

1 was so contaminated that the FBI came up there
2 and raided it and -- boom -- five, six years,
3 it's gone. Why? Shut down and dismantled,
4 boom -- 5,000, 6,000-person complex, 200-
5 some,000 acres and all of a sudden this place
6 disappears? I'm sorry, I wasn't born
7 yesterday.

8 What other nuclear weapons facilities has this
9 happened to? Gee, I don't know, Lawrence
10 Livermore? No, it's still cruising.
11 Tennessee? Kentucky? All those, they're still
12 cruising, doing great. Ain't nothing been torn
13 down, pulled away from there. They're not
14 hiding nothing. So it looks to me -- I'm just
15 a country bumpkin right now, but it looks to me
16 like they were hiding something and they didn't
17 want someone to find out.

18 I guess that's it. I'm sorry to have been so
19 blunt to you, and sometimes I was real
20 arrogant, but I'm dying. You guys got to get
21 this crap straightened out, man. This ain't
22 going to work much longer. I'm on my last
23 legs.

24 **DR. ZIEMER:** We appreciate your comments,
25 George. Thank you.

1 **MR. BERRY:** Thank you very much.

2 **DR. ZIEMER:** Now we have Kay Barker. Is Kay
3 here? Yes, please.

4 **MS. BARKER:** Good evening, Dr. Ziemer and
5 members of the Board. I'm Kay Barker, and I'd
6 like to talk to you about the accuracy of dose
7 reconstruction.

8 My late husband, Lawrence Barker, worked at
9 Rocky Flats from December 1, 1958 to February
10 28, 1986. He died September 2nd, 1994 after
11 two years of hell from colon cancer.

12 I requested the worksheets from NIOSH, and Mr.
13 Sundin was kind enough to send me a copy of all
14 the worksheets NIOSH used to reconstruct dose.
15 I know I'm not the most educated woman, but I
16 can certainly read dates. I was able to pick
17 out dosage assigned for dates that Lawrence
18 never worked at Rocky Flats. To remind you, he
19 worked from December 1, 1958 to February 28,
20 1986.

21 In the booklet before you, you will notice that
22 Lawrence has values assigned for years 1956 and
23 1957, when he did not begin work till December
24 1, 1958. He was dying due to his colon cancer
25 in 1993. How can NIOSH say their dose

1 reconstruction for Rocky Flats claimants is
2 accurate when they can't get the dates of
3 employment correct? You call this data
4 reliability?

5 Mine is not the only case. I have a dose
6 reconstruction from another claimant, which is
7 also 'cluded in the booklet. He worked at
8 Rocky Flats from May 4th, 1981 to March 31st,
9 1990. You will notice that the year 1980 is
10 listed on page 3 of his information, and that
11 is towards the back of the booklet. Granted,
12 no dose is assigned for 1980, but you will also
13 notice no dose was assigned for 1981, either.
14 But the mere fact that 1980 is listed, in my
15 mind, shows that NIOSH is not accurately
16 reconstructing dose.

17 Additionally, even the NDRP project included
18 values for neutron dose for 1956 in my
19 husband's reconstruction. That was a full two
20 years before he started working at Rocky Flats.
21 From what I have heard listening to the
22 meetings, the NDRP is given a lot of weight in
23 reconstructing dose for the early years. It
24 doesn't seem to me that it is accurate, either.
25 I don't accept any data that Rocky Flats has

1 for the workers. In my booklet I have the
2 health scientist data system urinalis (sic)
3 detail, with no values whatsoever for any
4 radionuclide. I find it impossible to believe
5 that a UA was not reported or taken for the
6 years 1968 through 1971, but were available
7 from 1975 through 1985. And this is not an
8 isolated case.

9 I have an e-mail in my booklet from Jack
10 Wedding, a supervisor of my late husband, that
11 states (reading) I notice that the dates of
12 1964 through 1969 were omitted. Those missing
13 records contained four different times I had to
14 have my body counted. Also the cleansing I had
15 after the 1965 fire while in the hospital. In
16 fact, all records containing information about
17 my contamination on that date are not
18 available.

19 Jack couldn't make it to this meeting due to
20 his frail health.

21 I also find it hard to believe that my deceased
22 husband's first urinalis (sic) value was not
23 until 1975. He worked in hot areas for at
24 least three years. I would think that
25 considering the lack of safety protocol, the

1 early years, that he would have had some kind
2 of reading for his UA. All I have is zeroes,
3 especially his early years when he was a
4 clerk/packer.

5 From day one of my claim I've always said that
6 Lawrence was hot during his first three years
7 at Rocky Flats while working as a clerk/packer.
8 Lawrence even reminded me of this on his
9 deathbed. He wouldn't go into any details
10 about it, only to say that the records were
11 accidentally on purpose destroyed at the
12 Federal Center here in Denver, Colorado. The
13 only incident report that NIOSH has is the
14 health physics report of involvement dated
15 September 26, 1962. That's also in your
16 booklet. The report states that Lawrence
17 received a cut on the anterior surface, medial
18 area, of his second finger, left hand, on a
19 piece of glass in Building 901. But there is
20 no Building 901 in the site profile. Building
21 910 is listed, but wasn't built until 1977.
22 Building 991, however, is another story. It is
23 a hot building, and was built in 1952. Did
24 NIOSH use 910 or 991 in their calculation?
25 NIOSH claims this is data reliability?

1 You should also be made aware that Lawrence and
2 Wally Gulden were instructed by management to
3 leave their badges in the rack or desk drawer
4 while doing their time studies and audits in
5 hot areas. How's that for data reliability?
6 From what I've learned from other coworkers
7 doing the time studies and audits, you were not
8 issued protective clothing while doing work in
9 hot areas. I have an excerpt from Jackie
10 Beavers*' letter that Terrie Barrie will be
11 presenting that she has in her handout, who is
12 unable to attend this meeting due to health
13 problems. Film badges were stored on a
14 dosimeter storage rack. Dosimetry became
15 suspicious of high doses received by production
16 workers. These production workers were accused
17 of purposely over-exposing their badges by
18 placing them in gloveboxes. If the badge
19 exceeded the authorized limit for the period,
20 production employees would be disciplined. In
21 addition, they would not be eligible for
22 overtime. As a result, some of the operators
23 didn't wear their dosimeters all the time, or
24 they'd put the dosimeter in the back pocket of
25 their coveralls in order to avoid disciplinary

1 actions.

2 There were periods of time when individuals
3 wore dosimeters, but the quarterly dosimeters
4 indicated no current data available, NCDA. It
5 is uncertain if the dose received during the
6 period of time represented by NCDA was recorded
7 in the dosimetry record. Contaminated
8 dosimeters were often replaced with new
9 dosimeters.

10 Two chemical operators with many years
11 experience in Building 771 process area left
12 their positions to work in the dosimetry
13 department. The dosimetry person training them
14 told them if badges returned readings higher
15 than a certain number they were instructed to
16 give the operator zero counts, or no current
17 data available counts. Is this data
18 reliability?

19 Also the counts were returned on a long dot
20 matrix sheet and operators were often required
21 to initial the counts as a sign of acceptance
22 of the counts in order to receive their
23 paychecks. All zero readings and no current
24 data available readings had to be accepted by
25 the operators, even when they knew better, and

1 initialed in order to receive a paycheck. One
2 woman resigned her position from Rocky Flats
3 after many years in an extremely hot process,
4 such as molten salts and et cetera. She kept
5 her badge with her at home and requested
6 dosimetry personnel come to her home to pick up
7 the badge. It took many months of dosimetry
8 personnel to come to her home to pick up the
9 badge, yet she received counts for the very
10 same badge that was still in her possession at
11 home. You call this data reliability?
12 I would also like to bring to your attention
13 the fact that Lawrence was a machinist during
14 the 1970 strike. No dose was assigned for that
15 period. Where is the data reliability here?
16 NIOSH shows that Lawrence had 316 incidences of
17 exposure, with 15 incidents taking place in
18 years before he was employed at Rocky Flats.
19 Now is that data reliability?
20 I know you can't think of these claimants as
21 humans but only as cases, but I had to include
22 in Dr. Ziemer's booklet, at the very end, two
23 photos of my late husband, Lawrence Barker.
24 The first photo is of a healthy Lawrence
25 Barker. The second photo is of Lawrence in the

1 final stages of his fight against colon cancer.
2 I wanted you to be able to put a face of a
3 dying employee in your mind while making your
4 decision on the SEC petition.
5 I would like to say that Terrie Barrie informed
6 me and SC&A, as well as Mr. Sundin, about all
7 the dosage given to Lawrence during his years
8 he didn't work at Rocky Flats. Mr. Sundin
9 informed Terrie that the claimant should
10 contact NIOSH and explain in detail what that
11 person had. Terrie did contact me, and I
12 informed her that I would not call NIOSH to
13 discuss this as I do not trust them. When I
14 can find all these dates with dosages that
15 Lawrence didn't work at Rocky Flats, how can I
16 believe that NIOSH can reconstruct any dose
17 accurately? If I can find problems of false
18 data, how do we know that other claimants don't
19 have the same problem? My claim has even gone
20 through NIOSH twice, as it was -- as it just
21 finished a rework in October of 2005. If they
22 can't find this problem the first time through,
23 you certainly would have thought it would have
24 been noticed the second time. But no, it
25 wasn't. What else has NIOSH done wrong on this

1 claim? I hate to think of how many other
2 claims are out there with inaccurate dates and
3 dosages, and to think NIOSH says they have data
4 reliability.

