               able to see this information. I know it's  
8               classified, but surely the workers need a  
9               representative to look at that classified  
10              information or the classified documents. I  
11             don't want to -- one person I would suggest  
12             would be Dr. Laurence Fuortes from the  
13             University of Iowa. He has scientific and  
14             medical expertise and I think that all of the  
15             workers trust him completely on this. I do  
16             remember Larry Elliott saying about that they  
17             were working on a revised site profile at the  
18             meeting, and thought that the Board members  
19             understood that, too, and then you voted on it  
20             after he had made that comment. So I really  
21             think that you -- the SEC approval for the IAAP  
22             should stand.

23            However, I think that the workers and survivors came  
24            prepared to the St. Louis meeting with some of  
25            the evidence. It's been four-plus years since

1 EEOICPA Act was passed in 2000. And it seems  
2 to me that our government agencies could have  
3 had this worked through sooner than this. I  
4 realize it takes a lot of time to get something  
5 organized, but this seems like a lifetime to  
6 these people back here.

7 I have some questions. You're going to be reviewing  
8 things that (unintelligible) -- what is it,  
9 SC&A? -- have to provide you. You're going to  
10 be reviewing the revised site profile and other  
11 things. What about information that workers  
12 and survivors have gathered since your meeting  
13 in St. Louis? I think (unintelligible) days in  
14 the basement of the Lee County Health  
15 Department here in Fort Madison, Iowa, where a  
16 lot of documents and records are stored about  
17 the IAAP and -- just a second, I can tell you  
18 when (unintelligible) -- here it is. It's  
19 called the -- it's called the work plan for  
20 supplemental remediation investigation for Line  
21 1 (unintelligible) for the IAAP. And that's  
22 what -- we've been researching this thing at  
23 the historical site (unintelligible) for the  
24 IAAP and we've come up with another thing.  
25 We've paid money to copy these pages and we

1           made comments on them, and if we  
2           (unintelligible) those at the Cedar Rapids  
3           meeting, you're not going to have time to look  
4           them over. My question is would you like to  
5           see these, Dr. Ziemer, for me to mail them to  
6           you?

7           **DR. ZIEMER:** These -- these kinds of documents --  
8           this is the reason we have a contractor to help  
9           us out because the Board members are not in a  
10          position to individually review all of these  
11          documents personally, so --

12          **MS. GRAHAM:** Yes.

13          **DR. ZIEMER:** Yes, so we do have our contractor that  
14          helps with this kind of thing.

15          **MS. GRAHAM:** Well, should they be (unintelligible)?

16          **DR. ZIEMER:** I don't know which documents you have,  
17          but if -- if NIOSH has them available and our  
18          contractor (unintelligible) will have them  
19          available, as well.

20          **MS. GRAHAM:** You mean --

21          **DR. ZIEMER:** Are we talking about documents that  
22          NIOSH is not aware of?

23          **MS. GRAHAM:** Well, I've come across things that they  
24          haven't even mentioned in the site profile.

25          **DR. ZIEMER:** Uh-huh.

1       **MS. GRAHAM:** For instance, I'll give you an example,  
2                   in the 1960's, according to this -- this  
3                   document, it's the historical site assessment,  
4                   in the 1960's an atomic bomb -- there was an  
5                   airpl-- so it says here, an airplane crashed.  
6                   An atomic bomb evidently fell out of the plane  
7                   some way and on the cement it damaged it and it  
8                   was brought to the Iowa Army Ammunition Plant  
9                   to be disassembled. I've talked to another  
10                  person --

11       **DR. ZIEMER:** Well, what might be (unintelligible) is  
12                   -- Paula, is that if you have documents that  
13                   you think have not been seen NIOSH, that you  
14                   make your list of documents available.

15       Larry, is this appropriate that if Paula has  
16                   additional documents that she can -- you could  
17                   at least examine the titles and assure that  
18                   they have been reviewed?

19       **MR. ELLIOTT:** Certainly -- this is Larry Elliott.  
20                   Certainly we would love to have any information  
21                   that can be provided about Iowa that we may not  
22                   have discovered ourselves, and we would make  
23                   that -- you know, if you send it to me, Mrs.  
24                   Graham, I'll make sure that Sanford Cohen &  
25                   Associates has it, as well.

1       **MS. GRAHAM:** Okay. It's quite a few pages. I've  
2                   copied the ones that I thought were pertinent,  
3                   that maybe helped the cause.

4       **DR. ZIEMER:** And Paula, I believe you have Larry's  
5                   address 'cause you've -- we've had --

6       **MS. GRAHAM:** I probably do. I have his e-mail and  
7                   everything else. I've talked to him before.

8       **DR. ZIEMER:** If you can make sure -- if you have  
9                   documents that perhaps may have not been  
10                  discovered, make sure that they are available  
11                  and if NIOSH gets them, they're in the system  
12                  and they will become available --

13      **MS. GRAHAM:** Yeah, (unintelligible).

14      **DR. ZIEMER:** -- to the Board and its contractors, as  
15                  well.

16      **MR. ELLIOTT:** Mrs. Graham, I'll have -- I'll -- we'll  
17                  call you and give you our Federal Express  
18                  number to use.

19      **MS. GRAHAM:** Okay. I -- that's -- does that --  
20                  that'll be pretty helpful, and then I can FedEx  
21                  it to you like overnight or something, next  
22                  day?

23      **MR. ELLIOTT:** That'll be fine.

24      **MS. GRAHAM:** Okay. It might take me a day or two to  
25                  make a bunch of copies again because I want to

1 keep a copy, and then I -- I'll send you most  
2 of the -- of other things that we have  
3 uncovered in this historical site profile  
4 assessment. This is available to the public.  
5 It's been there for quite a while and it's so  
6 dusty and the lady asked (unintelligible) to  
7 bring a dust rag 'cause she said nobody comes  
8 to see it, you're the only people. We looked  
9 at some of these in 2001 but then I had to have  
10 surgery and was sick, and so we went back in  
11 the last two or three weeks and spent a lot of  
12 time there. And -- and I know (unintelligible)  
13 up there to use at the meeting and people  
14 laughed at some of these things, but you won't  
15 have time to look them over. Oh, I will be  
16 there and if Larry will send me, like you say,  
17 his FedEx number, I'll get it out in the next  
18 few days.

19 **MR. ELLIOTT:** Mrs. Graham, if you would -- Mrs.

20 Graham, if you would, just send me an e-mail  
21 with your phone number just so I make sure I  
22 have your current phone number.

23 **MS. GRAHAM:** Okay. Is this Larry?

24 **MR. ELLIOTT:** Yes.

25 **MS. GRAHAM:** Okay, I will.

1       **MR. ELLIOTT:**   Okay.

2       **MS. GRAHAM:**   I'll send you one.

3       **DR. ZIEMER:**    Thank you, Paula.

4       **MS. GRAHAM:**    And so I wanted to bring out some of  
5                    these things right here today that I'm making  
6                    some of them since you started talking here  
7                    today, I'm (unintelligible) of other things,  
8                    but I'll just send all that to Mr. Elliott and  
9                    he can give it to --

10      **DR. ZIEMER:**    Yeah, that'll be the most efficient way  
11                    to do it, I think.

12      **MS. GRAHAM:**    -- SC&A and then I would like to  
13                    (unintelligible) in Cedar Rapids I'd like to  
14                    have a chance to talk.

15      **DR. ZIEMER:**    Right.

16      **UNIDENTIFIED:**  Excuse me, please.  Can I interrupt  
17                    here for a minute?

18      **MS. GRAHAM:**    Sure.

19      **UNIDENTIFIED:**  (Unintelligible) Iowa.

20      **MS. GRAHAM:**    Pardon me?