5 In all the meetings I've been listening to I've
6 never heard Karin Jessen say a word, but
7 instead Roger Falk is always addressed. Why?
8 In conclusion, I question the validity of
9 anything in my late husband's dose
10 reconstruction. I respectfully request that
11 you consider this information that I have
12 documented for you as an example of why you
13 must grant the Rocky Flats SEC petition. I
14 think all of (sic) the people who are dying
15 daily, just waiting for your decision.
16 Thank you.

17 **DR. ZIEMER:** Thank you very much, Kay, for
18 sharing that with us. And we also now have
19 Terrie Barrie.

20 **MS. BARRIE:** Good evening, Dr. Ziemer and
21 members of the Board. My name is Terrie Barrie
22 and I'm a founding member of the Alliance of
23 Nuclear Worker Advocacy Groups and advocate for
24 some of the Rocky Flats claimants. I am here
25 tonight to voice my disagreement with NIOSH's

1 opinion that they can reconstruct dose of the
2 Rocky Flats claims.

3 First I must state that I feel that NIOSH could
4 not have handled this SEC petition in a more
5 deplorable manner. They found every way to
6 circumvent Congressional intent and have the
7 evaluation report delivered to you, the Board,
8 within the 180 days. The report was issued
9 only 20 days before this meeting, and it placed
10 additional pressure on the Board and its
11 contractor, Sanford Cohen & Associates.

12 Data integrity is the key issue. Yes, NIOSH
13 may possess the scientific expertise to
14 reconstruct dose, but that's assuming that all
15 of the monitoring data was correct and
16 available to reconstruct the events as they
17 occurred. But if they began with faulty data,
18 the end result will be in error. The maxim
19 garbage in/garbage out applies to Rocky Flats.
20 The information you'll hear tonight from the
21 audience I hope will convince you to ignore
22 NIOSH's assertions and grant SEC status to the
23 Rocky Flats facility.

24 I believe that the site profile for Rocky Flats
25 is flawed. There's a serious conflict of

1 interest with the internal dose Technical
2 Bulletin Document. On December 3rd, 2003 I
3 notified Mr. Larry Elliott of this conflict.
4 Roger Falk, a member of the Oak Ridge
5 Associated Universities, was -- which is
6 charged with developing the site profile, was
7 listed at that time the author of the TBD. Mr.
8 Falk was the Rocky Flats internal dosimetry
9 program administrator. He was also an expert
10 witness for Rockwell International in my
11 husband's workers compensation claim. It was
12 not only upsetting that Mr. Falk testified
13 against the claim, but what he testified to. I
14 do not believe that the TBD is accurately or a
15 trustworthy account of the internal dose that
16 the Rocky Flats workers received.
17 I understand now that Mr. Falk is cited as a
18 site expert, but -- and -- and also for both
19 the TBD and the evaluation report, but he is
20 the O-- right -- excuse me, I'm sorry about
21 that. He -- he's cited as the site expert, but
22 Karin Jensen (sic) is listed as the author.
23 However, in all the meetings that I've been
24 listening in to, the teleconferences, it's
25 Roger Falk that is answering the questions, not

1 this Ms. Jensen. Is there a face behind this
2 name? Who actually did the writing for the
3 evaluation report and the SE-- and the site
4 profile?

5 I've received no response from Mr. Elliott. I
6 would have happily given him -- when I advised
7 him of this conflict. I would have happily
8 given him the workers compensation claim number
9 to NIO-- so NIOSH could request a copy of the
10 transcript and verify my assertions. Because
11 Mr. Elliott did not contact me, I never felt
12 comfortable offering NIOSH additional
13 information concerning the site.

14 It appears the same philosophy of ignoring
15 offered information is still prevalent with the
16 SEC process for the Rocky Flats petitioners.
17 Over 20 people submitted affidavits to Local
18 8031 to support the petition. Three additional
19 claimants submitted testimony on behalf of the
20 non-production workers. Not one of them has
21 been interviewed by NIOSH. Yet according to
22 the Y-12 evaluation, NIOSH conducted several
23 interviews with numerous Y-12 employees.
24 The site profile's also inaccurate when it
25 comes to Building 886. This was a criticality

1 lab. The site profile states simply, and I
2 quote, short-lived fission products were
3 produced and none were indicated as having been
4 released to the work or outdoor environment,
5 end quote. Maybe the short-lived products
6 didn't enter the environments, but uranium and
7 plutonium did. I have a handout over there,
8 too, and in that is a -- an example from the e-
9 book called "History of a Criticality
10 Laboratory" written by Bob Roth*, senior
11 experimenter, and he asserts that there was 39
12 anomalous events in over 30 years at that lab,
13 two of which involved worker contamination.
14 Because of this, I question the accuracy of the
15 site profile for the other buildings.
16 I also question NIOSH's consistency in
17 evaluating SEC petitions. This arose in my
18 mind when I listened in on the April 12th Board
19 working group teleconference. I remember
20 hearing the question raised about thorium being
21 present at Rocky Flats. Since a transcript of
22 that teleconference has not been posted yet to
23 the web site, my recollection may be faulty, so
24 please feel free to correct me. I remember
25 that NIOSH stated that they could not

1 reconstruct dose for Y-12 for thorium because
2 they did not have enough data. I am not even -
3 - but they could reconstruct dose for Rocky
4 Flats workers because they can utilize the
5 gross alpha bioassay measurements.

6 I am not even close to being a scientist, but
7 if NIOSH cannot reconstruct dose for employees
8 who were exposed to thorium at Y-12, how could
9 they possibly determine they can for Rocky
10 Flats?

11 NIOSH stated on page 21 of their report that
12 zero results were treated as zeroes because no
13 better information was available. It is
14 incomprehensible to me that a worker would have
15 zero exposure while working at the Flats. In
16 fact, page 14 of the evaluation report states
17 that after the May 1969 fire that Building 771,
18 776 and 777 were grossly contaminated with
19 plutonium. Kay Barker has stated that her
20 husband's and his boss's records show a gap for
21 that year. I have another claimant whose
22 records also show a gap for 1969. How is that
23 possible that there is no recorded dose? Were
24 these records destroyed, as some have alleged?
25 This program is supposed to be claimant

1 friendly. NIOSH should have concluded that
2 since there is no better information to explain
3 the zeroes that they cannot reconstruct dose,
4 instead of assuming that there was no dose
5 received by the workers.

6 A few claimants could not tonight -- could not
7 attend tonight's session and asked if I would
8 read their letters into the record. Time will
9 not allow me to read them in their entirety,
10 but I would like to read some excerpts. The
11 first is from Jackie Brever*, who holds a
12 master's degree in environmental science, and
13 Ron Avery. They testified under oath to these
14 facts, either before the Rocky Flats grand jury
15 or the recent Cook Landowner lawsuit, and I
16 quote, (reading) there was a campaign where
17 americium-241 was purified and sold. Operators
18 who were very good at this operation were
19 rarely rotated from the process and received
20 zero counts from their dosimetry badges, and
21 were told by the dosimetry personnel that high
22 counts were impossible for buildings on the hot
23 side. Therefore operators started each new
24 year with zero counts from the dosimetry
25 department. Background was raised on a

1 constant basis in all sampling and counting
2 areas until the numbers came back right. There
3 were several times when the Rocky Flats
4 personnel had to go to a person's home to
5 decontaminate the home, the belongings in the
6 home and his or her family. End quote.

7 I have an e-mail in the handout dated July
8 25th, 2005 from a woman who was helping her
9 husband with his late father's claim. She
10 substantiates the last quote from Ms. Brever,
11 and that e-mail states (reading) they came to
12 the home in protective suits and Geiger
13 counters. My husband says they went through
14 every room, the cars, the garage, and also used
15 Geiger counters on not only his dad, but his
16 mom, his little brother and himself. How does
17 NIOSH plan to reconstruct dose in these
18 instances?

19 Finally I would like to raise an issue that
20 does not have a direct bearing on the SEC
21 petition, but does affect every claimant.
22 Section 7.5.1.7 of the evaluation report states
23 that DOL has considered -- DOL also considers
24 the exposure of a worker to the combination of
25 toxic chemicals and radiation under Part E of

1 EEOICPA, end quote. DOL has in fact set the
2 probability of causation for the radiogenic
3 cancers at the same standard as NIOSH; that is,
4 greater than 50 percent. Mr. Peter Turcic in
5 his April 11th letter states, and I quote,
6 NIOSH developed and maintains computerized set
7 of cancer risk models used by DOL to calculate
8 the statistical probability that the covered
9 employee's cancer was at least as likely as not
10 caused by exposure to ionizing radiation. At
11 least as likely as not. But the law for Part E
12 claims sets a different and, in (inaudible)'s
13 opinion, lower standard for Part B claims. The
14 law sets the probability of causation for E
15 claims, and I quote, it is least as likely as
16 not (sic) that the exposure to a toxic
17 substance at the Department of Energy facility
18 was a significant factor in aggravating,
19 contributing to or causing the illness.
20 Mr. Turcic's letter continues, and I quote, HHS
21 regulations also provide for NIOSH to add,
22 modify or replace cancer risk models as
23 necessary on the basis of new evidence and/or
24 improved scientific understanding. DOL
25 encourages claimants to contact NIOSH regarding

1 its cancer risk models and the rule-making
2 process that guides the POC determinations.
3 End quote.

4 So what I see here are the two principal
5 agencies telling the claimants that the other
6 is responsible for setting the standard for
7 cancer claims under E. It would be very
8 helpful if the Board tomorrow would ask NIOSH
9 and DOL to clarify this during their program
10 update session.

11 I want to thank you for your time, hard work
12 and consideration. I also want to express my
13 gratitude to Tony DeMaiori and all those who
14 helped submit the petition to the Board. Thank
15 you.

16 **DR. ZIEMER:** Thank you very much. Next I have
17 Diane Jensen -- I believe it's Jensen. Is it
18 Diane Jensen? Thank you.