21      **DR. ZIEMER:**    Paula, have you finished?

22      **MS. GRAHAM:**    Yes.  Okay.

23      **DR. ZIEMER:**    Thanks.  Who's --

24      **UNIDENTIFIED:**  (Unintelligible) Ziemer  
25                    (unintelligible).

1       **DR. ZIEMER:** Who is the next speaker?

2       **MR. (UNINTELLIGIBLE):** This is Ed (unintelligible) in  
3                   Burlington, Iowa.

4       **DR. ZIEMER:** Yes.

5       **MR. (UNINTELLIGIBLE):** I have a note about that item  
6                   she mentioned that was brought up here  
7                   (unintelligible). I'm part of the team that  
8                   dismantled that unit. It was in what you  
9                   people call a Gravel Gertie number one. We had  
10                  one through six here. That was  
11                  (unintelligible) 25. (Unintelligible) and I  
12                  were solicited by the -- the shift supervisor  
13                  and (unintelligible) Illinois, he's no longer  
14                  with us. He petitioned us real hard to go down  
15                  and take that apart. We both worked together a  
16                  lot with (unintelligible) and special  
17                  operations. We (unintelligible) we did it  
18                  (unintelligible) and that was (unintelligible)  
19                  and I dismantled it and it was the first of  
20                  two. The second we refused to do because the  
21                  supervisor as the first one said if you guys  
22                  will take that apart for me, when you're done,  
23                  you're done. About 9:30, 20 minutes to 10:00,  
24                  we were done with it. The biggest problem with  
25                  the disassembly and recasing that in a good

1 (unintelligible) possibility. When we got  
2 through with it, I said (unintelligible) let's  
3 go to the equipment room and see if we can  
4 scare up a cup of coffee (unintelligible) and  
5 there sat Paul (unintelligible) we were done,  
6 we were done, we thought we'd go scrounge up a  
7 cup of coffee. He said no, don't leave the  
8 work area. So we went back to -- in the area  
9 and went back to work, what we were doing  
10 before. It wasn't two weeks before we were  
11 picked for another one and we flatly refused  
12 that one. That was taken apart by Paul  
13 (unintelligible), the supervisor, and a  
14 production foreman by the name of Todd, Davey  
15 Todd. Then when the rest of us went home at  
16 midnight they were still working on it. I  
17 thought you might be interested in knowing that  
18 bit of information. It's factual. And I don't  
19 know what else I can say to you except I  
20 appreciate the efforts that are being  
21 (unintelligible) put forth (unintelligible) to  
22 get some facts for this stuff. The question  
23 that I have is why are you concentrating on  
24 radiation problems (unintelligible)? This was  
25 the first established (unintelligible) got the

1 contract. They didn't know what the Sam Hill  
2 they were doing. I was hired the 19th of June  
3 of 1950 and worked until about (unintelligible)  
4 April, '75. And whenever I got bored with  
5 whatever I was doing, I exercised my seniority.  
6 I worked in every production building  
7 (unintelligible) facility except 1051, 1052 and  
8 111. One time (unintelligible) of 111. So I  
9 would like to know why you don't start from  
10 scratch. To the best of my knowledge, the  
11 assembly operations were started in 113  
12 building in 1949. I (unintelligible) tell you  
13 what went on in each segment (unintelligible)  
14 of that building (unintelligible) term of  
15 employment there. I worked there '50, '51 and  
16 until October of '52 when it was necessary to  
17 close that operation down for (unintelligible)  
18 fit building maintenance. We had a week of  
19 orientation and were sent to the line property  
20 as assistants in what was at that point in time  
21 a primary machining situation, and in addition  
22 to machining they had the prep area where the  
23 raw material was cleaned, inspected and  
24 portioned out for shipment to the  
25 (unintelligible). I don't know what else I can

1           tell you people other than I have -- that  
2           particular question bothers me.

3       **DR. ZIEMER:** Uh-huh.

4       **MR. (UNINTELLIGIBLE):** I can no longer recall an  
5           individual that I worked with in 1950 that's  
6           still living. I've got a horrible shortness of  
7           breath problem that I contribute to my  
8           activities in the preparation area, more  
9           particularly to the preparation of the berytol  
10          mix that was pulverized and centron'd and  
11          inspected and weighed in proper quantities and  
12          shipped up to the -- to the mill, whichever  
13          mill had the -- the pour scheduled. And I have  
14          had shortness of breath since that point of  
15          time, and I worked in that area for better than  
16          two years.

17       **DR. ZIEMER:** Uh-huh.

18       **MR. (UNINTELLIGIBLE):** I don't know -- I'm trying to  
19           keep my ear to the ground on this thing. I'm  
20           trying to be available for comment. I've had  
21           some --

22       **DR. ZIEMER:** Okay. Well, we appreciate this input,  
23           Ed, and --

24       **MR. (UNINTELLIGIBLE):** I mean we've -- I've had some  
25           commentaries from a young lady in the state of

1 Washington, pretty long question and answer  
2 session, and I try to be as factual as I can.

3 **DR. ZIEMER:** Yeah. Well, we appreciate the input  
4 that you've provided already.

5 **MR. (UNINTELLIGIBLE):** I just have one big question  
6 for you people. Why are you concerned about  
7 post-1962? You know, we were -- any time that  
8 we were ready to question any component part  
9 that was integrated into the (unintelligible)  
10 assembly (unintelligible), we were given the  
11 same answer: You don't need to worry about  
12 that; that's clean enough to eat off of. In  
13 the last copy that I got of your TBD had that  
14 labeled as the floor was clean enough to eat  
15 off of. The floor wasn't mentioned. I do wish  
16 that you people would have held another meeting  
17 at the machinists hall of the constructions  
18 trades hall for the old-timers. The one that  
19 you had, there was a whole heck of a lot of  
20 information brought up to light that was  
21 pertinent to this situation, and we all  
22 expressed a desire then that you would hold  
23 further meetings to go all the way through this  
24 original breakdown of what was supposedly done  
25 from '47 to '75. And I think you missed the

1 bit on getting a lot of factual information.  
2 And I have to point out to you that there's a  
3 lot of not factual information presented, too.  
4 You understand what I'm trying to say.

5 **DR. ZIEMER:** Okay.

6 **MR. (UNINTELLIGIBLE):** And I try to be as specific as  
7 I can without violating trust. We were, I  
8 think -- I was a radio operator and  
9 cryptographer in World War II. That was the  
10 highest clearance -- security clearance  
11 available for military personnel and I think  
12 that's why I was hired at the (unintelligible),  
13 so good luck today and --

14 **DR. ZIEMER:** Okay. Well, thank you, Ed, for your  
15 comments.

16 **UNIDENTIFIED:** May I (unintelligible) the Board,  
17 please?

18 **DR. ZIEMER:** Who -- who would -- who wishes to go  
19 next?

20 **MS. WILEY:** Me, Shirley Wiley.

21 **UNIDENTIFIED:** (Unintelligible) dogs barking and two  
22 toilets flushed.

23 **MS. WILEY:** I do.

24 **DR. ZIEMER:** Okay, I'm getting multiple people on the  
25 line here. We have to go one at a time.



1 Burlington. On the information that we're  
2 trying to get from the National Personnel  
3 Records Center in St. Louis, Missouri, they are  
4 pretty reluctant on sending out information.  
5 Do you have any suggestions on how to get  
6 further information from them?

7 **DR. ZIEMER:** NIOSH or Labor, can you answer this  
8 question or give us a reference that she can  
9 contact?

10 (No responses)

11 **DR. ZIEMER:** Larry, who should she contact or...

12 **MR. ELLIOTT:** Hello?

13 **MS. KEEBER:** Hello?

14 **MR. ELLIOTT:** Sorry, I stepped out of the room.