19 **MS. JENSEN:** Good evening. I'll begin by
20 apologizing 'cause I had not planned on
21 speaking this evening. When I came in to talk
22 to a representative today about my case, I
23 heard that NIOSH is recommending against
24 special cohort status for Rocky Flats
25 employees, the logic being -- or their lack of

1 support is based on their ability to perform
2 dose reconstructions for former Rocky Flats
3 workers. My concern is that the records used
4 for the dose reconstruction are inaccurate,
5 incomplete and blatantly fraudulent.
6 Readings in past history for myself came back
7 with dose reports of zeroes in times when I
8 worked in high rad areas such as inside a vault
9 for an entire two-week periods during
10 inventories. In reality, my actual reports
11 have come back to me saying no data available,
12 but were as zeroes on my dose reconstruction.
13 At the time I questioned this, this was
14 explained to me that the badges were sometimes
15 too dark to read due to high doses. They still
16 settled with looking at them as zeroes. And I
17 was supposed to feel better that they used a
18 39, because 40 was the cutoff for too low to
19 read, so I should be happy they credited me
20 with 39. At other times dosimeters were worn
21 beneath our lead aprons so they did not capture
22 our body dose.
23 Additionally, working in plutonium production
24 area meant 360-degree exposure, not front
25 torsal (sic) with the badge located on my

1 lapel. I was surrounded by plutonium
2 production processing lines.
3 I'd also like to address the issue of
4 incomplete. I received radiation dose for more
5 than 20 years. The first eight years were as a
6 production floor, the remaining years were as
7 technical support. As technical support I was
8 considered admin or office personnel. Badges
9 were pulled from the office personnel, even
10 though our offices were in the production
11 buildings. My office wall was adjacent to an
12 abandoned americium line. When the security
13 station was installed in Building 771, metal
14 shielding had to be set up to prevent the Pu
15 detector alarms from going off in the
16 surrounding area. My desk was located against
17 that wall.
18 Area monitoring records for the year 2000 list
19 the adjusted dose as 826 millirem per year --
20 note that this is adjusted -- for 2,000 work
21 hours per year. For those of us who were
22 salaried and working 45-plus hours per week,
23 this figure is far too low. And though the
24 figure is more than 800 percent higher than the
25 dose assigned to an office worker, office

1 workers were still assumed to have a dose of
2 less than 100 millirem, and they felt safe
3 pulling our dosimeter badges.

4 I feel they're also fraudulent. In addition to
5 being incomplete, inaccurate, the numbers were
6 manipulated to meet the corporate bonus
7 structure. Bonuses were realized by reducing
8 the number of people in the dosimetry program,
9 even though the maintenance shops and offices
10 were known to have doses as high as 2,844
11 millirem per year -- and that's the electric
12 shop in 371 -- dosimeters were still pulled
13 from office personnel who worked in those
14 areas.

15 Additionally, rooms such as the men's and
16 women's restrooms were known to have doses
17 nearing 300 millirem adjusted dose per year.
18 These numbers were again adjusted to reflect
19 one-sixteenth of a work day, because people
20 only spend ten minutes twice a day in a
21 restroom.

22 My office was adjacent to the locker room for
23 several years. High level drum storage was
24 immediately below my office. And when it
25 became known that the area had a high dose,

1 dosimetry badges were to be placed in my office
2 to -- to avoid getting high readings from these
3 badges, the badges were placed midway in the
4 reporting period, and moved midway in the next
5 reporting period. Those records reflect only
6 one-half of the actual dose received per pay
7 period.

8 Due to the bonus structure of rewarding reduced
9 doses, multiple tactics such as reporting half-
10 period doses as the actual period dose,
11 adjusting doses to reflect minimum time period
12 of occupancy, and disregarding high doses as
13 false or unreportable were methods used to
14 obtain bonuses. The reward structure destroyed
15 the accuracy of the dose reporting system. And
16 I do want to note that people talk about the
17 old records being inaccurate. I'm talking
18 about things that happened in 2000 and after.
19 NIOSH's position that they can accurately
20 reconstruct employee doses with this faulty
21 information cannot be logically supported.
22 This position is unfair to employees who
23 received substantial doses many times higher
24 than the recorded dose.

25 And I'd like to thank you for hearing us this

1 evening.

2 **DR. ZIEMER:** Thank you very much. Dennis -- is
3 it Rowan?

4 **MR. ROMERO:** Romero.

5 **DR. ZIEMER:** Romero, okay. Hard to read.
6 Thank you.

7 **MR. ROMERO:** My name's Dennis Romero. I worked
8 at Rocky Flats for 18 years. I started out as
9 a production loader in 444 doing BE, uranium,
10 titanium, silver, gold on the parts. Times
11 we'd be back in the area -- in the old days
12 they used to eat back there in beryllium
13 process area. They'd smoke back there, do
14 anything you did on the outdoors in the back
15 area, and then in time they changed the rule.
16 There was days that we'd have air reversals in
17 the building -- just the fans would go in
18 reverse, and you'd have an alarm for everybody
19 to evacuate the back area, and you'd have dust
20 settling out of the building -- BE? Who knows.
21 Maybe take you a half-hour, 45 minutes to get
22 past the step-off pad, and meantime you're
23 breathing this air to get past the step-off pad
24 to get out to the cold area. That went on
25 constantly out there for beryllium.

1 Then I got moved to Building 779, became an
2 RCT, did that for 12 years. We started doing
3 D&D work in 779. Everything was procedurally
4 driven during production days and then we went
5 D&D. It was procedurally driven in the
6 beginning to follow certain guidelines on how
7 we dismantle boxes, how we dismantle piping,
8 and if it wasn't right we'd shut the job down
9 and we'd elevate the job to better PPE, better
10 respiratory protection, and the job would go
11 on. And based off DAC levels, divide their
12 concentrations of plutonium in the air, that
13 would determine what protections we would have
14 as far as respirators. An (inaudible)
15 respirator, which is 50 DAC, was our protection
16 factor, or 1,000 for supplied air or PAPRs.
17 When we exceeded those numbers, the jobs would
18 stop. We would evaluate -- do we need to
19 upgrade our protection factors to a higher
20 protection factor respirator or supplied
21 breathing air.

22 As things turned out, because we couldn't keep
23 the DAC levels down we would do supplied
24 breathing air in tents -- which was, to me, the
25 best way to -- D&D ability. You got outside

1 air, supplying air to a man to do work in a
2 high DAC atmosphere. But it takes a long time
3 to get a person in and out of supplied
4 breathing air. It's time-consuming. It's hard
5 on the worker. They deemed that PAPRs, which
6 is a Powered Air Purifying Respirator with a
7 motor that pushes air through the canister,
8 gives you 1,000 protection factor, which they
9 felt we could do the job in that and still be
10 safe. If it hit 1,000, we would stop work and
11 try to evaluate how we can keep the DAC levels
12 down.

13 But in time, because you couldn't keep the DAC
14 levels down, they started tak-- changing the
15 protection factors. Staying being 1,000, and
16 our limit was 1,000 on-site for PAPRs
17 protection factors, they felt that at 1,000 DAC
18 we was protected. But then they started
19 exceeding and go to 10,000 DAC, 100,000 DAC,
20 even up to a million DAC. How much of that's
21 getting through the respirator? Who knows.

22 There's times the workers would wear that
23 respirator for eight hours. He'd come out
24 sweaty, canisters sweaty, saturated with sweat.
25 Everybody knows the efficiency of the canister

1 -- or the respirator drops because it's wet.
2 What's the efficiency of the respirator now and
3 is he breathing in? Management wouldn't do
4 nothing about it.
5 We used to do PIF, protection -- well,
6 potential intake factor limits where if we
7 exceeded the protection factor they would do
8 nasal/mouths on people. They would do
9 bioassay. They would do fecal. If it got high
10 enough, they would do body counts to see what
11 this person was getting into it. It takes
12 time. It takes money. You've got to shut a
13 job down. Got to the point -- they weren't
14 doing PIF, potential intake factor, worksheets.
15 They weren't doing those because they didn't
16 want to know what the levels were.
17 The DAC levels were exceeded. They knew it;
18 they didn't care. They didn't make people do
19 bioassay or fecal. What's these people's --
20 breathing in? The dosimeter's not going to
21 show you that information. And that went on
22 constantly.
23 Towards the end I got into doing final survey
24 on 771, which you know is the most contaminated
25 building on site. They would deem -- the rad

1 engineers would deem certain areas to be cold.
2 Like this room, they'd say this room is --
3 certain areas are for -- are cold. As an RCT
4 we had to go do final survey on it, which is
5 the direct frisk of the building so we could
6 release the building so they could tear it
7 down. Your black line there, we'll say that's
8 a rad area. Workers are in there working in
9 respirators. Rad engineer deemed us out here
10 'cause we wasn't affected by that job, we
11 didn't need no dosimeters. We didn't need
12 respirators. But those men in that area had
13 cams, they had air samplers, respirators, PPE.
14 Cams would go off -- evacuate the area. We're
15 over here working. Of course we'd have to
16 evacuate, but what was we exposed to? We
17 didn't have respirators on. We didn't have
18 dosimeters. And the areas they was working on
19 at that time was the infinity room. If you
20 know anything about the infinity room, that was
21 a very highly contaminated room. They were
22 cutting up the concrete floor from the infinity
23 room, which was an area -- million dpm. But
24 because we wasn't part of that job, we wasn't
25 required to have any of this protection.

1 Where's your information? It does not exist.
2 The plant is closed. It's gone. They say it's
3 cold. The place is not safe. There's still
4 highly contaminated areas out there. The
5 public is at risk now, besides the workers that
6 were there. But now the public's going to be
7 at risk because that place is going to reach up
8 and bite somebody in the butt down the future
9 because it's still very highly contaminated,
10 and something needs to be done about it and the
11 public needs to know.

12 **DR. ZIEMER:** Thank you, Dennis. Then Richard
13 Ostrom. Richard.

14 **MR. OSTROM:** I didn't come prepared with any
15 paper to read from, so I'm just going to give
16 you a few of exper-- experiences that I had. I
17 was an assembler in Building 707 and 776, 777
18 between 1982 and 1992. The experiences I want
19 to relate, it won't take very long to do so,
20 but it verifies what has already been
21 discussed.

22 When I first started there the dosimeter badge
23 was supposed to be worn on the top of -- of
24 your chest, right about in here (indicating).
25 And then when we wore our lead vest, then we

1 were supposed to be putting that dosimeter
2 badge behind the vest in order to protect it
3 from picking up more count. Later on down the
4 road we wound up -- we had to put a vest in
5 front and a vest behind because we're getting
6 blasted so much from the radiation.
7 That idea went away because somebody came up
8 with the idea that now we have that radiation
9 bouncing between two lead vests and we're going
10 to keep it right in here (indicating).
11 In summation to all this, I after a while just
12 got to feeling like a lab rat, and that's
13 pretty much all I can say about it. Thank you
14 very much. I appreciate you --
15 **DR. ZIEMER:** Thank you very much. I'd like to
16 call on Michelle -- I think it's -- I'm having
17 trouble reading the last name -- R-o-b --
18 **MS. DOBROVOLNY:** It's Dobrovolny.
19 **DR. ZIEMER:** Okay.
20 **MS. DOBROVOLNY:** Michelle.
21 **DR. ZIEMER:** Okay, Michelle. Thank you.
22 **MS. DOBROVOLNY:** My name is Michelle Dobrovolny
23 and I appreciate you sticking me in here. I
24 actually am here against doctor's orders. I
25 have pneumonia for the third time. But I am a

1 Rocky Flats employee and I am sick. And I did
2 have a speech written and I've decided just to
3 go from the hip because I've heard a lot of
4 people speak here today and I think they've
5 spoken very well, and they've spoken for the
6 people and the claimants.

7 I have fought for six times to get my claim
8 through. I'm on my seventh currently. Just
9 because I haven't been diagnosed with cancer,
10 even though I have the condition, I am not
11 entitled. But yet Rocky Flats deemed me
12 disabled. I'm not entitled to Department of
13 Lab-- workmen's compensation. I live on \$1,400
14 a month and raise three teenaged sons. That's
15 not how I looked for my life at the age of 41
16 years, and it is a very difficult thing to
17 fight against a corporation and a company who
18 continually (inaudible) you down.

19 I've watched five family members die from Rocky
20 Flats of cancer. I have one right now, a
21 cousin, who is in bed dying, expected not to
22 make it to the end of the week. I had a
23 father-in-law that I nursed to death, lung
24 cancer. And their families are still fighting
25 for the compensation package. It's not right.

1 You guys hold a lot of power in your hands for
2 our lives, and I hope that you take into
3 consideration that our lives are valuable and
4 they're important. And they -- we deserve to
5 live each and every day to the best of our
6 ability with what assistance we can. I was
7 exposed out there. I was in administration. I
8 was in hot areas. I know what this young lady
9 was speaking about -- dosimetry, but my
10 readings come back zero. I worked -- I was
11 salaried, worked sometimes 60 hours a week, in
12 and out of the hot areas. But because I was
13 considered administration, I wasn't given the
14 same dosimetry rights as the other workers who
15 worked with the plutonium. But I'm sick.
16 I don't -- my life expectancy is maybe nine to
17 ten years, and I'm 41 years of age. What were
18 you guys doing at the age of 41? Were you
19 looking towards your death? Think about it.
20 Thank you.

21 **DR. ZIEMER:** Thank you, Michelle. We thank you
22 for coming under very difficult circumstances
23 indeed.

24 Judy Padaya -- Padeyea --

25 **MS. PADILLA:** Padilla.

1 **DR. ZIEMER:** -- Padilla.

2 **MS. PADILLA:** Good evening. My name is Judy
3 Padilla. I'm nervous, sorry. I just have one
4 question, and it regards the February 18th,
5 2006 article that was in the *Rocky Mountain*
6 *News*, and it says (reading) Program for sick
7 nuclear workers targeted for cut.
8 It says (reading) The Bush administration has
9 proposed cutting \$686 million from the program
10 to aid Rocky Flats and other nuclear weapons
11 plant workers who were sickened on the job by
12 radiation and toxic chemicals. That proposal
13 has U.S. Representative Mark Udall and Senator
14 Ken Salazar of Colorado worried that thousands
15 of people who put their lives on the line to
16 build nuclear weapons will be left out in the
17 cold for lack of funds. This amount represents
18 44 percent of the total budget.
19 And I would just like to know from the Board
20 your comment, please.

21 **DR. ZIEMER:** To my knowledge, that proposal has
22 not gone anywhere in Congress, but I -- I'm --
23 I can't say beyond that. I don't know where it
24 is exactly. I've heard the same thing. We
25 have no -- I don't think we have any direct

1 information on it more -- I've seen the news
2 articles. I'm not aware that it's going
3 anywhere. Can anyone comment? I don't believe
4 it has occurred and -- it certainly hasn't
5 occurred. Maybe some of the Congressional
6 people can explain where that is.

7 **MR. HILLER:** The reference in the article is to
8 a discussion between the Office of Management
9 and Budget and the Department of Labor, and we
10 are watching that closely. There are many
11 members of Congress from both parties, both in
12 the House and the Senate, who are very upset by
13 that proposal. I -- I -- we haven't seen an
14 effort yet to implement that -- that proposal,
15 but we're watching closely. There -- there's
16 been one hearing that has been conducted in the
17 House of Representatives. There has been I
18 think a suggestion that there may be another
19 hearing. All I can tell you is that there are
20 a lot of people watching who are strongly
21 opposed to that and you'll hear a lot more if -
22 - if there is any effort to move that forward.

23 **DR. ZIEMER:** I suspect we'll all be relying on
24 our Congressional people to -- to handle that
25 issue.

1 **MS. PADILLA:** The article continues, (reading)
2 Two Colorado members of Congress say they fear
3 the administration intends to implement the
4 proposed budget cut by denying a petition by
5 Rocky Flats workers seeking to grandfather into
6 the program everyone with certain cancers.
7 That is applicable to our proposal that we get
8 the cohort status.

9 It further says (reading) The compensation law
10 allows for such petitions to be approved when
11 radiation records at a particular site are so
12 sketchy that workers can't possibly prove a
13 connection to their illness.

14 I think that is so appropriate to this meeting.
15 Thank you.

16 **DR. ZIEMER:** Thank you. A.W. I'm not going to
17 try to pronounce the last name; I'm having a
18 hard time reading it. I figure A.W. will work.
19 Right?

20 **MR. DEMAIORI:** Absolutely. Good evening, Dr.
21 Ziemer and members of the Board. My name's
22 Anthony William DeMaiori. Everybody knows me
23 as Tony DeMaiori. I'm the petitioner on behalf
24 of the United Steelworkers. I'm the ex-
25 president of Local 8031, represented the

1 nuclear weapons workers at the former Rocky
2 Flats site.

3 I'm here tonight not to give a speech, that's -
4 - or even a presentation, so I'm going to let
5 everybody down. The United Steelworkers have
6 been invited to make their presentation in
7 front of the Board tomorrow morning from --
8 anywhere from 8:30 till noon, I believe, if
9 that's correct. That's -- and so I'd like to
10 invite everybody here to please come back
11 tomorrow and to be present for our
12 presentation. We put a lot of time and effort
13 into it and I will spend a minute or so
14 thanking all the people that have helped us put
15 this petition together.

16 Everybody needs to know that everything we put
17 in that petition was volunteered to us. Dr.
18 Bob Biceline* gave us 38 years of experience at
19 Rocky Flats; Dr. Goldsmith, who did
20 epidemiology for the Department of Energy in
21 Washington, D.C.; Steve Baker, internal
22 dosimetry, 28 years; Jennifer Thompson put the
23 petition together for us, she did all the
24 technical writing that was absolutely donated
25 for free. That's everything that we put

1 together we -- we collected from site experts,
2 and I'm going to miss a few, so I -- I have to
3 tell you that I'd like to thank all those
4 people. I'd like to thank Terrie Barrie of
5 ANWAG for working very hard on behalf of the
6 sick nuclear weapons workers. And there's just
7 so many people in the room -- we have Richard
8 Miller, who's always been an advocate of the
9 workers; Senator Salazar's office for all their
10 support; Senator Allard's office for -- for
11 their support; Congressman Mark Udall,
12 Congressman Bob Beauprez -- we've had a
13 tremendous amount of support for this petition.
14 That's -- I'm around -- or I'm going to end
15 this saying that, you know, everybody came
16 together for the sick nuclear weapons worker.
17 Tomorrow we will give our presentation and
18 please come back. That's -- we feel that it's
19 worth everybody, you know, listening to. The
20 public is invited, so thank you.

21 **DR. ZIEMER:** Thank you very much, Tony. Indeed
22 our meetings are fully open, so everyone is
23 indeed welcome to -- to attend the meeting
24 tomorrow morning. Larry -- let me give you the
25 time.

1 **DR. WADE:** It begins at 8:30.

2 **DR. ZIEMER:** 8:30. 8:30, and be right here.
3 Larry Rands?