15 **DR. ZIEMER:** Oh.

16 **MR. ELLIOTT:** Neton can answer the question.

17 **DR. NETON:** Is the question who she can contact that  
18 can get help in getting information from the  
19 Federal Records Center? Was that  
20 (unintelligible)?

21 **MS. KEEBER:** Yes. I -- they've sent back information  
22 three or four different times, and they had  
23 wanted the death certificates of my mother and  
24 father and I sent those, and then they still  
25 say that they need further information. Well,

1 I don't know how much further information I can  
2 give them on their death than a death  
3 certificate.

4 **DR. NETON:** Yeah, I'm not sure what -- how we could  
5 help you with that. I mean it's their  
6 requirements, it sounds like, that they're  
7 imposing. I -- frankly, I don't know what to  
8 tell you.

9 **MS. KEEBER:** Well, I mean this is information that I  
10 also feel is pertinent, you know, to our claim.

11 **DR. NETON:** Uh-huh.

12 **MS. KEEBER:** I really don't know, you know, how to  
13 get any further information from them.

14 **DR. ZIEMER:** This is a Federal Records Center?

15 **MS. KEEBER:** Yes.

16 **MR. ELLIOTT:** I guess we can't help you. All we can  
17 say is you are going to have to follow their  
18 procedures and their requirements. That's all  
19 we know.

20 **UNIDENTIFIED:** Ma'am, may I make a suggestion to you?

21 **MS. KEEBER:** Yes.

22 **MR. HORGAN:** This is Tom Horgan from Senator Bond's  
23 office. Have you contacted any of your  
24 representatives in the Illinois delegation,  
25 either Senator Durbin, Obama or anybody to help

1           you with this information?

2       **MS. KEEBER:** No, I haven't.

3       **MR. HORGAN:** I would strongly suggest that you write  
4           a letter to them, call them and see if they can  
5           be helpful in getting you a proper response  
6           that you might be able to need in terms of what  
7           information -- further information is provided.  
8           That may help expedite the process a little  
9           bit.

10       **DR. ZIEMER:** A good suggestion.

11       **MS. KEEBER:** Oh, okay.

12       **MR. HORGAN:** And Dr. Ziemer -- this is Tom Horgan, I  
13           don't -- I don't want to cut into public  
14           comment, but I'm going to have to head on out  
15           of here. I just want to say thanks a lot for  
16           having this conference call for everyone  
17           involved in both Missouri and Iowa, and I know  
18           that in terms of the next meeting in Cedar  
19           Rapids, I'm going to try to get there and we  
20           hope that Senator Bond will -- if Senator  
21           Harkin and Senator Grassley are going to make a  
22           statement, I think Senator Bond would like to  
23           read a statement. And the only thing that I  
24           could suggest is that any -- if -- it seems to  
25           me that it would be a good idea to try to get

1           the -- SC&A to help -- the contractor help and  
2           assist in these SEC reviews. I know it was  
3           talked about at a meeting last August and  
4           (unintelligible) it wasn't needed, but anything  
5           that we can do to try to process and facilitate  
6           this -- this whole process I think would be  
7           helpful and --

8       **DR. ZIEMER:** Yeah. Well, as we indicated in our  
9           discussion a little earlier that we are in the  
10          process of putting in place a task order for  
11          that very purpose.

12       **MR. HORGAN:** Sounds good. Sounds good.

13       **DR. ZIEMER:** Thank you, Tom.

14       **MR. HORGAN:** Well, I'm going to head -- I have to run  
15          to another meeting, but thanks again for having  
16          this conference call so that everybody could  
17          attend.

18       **DR. ZIEMER:** Right. Other members of the public who  
19          wish to speak?

20       **UNIDENTIFIED:** Hello?

21       **DR. ZIEMER:** Yes.

22       **UNIDENTIFIED:** Can you hear me?