4 **MR. RANDS:** Hi, my name is Larry Rands. I
5 spent 19 years working at Rocky Flats, mostly
6 in what we referred to as the hot areas. And I
7 was laid off in 2001, voluntary lay-off. Two
8 years later I was diagnosed with lung cancer,
9 and a month after that I had my right lung
10 removed, along with a rib, and followed by
11 chemotherapy, which has affected my balance, my
12 -- numb -- I have numbness in my hands and
13 feet. And so my point of contention of being
14 here tonight is not only for myself but to give
15 you an idea of some of the things that
16 claimants have to go through.
17 I had filed a claim beginning in 2004. I am
18 still appealing denials, and I have been
19 requested to provide information -- names,
20 dates, places, types of exposures, duration of
21 exposures, et cetera, et cetera. And I'm sure
22 that you realize what a joke that is.
23 I have filed for information regarding
24 dosimetry logs, radiation control logs and on
25 and on and on. I can provide -- I have a

1 limited number of copies, but I can provide
2 that for you. And the burden of proof has
3 always come back to me.

4 In one case I received a letter and the -- the
5 gentleman said that I needed to obtain a
6 written medical report from my attending
7 physicians showing a causal -- this is, you
8 know, verbiage -- the causal relationship
9 between my claim for pancreatic cancer and the
10 cause of death indicated on my death
11 certificate. Well, I'm here to tell you that
12 I'm still alive. At least I think I am.

13 And my -- the people that spoke before me told
14 you about the ludicrous stuff that's going on,
15 and -- and this is -- I can vouch for that. I
16 have filed a letter of petition, I guess, if
17 you will, for -- under the Freedom of
18 Information Act to get records regarding
19 exposures to carcinogenic chemicals that were
20 used at the Flats. Most of the focus is on
21 radiation exposure, but any of us that have
22 been involved with decontamination work or any
23 glovebox work -- maintenance men, construction
24 workers, it goes on and on -- we were exposed
25 to more than just radiation, which could

1 produce cancers.

2 The NIOSH dose reconstruction report that I
3 received said that I had received 47 rem to the
4 lung, but the causal percentage was 37 percent.
5 And the guidelines that NIOSH uses say that
6 anything under 50 percent is denied. So my
7 point being that dose reconstruction does not
8 always consider the dose received by an
9 individual working in a high dose rate job.
10 They take averages, I believe, for the areas or
11 the buildings. They take an average number of
12 hours that may or may not have been worked by
13 an individual. And that's pretty much where
14 they get their dose reconstruction numbers
15 from.

16 I know for a fact that, as Diane pointed out,
17 you know, as material was stored in Building
18 371 in the later years, prior to being shipped
19 out, background radiation in Building 371 and
20 374 increased. Was not taken into
21 consideration. Many of the workers there were
22 office workers. At one -- it finally got to
23 the point that -- that the workers had to --
24 even the administrative workers had to wear
25 their dosimetry badges in the area working in

1 their offices. Their desks had to be moved
2 away from the walls because of increased
3 radiation. Now what about -- until that
4 occurred, what about the dose received then?
5 The record-keeping is virtually non-existent,
6 and records which might aid a worker claim
7 cannot be found or do not exist, and this is
8 from my personal experience. I've requested
9 this information. I've been told it does not
10 exist or it's not reproducible. If I want to
11 pursue it, it will cost me \$40 an hour to have
12 someone dig through the boxes that they have
13 located at the Federal Center. It will cost
14 ten cents a page, plus a percentage on top of
15 that to have that information reproduced and
16 sent to me. Now that information I just got
17 over the phone in the last couple of days, so
18 I'm expecting a letter to document that by the
19 end of the week.

20 So the burden of proof lies with the worker who
21 worked in an atmosphere of a need to know, and
22 wasn't always aware of the chronic effects from
23 the chemical exposure and the radiation
24 exposure that we had.

25 Routine exposures were not recorded and people

1 were not sent to medical for contamination or
2 chemical exposure unless necessary. And I'm
3 sure that this is just reiteration of what you
4 may or may not have heard already, but a lot of
5 that occurred.

6 Workers were exposed to unrecorded radiation
7 exposure as the stored radioactive waste
8 accumulated and aged. The amount of dosage
9 went up. Unusual results, which has already
10 been mentioned, were disregarded and averages
11 were used for a matter of record. Well, it's a
12 little unusual this time, but in the past that
13 person only had a certain amount of -- so we'll
14 just use that and erase or change the figure,
15 so...

16 If you need a copy, I can do that. Thank you
17 for your time.

18 **DR. ZIEMER:** Before you sit down, sir, Mike
19 Gibson on the Advisory Board has a question, I
20 believe, for you -- for Larry -- or no -- yes,
21 for Larry.

22 **MR. GIBSON:** I have a question and a comment.
23 Dr. Ziemer, I believe if the records and the
24 transcripts will reflect, I -- I read into the
25 record a redacted letter to a claimant from a

1 **DR. ZIEMER:** Or is it -- Lessie -- Lessie?

2 **MR. BRITTON:** Lessie. There you go, you get a
3 dime for that. Lot of folks -- most folks at
4 Rocky Flats call me Les, and I'm a newcomer
5 like this young man, was out there six years,
6 and I got BE exposed.

7 Now let me just -- now the folks that worked
8 there, we did make history. I think it was
9 projected to where we were supposed to lose two
10 and a half people during the process of taking
11 down Rocky Flats. All right. We didn't do it.
12 That's the -- that's the good side. But the
13 down side is, look at all the exposure and the
14 sickness that came after that.

15 Only thing I'm asking is this here. Being that
16 I was out there just six years and my BE
17 sensitivity did not -- okay? -- and for some
18 strange reason he can't find the paperwork of
19 that. Now that's bad. And I don't understand
20 this because it's only been six years, I've
21 only been gone for two years. But now like the
22 folks that's been out there that's been there
23 some 25 and 30 years, you know, and like here
24 they are, they're dying from cancer -- or have
25 died from cancer, and this young man here is 40

1 years old, he doesn't know what's going to
2 happen to him. But what I don't understand is
3 how does the government and people in power
4 just throw away the citizens that helped save
5 this country. How do you just throw them away?
6 Why is it that you don't care anything about
7 the people that helped save this country?
8 And then you do all the other like idiotic mess
9 of stuff we won't discuss about going on now --
10 folks can't get any help it seems because the
11 system is clogged up -- by what? Just use your
12 own imagination. All right?
13 I don't have nothing against nobody human being
14 -- okay? -- because my family's Heinz 57.
15 Okay? But the (inaudible) was just here, I
16 don't appreciate no one coming to this country
17 without paying their dues that a lot of us have
18 paid to live in this country. You come here,
19 you get a free ride. All right? And then here
20 we are, you got -- believe me, I mean I'm proud
21 of the fact that I was part of Rocky Flats
22 taking down, see, because we did it most safe--
23 safest way possible. But the after-effect --
24 think about the aftereffect, and who cares
25 about that? The folks that don't care and just

1 holding power, the right policy and things,
2 there's nothing wrong with them. But now you
3 have one doctor that's going to raise a bunch
4 of ruck-- and you know him, Dr. MacInerney*.
5 We worked in G module where this man -- young
6 man tore down. I got exposed to BE there. He
7 brought us -- a team of physicians in, which is
8 him and 11 others. They was exposed. They had
9 no PAPRs, no Tyveks, nothing. Then two weeks
10 after they came in G module, then they post the
11 room. I've never in my life heard a doctor
12 talk this bad about anybody. The man might
13 have got -- I don't blame him for getting upset
14 for the simple reason he got exposed and didn't
15 have to be exposed.

16 I understand what makes this world go round,
17 and it's not the people. It's the money.
18 Folks care more about bonuses than bones that
19 make people. We'll sit here and we can talk
20 all day long about what you're going to do, but
21 then that -- you've spent \$95 million on 30
22 people. All right. And when this program come
23 about, I mean what -- and they said the \$95
24 million was paperwork. You care nothing -- you
25 care more about paper than people. Why is

1 that? You got -- you sit and you listen to me,
2 you sit -- all these folks here, but here --
3 look at us, look at us. Folks is dying. It's
4 the one's that's not dead. People are hurting.
5 Credit, triple A-1 down to zero, bankruptcy.
6 Like the young man said, begging for pennies
7 when millions have been spent foolishly simply
8 because we have jackasses in office. I'm real
9 serious about that. And we have jackasses in
10 here in high position that don't want to do
11 anything, you know.
12 I'm not hurting, you know. I don't have to do
13 this here. I don't have to take no -- I take
14 more drugs than anybody in here to keep from
15 the pain that I have, just to function. Not to
16 get high, just to come in here. Every day, to
17 get up. It hurts. My wife have to deal with
18 that. My children. But the name of the tune
19 is that I'm going to be all right, until I die.
20 But then we're all going to die from something,
21 and we agree to that. But if you all have any
22 kind of power to get these fools off they
23 behinds and take care of the people that
24 dedicated their lives to saving this country,
25 holding this country together, then maybe it'd

1 be a better country -- when you've spent all
2 your time on other stuff that really don't even
3 matter simply because they haven't paid they
4 dues. Everybody in here has paid their dues to
5 live in America. Thank you.

6 **DR. ZIEMER:** Okay, well said, Lessie. And Jan
7 Dennemest -- Dennemest?

8 **MS. DEMOREST:** Yes, Demorest.

9 **DR. ZIEMER:** Is that close?

10 **MS. DEMOREST:** Hi, I'd just like to say that I,
11 too, received the Part E letter that you were
12 asking for in approximately January. I'd also
13 received a telephone call from Hanford's
14 Resource Center asking for an interview. I had
15 that deferred because I am now facing another
16 possible cancer and was unable to do anything
17 other than meet with a physician and asking him
18 to write another letter identifying all of
19 these issues. So I'm glad if in fact that has
20 been canceled as far as -- as what is necessary
21 for a claimant to provide for the Part E, if
22 that's in fact what you were referring to. I
23 would be glad to supply a copy of that letter
24 if you -- if you would so desire.

25 **MR. GIBSON:** The Board was as-- the Board was

1 assured it would be taken care of, but
2 evidently it has not yet.

3 **MS. DEMOREST:** Committee members,
4 representatives from our Colorado senators and
5 congressmen, fellow Steelworkers, fellow Rocky
6 Flats claimants and concerned citizens, thank
7 you for the opportunity to speak to issues
8 regarding my experience at Rocky Flats --

9 **MS. MUNN:** Ma'am --

10 **MS. DEMOREST:** -- and I request that you
11 support the Rocky Flats SEC petition --

12 **DR. ZIEMER:** We need to have you --

13 **MS. DEMOREST:** -- for all claimants --

14 **DR. ZIEMER:** -- get a little closer --

15 **MS. MUNN:** Could you please --

16 **DR. ZIEMER:** -- to the mike, if you --

17 **MS. MUNN:** -- get closer to the mike? We can't
18 hear you.

19 **MS. DEMOREST:** Sure.

20 **DR. ZIEMER:** Yeah, that's better.

21 **MS. DEMOREST:** I'm just thanking you for -- can
22 you hear me now?

23 **DR. ZIEMER:** Yeah, that's better.

24 **MS. DEMOREST:** There's a saying to that, I
25 think. I request that you support the Rocky

1 Flats SEC petition for all claimants,
2 production and non-production workers alike.
3 My name is Janet Demorest and I am a claimant
4 under the EEOICPA as I contracted breast
5 cancer, multi-focal ductal carcinoma in situ
6 requiring a modified radical mastectomy in
7 1994. Two and a half years later, after
8 multiple tumor aspirations and excision
9 biopsies to verify the presence or absence of
10 cancerous cells in one and a half centimeter
11 tumors growing at a rate of every three weeks
12 to three months, 11 in all, and when one of the
13 biopsies indicated precancerous hyperplasia on
14 the ductal cells and when I underwent a
15 prophylactic modified radical mastectomy of the
16 other breast in order to reduce the chances of
17 full-blown carcinoma or metastatic breast
18 cancer.

19 I was an employee. I was a non-production
20 worker at Rocky Flats environmental technology
21 site at the time I contracted cancer. From
22 1991 to 2000 were the ten years that I spent
23 there. Note that all production of pits had
24 ceased at this time. However, the incidence of
25 cancer did not, for a production worker or non-

1 production worker, as we have heard in many
2 instances tonight.

3 Although -- although the NIOSH reconstructed a
4 radiation dose for my claim as I had not been
5 issued a dosimeter at Rocky Flats per their
6 management policy, and I challenge you to ask
7 why such a policy existed, I did not believe,
8 nor do I now, that my exposures were accurately
9 estimated and cannot be estimated for
10 sufficient accuracy. I therefore requested a
11 re-evaluation of my claim, which was appealed
12 August 19th of 2005, and a hearing took place
13 in October. The hearing was, in my estimation,
14 a farce, a complete waste of time and money, as
15 was the three and a half years waiting to be
16 heard.

17 I'll just briefly explain why. For instance,
18 during the hearing, the person who was
19 overseeing the hearing greeted me cheerfully,
20 stating that she remembered me as she was the
21 one who had taken my claim input more than
22 three years previously. I thought how strange
23 that the same person who took my input was now
24 the hearing official. Is this a conflict of
25 interest?

1 It was an emotional hour, but it was longer
2 than the five minutes the older gentleman
3 before me in line had his hearing, a man who
4 was obviously crippled, and he was only allowed
5 five minutes for his hearing because the
6 recorder personnel was late. So in order to
7 keep on time, they did not reschedule his
8 hearing. I found this strange, and I question
9 how fair.

10 I had heard -- I had told the hearing personnel
11 that I needed to make sure that the hearing was
12 for Part B and not Part E, because none of my
13 letters ever indicated that the claim hearing
14 was for which part. As I left my hearing, the
15 official stated, "If you get any more cancer of
16 any kind, please let me know." I was
17 stupefied. I had no response to such an
18 inappropriate comment. What a horrible way to
19 exit a cancer patient, fighting for my life.
20 My claim was in fact denied, with no
21 reconsideration of any of the facts which had
22 been submitted in writing, verbalized multiple
23 times in many phone interviews, nor per the
24 hearing. A dose reconstruction of .65 millirem
25 placed me at .25 percent risk. This totally

1 ignored all of the facts that I had submitted.
2 What was ignored? All of it. For instance,
3 the fact that my office -- that is my desk --
4 was in a cold building. The documentation in
5 the DOE records did not indicate that as the
6 maintenance implementation program manager that
7 I did not manage anyone. It was simply a title
8 given to me because there was a new DOE order
9 for maintenance programs for DOE facilities
10 which required assessment of maintenance
11 operations at DOE nuclear and non-nuclear
12 facilities and implementation of SHAOW*
13 statements for the DOE. That is the
14 construction worker program, which we have
15 heard of tonight.

16 The fact that my job required that I accompany
17 those construction crews, the maintenance
18 workers, who also were my escorts since I had
19 no dosimeter and had not been tasked for
20 radiation worker training, per the management.
21 I ask you again, why? These crews which I
22 accompanied were electricians, welders,
23 painters, carpenters, pipefitters, metrology
24 technicians to check calibration of
25 instruments, among others. We went into all

1 the buildings, more than 400 at the time, on a
2 routine basis up to the time of my diagnosis in
3 January of 1994. The buildings which I worked
4 in included cold -- that is assumed cold --
5 such as Buildings as 060, 111 and 112, 115,
6 130, 131, 331, 334, 460, the trailers, medical,
7 metrology buildings, et cetera -- and hot
8 buildings, such as 371, 441, 443, 554, 771 --
9 which we've heard a lot about tonight -- 776,
10 881, 707, et cetera. The fact that many cold
11 areas within a hot building for non-production
12 staff, which we have also heard instance
13 proclaimed tonight, who were therefore not
14 required to wear dosimetry -- these buildings
15 had ventilation systems which were not always
16 separated and were not HEPA ventilated from the
17 hot areas. Therefore the air circulated
18 throughout such buildings from the production
19 side to the non-production office areas. So
20 even a visit to a cold building could result in
21 undetected contamination.

22 Could I or other non-production workers
23 therefore have received some rad, if present,
24 from sitting at my desk? Or attending a
25 meeting in a cold side of the building? More

1 likely than not is what most workers would tell
2 you.

3 Fact: Painters reported to me of instances,
4 though I was not in the area at the time, in
5 which they were preparing a wall in a cold
6 area, only to find the marker for radiation --
7 purple paint -- beneath layers of normal paint
8 in areas where workers had their desks and
9 conducted paperwork, believing -- and for all
10 indications, they were right -- that they were
11 in a non-rad area. The purple paint, however,
12 indicated that the radiation of some type had
13 warranted the warning, which had mistakenly
14 been painted over at some point in time. Hence
15 any worker, production or non-production
16 worker, would have been exposed to some type of
17 radiation, and most likely not be wary -- be
18 wearing a TLD when in that designated office
19 uncontrolled area.

20 Fact: I might need to attend a meeting
21 carrying paperwork back from an office in
22 another building, often held in Building 771,
23 the most dangerous building in the world, per
24 former Secretary of Energy, Mr. Pena. Meetings
25 were generally held in the cafeteria, or a cold

1 office area -- also which are referred to other
2 accountants tonight.

3 It was not until after my cancer identification
4 when I demanded that I be issued a dosimeter
5 that I received a recorded dose, 0.11 rem.
6 Where have I been? Building 771 in a meeting
7 in the cafeteria? Yes. It was not until years
8 later that I found out that the liquid
9 plutonium processing tanks -- which were now
10 leaking badly, post the infamous FBI raid, and
11 had to be drained -- were on the other side of
12 the cafeteria wall. Did my manager or
13 supervisor ever go into these areas? All I
14 know is I never saw a one of them in any of the
15 buildings. They sent me instead, including
16 going to meetings at other sites, such as
17 Savannah River, Y-12, Pantex.

18 While at Pantex there was a tritium release,
19 and Pantex had made sure to issue me a
20 dosimeter. However, the NIOSH report did not
21 include the Pantex dosimetry report.

22 Oak Ridge, Y-12, I was there many times. The
23 later -- during a latter tour it included a
24 tour of the side of Y-12 in which I noted that
25 a pad was filled with everything from tires to

1 desks in the open, uncovered. When I asked
2 what was that, the reply -- it's contaminated
3 stuff, and it had been filmed in a documentary
4 by a major television program the week before
5 as being a concern to the safety of workers and
6 visitors -- and the public. Possible
7 contamination exposure sans dosimetry, even
8 when I was visiting other DOE facilities as
9 part of my job, both pre- and post-cancer
10 diagnosis.

11 Y-12, incidentally, has now been given SEC
12 status.

13 Fact: Sources were present in many of the
14 buildings, some of which I was aware of, such
15 as low-level sources for the metrologists in
16 calibration of instruments. Others, which were
17 much larger, higher rad sources which at the
18 time I had no knowledge of the close proximity
19 to which I was working, as I had no need to
20 know.

21 For example, there was apparently an extremely
22 large source, the size of a room -- which room
23 I do not know -- which leers (sic)
24 [years/layers] later during D&D activities had
25 to be excised from the hot building by cutting

1 out the floor and having a crane lowered into a
2 vender truck, the source occupying the entire
3 back end of the truck. These activities were
4 reported to me because then I was oversight for
5 transportation activities, hence my need to
6 know at the time of post-cancer that the source
7 was originally greater than 20,000 curies of
8 cesium, 20,000 curies. How many times have I
9 and others walked into that area and the escort
10 would warn me to -- don't touch anything,
11 hurry. Was there sufficient protection?
12 Doubtful, though I hope so for all the workers'
13 sake. But I do know that the workers whom I
14 accompanied were concerned.