23       **DR. ZIEMER:** Yes. Please identify yourself and --

24       **MS. LOVING:** My name is --

25       **DR. ZIEMER:** -- (unintelligible) comment.

1       **MS. LOVING:**  -- (unintelligible) Loving and my father  
2                   was Wendell D. Pirtle (unintelligible) worked  
3                   there for a period of about seven years.  My  
4                   father passed away a week ago yesterday from  
5                   his cancer and I had hoped and prayed that he  
6                   would live long enough to get to see this come  
7                   through so that he could get some good out of  
8                   it instead of his granddaughters, but I guess  
9                   that didn't work.  But I'm just so extremely  
10                  angry with this.  I've worked on this for five  
11                  years for them and right now I'm just so angry  
12                  there's not words to convey how I feel about  
13                  this.

14       **DR. ZIEMER:**  Yeah, it's understandable.  We certainly  
15                   -- I give you our sympathy.

16       **MS. LOVING:**  Yeah.  Well, I -- and I understand the  
17                   meeting is going to be April 25th in Cedar  
18                   Rapids?

19       **DR. ZIEMER:**  That's correct.

20       **MS. LOVING:**  And (unintelligible) --

21       **DR. ZIEMER:**  25th and --

22       **MS. LOVING:**  -- location --

23       **DR. ZIEMER:**  -- 6th and 7th.  We'll be there for  
24                   three days.

25       **MS. LOVING:**  5th, 6th and 7th?

1       **DR. ZIEMER:** Right.

2       **MS. LOVING:** And do you know the location?

3       **DR. ZIEMER:** Let's see -- Cori Homer, can you tell us  
4                   the location? It's a hotel.

5       **MS. HOMER:** We're going to be at the Crowne Plaza  
6                   Five Seasons.

7       **MS. LOVING:** Okay.

8       **MS. HOMER:** And that would be on 350 -- 350 First  
9                   Avenue.

10       **MS. LOVING:** I know where that's at and so -- and the  
11                   IAAP section, what -- what day and what time is  
12                   that?

13       **DR. ZIEMER:** We will be starting after lunch, it'd be  
14                   1:00 o'clock on Tuesday the 26th and plus a  
15                   public comment session that evening, and then  
16                   through the morning -- through the noon hour on  
17                   the 27th.

18       **MS. LOVING:** Okay. I -- I (unintelligible) Dad's  
19                   life I promised him that I would see this  
20                   through and I intend to keep that promise for  
21                   him because it's just not right that these  
22                   people don't see any (unintelligible) from it  
23                   and they're all dying off, and it's their  
24                   families that benefit -- which they should, but  
25                   it should have been my father that got to see

1           the good out of this money. And I just am so  
2           extremely angry --

3       **DR. ZIEMER:** Hopefully you'll be able to attend those  
4           meetings --

5       **MS. LOVING:** Oh, I will --

6       **DR. ZIEMER:** -- in Cedar Rapids.

7       **MS. LOVING:** -- be there.

8       **DR. ZIEMER:** Good.

9       **MS. LOVING:** I will be there.

10      **DR. ZIEMER:** Thank you.

11      **MS. LOVING:** Thank you.

12      **DR. ZIEMER:** Are there other members of the public  
13           who wish to speak?

14      **MR. ANDERSON:** Bob Anderson (unintelligible).

15      **DR. ZIEMER:** Bob, yes.

16      **MR. ANDERSON:** I also want to echo the last caller in  
17           -- since I wrote the letter in '97 over 400  
18           people have passed away that have been -- could  
19           have been affected or benefited from this  
20           measure. And if we take longer to solve or  
21           come to conclusion again, more people are  
22           dying. So I -- I urge everyone to do their  
23           best, to work their hardest and I hope that we  
24           can see a conclusion this time in Cedar Rapids.  
25           That's all.

1       **DR. ZIEMER:** Thank you, Bob, for your input on that.

2               Any others?

3       **UNIDENTIFIED:** I did not get the hotel. Sorry.