15 Fact: I was sitting at my desk in the
16 maintenance building, Building 334, cold
17 building -- I don't recall the date, but I
18 include it as it typifies, unfortunately, the
19 hazards of daily work at Rocky Flats -- when an
20 announcement was made regarding an incident
21 that had finally been reported, something like
22 six days past the incident, in which liquid
23 plutonium tanks had been successfully drained -
24 - a major feat. The first one had gone so well
25 that, despite the fact that the work order was

1 to drain only one tank, a second had been
2 drained as well, without taking time to assay
3 the contents of the second tank. This allowed
4 close proximity of two different concentrations
5 of Pu, a potential criticality situation, which
6 was identified nor reported until after the
7 assay was completed. An investigation was
8 conducted, an occurrence report filed, and two
9 high-level supervisors lost their jobs as a
10 consequence.

11 Where had I been during that week, during the
12 time frame of the tank drain to the time of
13 notification? In that same building.

14 Exposure? Highly likely, but not measured, no
15 dosimetry.

16 Fact: Regarding Building 771 again, I had to
17 ensure maintenance crew operation support in
18 the building. When not escorted, I could enter
19 the area but not the building per se, so I
20 would stand outside and observe the work
21 outside. If maintenance crews didn't show on
22 time, or there was a problem, I might make a
23 phone call from a tunnel adjacent to the dock
24 area. It wasn't until after I had rad worker
25 training years later in 1998 that I found out

1 that the tunnel was part of the transfer of
2 drums of liquid plutonium, and other stuff, and
3 was an area I definitely should not have been
4 in. Dosimetry? No. PPE? No.

5 I was also not aware at the time that due to
6 the fire that was in Building 771, and others,
7 that temperatures had caused plutonium to
8 become oxidized into high-fired oxides, also
9 known as Super Class Y materials. Due to this
10 unique form of plutonium, and since this is the
11 building where I later, post-cancer diagnosis,
12 was in when I had a dosimeter and received a
13 dose -- I'd only been in the cafeteria,
14 remember -- it would -- could well have been
15 due to Pu exposure, as well as to Super Y
16 particles of high-fired oxide plutonium, which
17 cannot be detected at the same levels of normal
18 Pu due to their extremely small size.

19 Note: It is my understanding that even Super Y
20 particles are not detectible by TLDs. Since I
21 was in various buildings on a daily, weekly
22 basis for over three and a half years prior to
23 my cancer diagnosis, or after, overall I could
24 well have had the potential for chronic, low-
25 dose exposure to ionizing radiation, including

1 Super Y particles.

2 Fact: That I continuously walked by filled
3 drums while swipes were being taken and loaded
4 onto docks for transportation to other areas.

5 Fact: I would sometimes be caught in rad
6 building during a shut-down due to a crit alarm
7 and confined to an area sometimes for several
8 hours. Exposure? Most likely.

9 Fact: The grounds themselves were
10 contaminated. Driving past the gates from the
11 east gate, one had to drive past rad-posted
12 fenced-in open soil areas with sprinkler heads
13 and hoses visible. As a new employee when I
14 asked why they were trying to keep the
15 sagebrush and the tumbleweeds green, I was
16 informed that that wasn't the purpose. But
17 after the fires in Building 771 and 707, the
18 water had to be put someplace for the fires,
19 and it over -- because it had overflowed the
20 berms, and so one of the ways was -- to get rid
21 of the hot water was to spray it on the soil
22 using a common sprinkler system, which of
23 course contaminated the soil and could blow
24 around when fierce winds hit, further spreading
25 contaminants.

1 Fact: Another method was one that was then
2 developed to contain the contaminated water by
3 building solar ponds, which were areas
4 employees continually walked by. I was told
5 not to deter any animals I saw drinking from
6 these ponds so that we wouldn't be in violation
7 of EPA laws. RCTs were baffled to find hot
8 areas at the base of electric wire poles, which
9 electricians had to maintain, until one day
10 they found a coyote relieving himself onto the
11 base of the pole. The animals were drinking
12 from the solar ponds. I didn't drink from the
13 solar pond, but I drove or walked by them
14 routinely as I went from one area to another,
15 as did every employee at the site, whether a
16 production worker or a non-production worker.
17 We all had potential to receive ionizing
18 radiation.

19 It is difficult to describe in retrospect the
20 laissez faire attitude we as workers came to
21 accept about our working conditions. We would
22 go about our work, and most of the workers
23 pooh-poohed the idea of any real danger to any
24 of it. After all, they couldn't see it. They
25 were used to it, and nothing had happened to

1 them so far. However, I believe it was also
2 because they really didn't know how truly
3 dangerous it was. Nor, in fairness to the
4 discoverers of the entire nuclear bomb process,
5 neither did they. Would I work there if I had
6 known the level of contamination and not
7 believed in what I was told, not to worry?
8 Absolutely not.

9 Post-cancer, my activities and locations were
10 changed, mostly at my request, so that I would
11 not be exposed to ionizing radiation. I was
12 terrified of getting cancer again. I was
13 issued a dosimeter and was limited by the Rocky
14 Flats medical officer to 100 millirem per year.
15 Likewise, I reduced my visits to other
16 buildings. Yet one visit alone to 771 and
17 that's where I received my one and only
18 recorded dose.

19 I never went back to 771 after that, yet NIOSH
20 included this post-cancer single reading as a
21 primary basis to calculate my pre-cancer dose
22 as part of the dose reconstruction, and ignored
23 all the incidents I have just related. Why?
24 Because I did not provide dates of the
25 incidents.

1 I often wonder if the clothes in my closets,
2 the papers I carried back from meetings and
3 others contained contamination back to me, to
4 my family, to my peers. Is it still there?
5 Where, and when did I get the uranium and
6 plutonium found in my exit, and only,
7 urinalysis in June of 2000, none of which were
8 above decision levels.

9 In light of the BEIR VII report of June 29th,
10 2005, which was just four days after I received
11 my NIOSH report, and others, surely any
12 exposure this one measured should not be
13 considered to be a causative agent to cancer.
14 The BEIR VII report details that any ionizing
15 radiation can cause cancer. I -- yet this is
16 not included in the NIOSH model for
17 determination of any of the cancers.

18 As low as reasonably acceptable, or LARA,
19 levels were constantly being changed at Rocky
20 Flats as D&D activities and contamination
21 exposure increased. Yet a respirator fit was
22 denied me, and a dosimetry was once again
23 denied, and my TLD badge was taken away during
24 my last few months at Rocky Flats. I again ask
25 you, why? I will be glad to give you my

1 opinion, which I can base upon fact. It was
2 called money.

3 So again, there was no way to know if I had
4 been exposed or not, even when I might go to
5 the warehouse, the cold Building 130 only to
6 discover unreported incident: filled drums of
7 low-level waste had come across the vender
8 truck now loaded with the once upon time 20,000
9 curie, there was my -- my wonderful source, but
10 it had really been reduced down to less than
11 10,000 curies so it could be transported across
12 Colorado highways to Canada.

13 This is a gigantic source that I was only three
14 feet away from and I did not know. It was in
15 the cold area. Did I receive contamination?
16 Did others? Yes, without a doubt. Was it
17 measured? No, no dosimetry. Just because it
18 wasn't measured doesn't mean in fact that it
19 wasn't present.

20 Might I once again get cancer? I cannot allow
21 myself to think that, but it is unfortunately a
22 real possibility.

23 Please consider that other office workers, non-
24 production workers, even managers -- though I
25 was only a program implementation manager --

1 have been exposed to ionizing radiation,
2 including the extremely dangerous Super Y
3 particles that may have been the cause, at
4 least as likely as not, to have been a
5 contributing factor to potential terminal
6 illnesses such as cancers.

7 My testimony is an accurate representation to
8 the best of my recollection. The dates, the
9 times, the records of incidents -- no, I didn't
10 keep records of these events because they were
11 routine operations. I didn't have any idea
12 that I might well have been exposed to
13 radiation, let alone to any number of solvents,
14 asbestos, beryllium, during my sojourns around
15 the site. I had no reason to believe that I
16 would need to keep records, for date, for any
17 reason. I was keeping track of ordinary events
18 on a daily calendar in a memo correspondence,
19 none of which I have record of.

20 Again, NIOSH totally ignored all these
21 incidents which I have just summarized. My own
22 physician's report to NIOSH stating his belief
23 that my cancer was caused by ionizing radiation
24 received as an employee at Rocky Flats was also
25 ignored. How can this be?

1 I close by sharing an image I shall always
2 recall of one maintenance worker who lost his
3 leg and aged before his years before his -- he
4 died of cancer, who continually came out to the
5 site to visit his friends, to visit the place
6 he considered his home away from home before
7 cancer won, a cancer caused without a doubt due
8 to radiation exposure at Rocky Flats. His
9 family needs compensation. His coworkers need
10 compensation. We must believe in the workers,
11 production or non-production worker. We all
12 worked hard, side by side. We believed in what
13 we were doing with all our hearts, and some
14 have died. Others of us may die sooner than
15 others our age because we were dedicated as
16 Cold War warriors, and were unknowingly exposed
17 to deadly radiation and other toxic substances.
18 It is impossible to reconstruct any dosage
19 received at Rocky Flats, the most contaminated
20 site within the nuclear complex, as indicated
21 by reports by the DOE themselves.

22 Please support the SEC for Rocky Flats
23 claimants, production and non-production
24 workers alike. Thank you very much.