4       **DR. ZIEMER:** Crowne Plaza Hotel, was it, Cori?

5       **MS. HOMER:** Yes, Crowne Plaza Five Seasons.

6       **UNIDENTIFIED:** Five Seasons, okay. I thank you.

7       **MS. HOMER:** You're welcome.

8       **DR. ZIEMER:** Any others who wish to make comment?

9       **MS. BROCK:** This is Denise Brock. I'd like to --

10       **DR. ZIEMER:** Hi, Denise.

11       **MS. BROCK:** Hi. I would like to thank the Board for  
12               their hard work and their diligence and I would  
13               also like to thank SC&A and NIOSH, as well, Dr.  
14               Wade, for having this meeting. I'd just like  
15               to thank everybody involved in this for their  
16               hard work and look forward to seeing everybody  
17               in Iowa.

18       **DR. ZIEMER:** Okay. Thank you.

19       **DR. MCKEEL:** Dr. Ziemer, this is Dan McKeel from St.  
20               Louis.

21       **DR. ZIEMER:** Yes, Dan.

22       **DR. MCKEEL:** I just have a comment about transparency  
23               which relates to the issue that was central at  
24               the February meetings (unintelligible) the  
25               content of the six boxes of new information

1           that basically has delayed the decision on the  
2           Mallinckrodt SEC 00122. And my -- my comment,  
3           I guess, since we can't ask questions, is I  
4           didn't hear any comment today about whether the  
5           report has been delivered to the Board or what  
6           was in those boxes, and in particular is that  
7           information available to the public. I sent a  
8           FOIA request to obtain an index of that  
9           information back in March the 10th and I have  
10          received no -- no reply to date. So I -- it's  
11          just a comment that that --

12         **DR. ZIEMER:** Well, I think we can get a status in--  
13                 report for you here. What -- Lew or Larry, can  
14                 you tell us what's available for Dan -- or for  
15                 the public from -- from those documents? Or  
16                 any -- any of the NIOSH folks.

17         **DR. WADE:** Larry, I -- is Larry on?

18         **MR. ELLIOTT:** Yes, I'm on, and the -- the supplement  
19                 to the evaluation report for Mallinckrodt's SEC  
20                 petition spoke to the contents of -- I believe  
21                 it was -- actually turned out to be five boxes,  
22                 and Dr. McKeel, I think your -- your FOIA  
23                 request or your -- your request for information  
24                 on that is still in the process of being  
25                 responded to. We have provided to the

1           petitioners, as well as the Board, the  
2           supplement to the evaluation report, as well as  
3           the revised site profile and also a listing of  
4           all of the documents that are relevant to  
5           Mallinckrodt Destrehan Street. And I intend to  
6           have a phone conversation with the petitioners  
7           hopefully this week, now that they've had that  
8           in their hands for a little bit of time, so  
9           that we can address any questions or concerns  
10          they have about what we have presented there.

11       **DR. NETON:** This is Jim Neton. I might add that the  
12          supplement to the SEC petition evaluation  
13          report is on our web site, as well, so you  
14          could go there and find a description -- a  
15          discussion of the boxes.

16       **MS. BROCK:** And this is Denise Brock. Dr. McKeel, if  
17          you would like to -- I had talked to Kay the  
18          other day. If you would like to come over to  
19          my house, I actually have that and we can also  
20          go through the boxes that I have because I  
21          think a lot of that could be just duplicative.  
22          We -- we can go through the list and my boxes  
23          together, if you'd like.

24       **DR. MCKEEL:** Thank you.

25       **DR. ZIEMER:** Okay. Dan, did that answer your

1 inquiry?

2 **DR. MCKEEL:** Well, I guess -- in a way it does, yes,  
3 but the -- of course the other issue is the  
4 response time to my FOIA request, which I guess  
5 is forth-- forthcoming, so I appreciate that.

6 **DR. ZIEMER:** Okay.

7 **DR. MCKEEL:** Thank you.

8 **DR. ZIEMER:** Are there other members of the public  
9 who have comments?

10 **MS. DORNFELD:** Only a quick one -- this is Debbie  
11 Dornfeld, Senator Jim Talent's office.

12 **DR. ZIEMER:** Yes, uh-huh.

13 **MS. DORNFELD:** I just wanted to say thank you,  
14 appreciate the opportunity to be a part of the  
15 call, and just appreciate the Board's continued  
16 hard work.

17 **DR. ZIEMER:** Thank you very much for that comment.

18 **MS. BROCK:** And thank you, Debbie, and Jim Mitas, as  
19 well. I'm sorry, this is Denise Brock. I  
20 forgot to thank you all earlier. Thank you so  
21 much for -- for listening.

22 **MR. MITAS:** Dr. Ziemer and --

23 **DR. ZIEMER:** Yes.

24 **MR. MITAS:** -- the Board, this is Jim Mitas with  
25 Congressman Akin. We do appreciate your very

1           hard work and your (unintelligible) on this  
2           issue. I know it's been a long  
3           (unintelligible) for you all and you're having  
4           to deal with legislative requirements as well  
5           as (unintelligible) responsive to the hundreds  
6           of folks who have -- are waiting for a finding.  
7           So we thank you for your hard work in this and  
8           applaud your -- your work. Thank you so much.

9           **DR. ZIEMER:** Thank you very much for that comment.  
10           Others?

11           **MS. GRAHAM:** Dr. Ziemer, this is Paula Graham. I  
12           want to --

13           **DR. ZIEMER:** Yes, Paula.

14           **MS. GRAHAM:** -- thank you and the Board for all the  
15           work you're doing and we appreciate it and  
16           we're thankful that we're going to have a  
17           chance to talk together in Cedar Rapids  
18           (unintelligible).

19           **DR. ZIEMER:** Okay. Thank you. Do I have any other  
20           members of the public who wish to comment?

21           **MS. ZIMMERMAN:** Dr. Ziemer, this is Sue from  
22           Congressman Leach's office. I just --

23           **DR. ZIEMER:** Yes, Sue.

24           **MS. ZIMMERMAN:** -- want to thank you very much.

25           **DR. ZIEMER:** Okay. Thank you. Anyone else?

1 (No responses)

2 **DR. ZIEMER:** Board members, any final comments before  
3 we adjourn?

4 **MR. PRESLEY:** Yes, this is Bob Presley. I have a  
5 question for Mark.

6 **DR. ZIEMER:** Go ahead, Bob.

7 **MR. PRESLEY:** Mark, are you on there? Did you get a  
8 car or are you going to be riding with me this  
9 afternoon?

10 **DR. ZIEMER:** We may have lost Mark, but -- Bob, you  
11 okay?

12 **MR. PRESLEY:** I'm here.

13 **DR. ZIEMER:** I didn't hear Mark reply. You guys may  
14 have to work that out separately.

15 Board members, any other comments?

16 (No responses)

17 **DR. ZIEMER:** If not, I'll declare the meeting  
18 adjourned and we'll look forward to seeing  
19 everyone in Cedar Rapids, April 25th.

(Whereupon, the teleconference was adjourned at  
11:12 a.m.)

**C E R T I F I C A T E   O F   C O U R T   R E P O R T E R****STATE OF GEORGIA****COUNTY OF FULTON**

I, Steven Ray Green, Certified Merit Court Reporter, do hereby certify that I reported the above and foregoing on the day of April 11, 2005; and it is a true and accurate transcript of the testimony captioned herein.

I further certify that I am neither kin nor counsel to any of the parties herein, nor have any interest in the cause named herein.

WITNESS my hand and official seal this the 3rd day of May, 2005.

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**STEVEN RAY GREEN, CCR**

**CERTIFIED MERIT COURT REPORTER****CERTIFICATE NUMBER:   A-2102**