25 **DR. ZIEMER:** Thank you very much, Jan. I'm

1 going to check back to see if James Turner has
2 come into the assembly.

3 (No responses)

4 Apparently not. That then concludes our public
5 comment period. I'm sorry that we did go over
6 a bit, but I think it was important that
7 everybody got a chance to be heard. Thank you
8 very much -- we have a question here. Hang on
9 just a second. Mr. Gibson on the Board wants
10 to ask a point here.

11 **MR. GIBSON:** I have a question to ask. It
12 seems that several of the claimants have
13 received their illnesses and stuff within say
14 the last decade, 15 years. Just for
15 informational purposes, could -- could someone
16 tell me who the DOE officials on-site were at
17 that time?

18 **UNIDENTIFIED:** (inaudible)

19 **MR. GIBSON:** Was it -- well, the top offici--
20 was it Bob Card* and Jesse Roberson?

21 **UNIDENTIFIED:** (inaudible)

22 **MR. GIBSON:** Okay.

23 **UNIDENTIFIED:** (inaudible)

24 **MR. GIBSON:** And did they -- who was the
25 contractor at the site, C.H. Hill?

1 **UNIDENTIFIED:** (inaudible)

2 **MR. GIBSON:** Hill?

3 **UNIDENTIFIED:** (inaudible)

4 **MR. GIBSON:** Okay. And then just -- just for
5 the record, it seems to me that shortly
6 thereafter Bob Card and Jesse Roberson went to
7 Washington, D.C. under DOE to take over
8 environmental management, and that's when they
9 established the accelerated clean-up of Rocky
10 Flats, Mound and Fernald.

11 **UNIDENTIFIED:** (inaudible)

12 **MR. GIBSON:** And when they talked about it --
13 eventually -- you know, before they took over,
14 we were talking 20 years worth of clean-up, and
15 all of a sudden when they took over -- now all
16 of a sudden, within five years, all three of
17 the sites are cleaned -- supposedly cleaned up,
18 so I just want that information to be on the
19 record.

20 **DR. ZIEMER:** Okay. Thank you. There was
21 another question here. Sir? You'll have to
22 use the mike. And again, identify yourself for
23 the court reporter.

24 **UNIDENTIFIED:** There's been a lot of Rocky
25 Flats workers come and go, and there's going to

1 be a lot more that are going to come down sick.
2 Their quality of life is going to change.
3 They're going to have to give up something. My
4 question is to you, if you had to change
5 positions with them, how much quality of life
6 would you be willing to give up?

7 **DR. ZIEMER:** Thank you. That's a good question
8 for us to think about. Another question here.

9 **UNIDENTIFIED:** (inaudible)

10 **DR. ZIEMER:** You'll have to use the mike or --
11 yeah. Okay. Yeah, that one is portable. Just
12 -- the one in the -- just pull it --

13 **UNIDENTIFIED:** I can speak louder --

14 **DR. ZIEMER:** No, we mainly need it for the
15 court reporter here.

16 **MS. MUNN:** For the record.

17 **DR. ZIEMER:** Yeah, need to get it on his tape.

18 **UNIDENTIFIED:** I would like to say one thing.
19 Look, guys, I would like to thank my family, my
20 friends for being here. We're going to be sick
21 and we're going to get sicker. And you cannot
22 give us any assurances that you're going to
23 take care of us. We proudly -- proudly served
24 our country. We're just as much soldiers as if
25 they went to any war. I would like to say

1 thank you to all my friends here. These are my
2 family. When you stand side by side somebody -
3 - with somebody from the management all the way
4 down to the janitor, we're all part of a body
5 that worked together as a team.

6 **DR. ZIEMER:** Very good.

7 **UNIDENTIFIED:** I want to tell my husband
8 publicly that I'm sorry that I was -- allowed
9 myself to push so hard that I will not be with
10 him for the rest of his life. When his demise
11 comes, and I know that it will, you won't be
12 there.

13 I would also like to tell you guys that I'm
14 happy for the first time in my life because
15 I've let you guys go. I don't care what you do
16 any more. You can't get my goat. Okay? It's
17 not for sale.

18 I, Laura Donna Kay Schultz, here swear that
19 from hence on I'm going to live my life as if
20 it's a new life. I'm terribly troubled and
21 grieved of the loss of my family here. These
22 are my family, as if they were my mothers, my
23 sisters, my brothers, my fathers, whatever you
24 might say. It disturbs me that this process is
25 so cumbersome that you cannot pass the SEC

1 Special Exposure Cohort bill that would also
2 cover from every human being, every soldier
3 that worked at Rocky Flats, no matter who they
4 are. I guess that's all I have to say. I've
5 said my piece.

6 **DR. ZIEMER:** Thank you. Thank you. One more
7 question here -- or...

8 **MS. HEAVNER:** I was an R-- I was an RCT, I'm --

9 **DR. ZIEMER:** Identify yourself --

10 **MS. HEAVNER:** -- Elizabeth Heavner.

11 **DR. ZIEMER:** Identify yourself for the court --

12 **MS. HEAVNER:** Elizabeth Heavner. I was an RCT
13 on the step-off pad for a while in 774, and
14 they had done away with doing any kind of
15 bioassay in high radi-- high -- highly
16 contaminated areas. The kids would come --
17 their -- their respirators were so hot that
18 they were infinity, and I said well, don't you
19 need your nasal/mouth smears and your bioassay,
20 and they said they took it out of our package.
21 Now they don't require anything. And this man
22 wore this mask that was so hot it had to be
23 shipped in high-level waste, and yet no
24 bioassay was -- they had done away with
25 bioassay and they had done away with safety

1 because years ago we were told you couldn't
2 wear your mask over two hours because the seal
3 breaks. Once you start sweating, your
4 respirator seal breaks.
5 And also I worked a lot of years in G module,
6 never had a respirator. Every other month I
7 had to be cycled out because I had more than
8 100 millirem in a month. And yet -- so I'd be
9 out a month, go back a month. And we never had
10 respirators. We sanded on BE with no down-
11 drafts, no kind of thing to catch the dust.
12 And we would talk about that, and they'd say
13 it's not necessary.
14 But the rules went out, and there's other kinds
15 of illnesses that come from radiation and this
16 contamination besides cancer. And I, too --
17 they put me on permanent disability and I won't
18 be able to work, but mine's not necessarily a
19 diagnosed cancer and I -- I breathed a lot of
20 BE in, but they won't agree to do a lavage to
21 do a check. And you know, we're denied all the
22 stuff and Dr. MacInerney at the end wasn't even
23 allowed to talk to workers. I called for weeks
24 trying to get him to help me out, and they said
25 well, he's not allowed to because he hasn't

1 seen you recently.

2 So you know, there's other things that happened
3 to people that should be taken into
4 consideration because, like me, I can't get a
5 job. I live on morphine and all these pills.
6 And you know, I'm not -- I'm still in my
7 fifties and I think that should be considered
8 in the bill also.

9 My husband has BE. They can't do lavages
10 'cause they can't get the stuff out. He had
11 high dose dosimetry areas and they would just
12 up their limit and keep working, and they would
13 lose their dosimeter for that month. In
14 another area he worked on he had to wear ten
15 dosimeters. Now none of that stuff showed up
16 in the records. And records clear back to the
17 '80s -- I kept mine because I -- I'm a pack rat
18 on paperwork and stuff, but there was a lot of
19 injustice done to people out there and I think
20 everything should be considered, not just
21 cancer.

22 Judy here, she has a BE in her lungs and she's
23 been denied over and over. And she's had
24 cancer, also.

25 Do you want to say something?

1 **DR. ZIEMER:** Thank you.

2 **MS. PIERSON:** I have berylliosis and the
3 question I've -- my case has been turned over
4 to five different caseworkers, and the la-- the
5 last two wanted to know well, what years and
6 which mines did I work coal in. Now just look
7 at me. Have I been in a coal mine? Have --
8 have I done stuff like that? When I tell them
9 that I worked in Building 44 for eight years,
10 this doesn't mean anything to them and it
11 doesn't mean anything to anybody. Just -- you
12 -- you're sick, so let's just move on. It --
13 it isn't fair to any of us. It isn't fair to
14 any of us.

15 **DR. ZIEMER:** Thank you.

16 **MS. MUNN:** We didn't get her name.

17 **MS. PIERSON:** My name is Judy Pierson.

18 **DR. ZIEMER:** Yeah, thank you. Obviously many
19 frustrations. Thank you for sharing that.
20 We do need to come to closure -- I have another
21 comment, sir. Go ahead.

22 **MR. WYNN:** My name is Chuck Wynn. I live in
23 Boulder. I worked at Rocky Flats from '58 to
24 '61. I worked in Building 71. I think they
25 refer it now to 771. At that time it was 71.

1 I was injured working in a glass -- in a
2 glovebox with glass, puncture wound, which was
3 contaminated with plutonium. I quit in '61. I
4 didn't have any problems till '84. All of a
5 sudden I started getting sores in my mouth and
6 running a high fever. I went to the doctor and
7 the guy says well, you've got herpes. So oh,
8 okay, send me back home.

9 The next day I was so sick my wife took me back
10 to the same doctor practice but a different
11 doctor and he says I'm going to take a blood
12 test.

13 He took a blood test and he come right back and
14 he grabbed me by the arm and he says Chuck, you
15 have no immune system. It's totally gone.

16 So he took me right over to the hospital, laid
17 me on the bed and did a bone marrow test, with
18 no -- no shot or anything, laid me down there.

19 My wife was on one arm and two nurses on the
20 other one and he did a bone marrow test, and
21 I'll tell you what. I picked those nurses and
22 my wife right up off the bed it hurt so damned
23 bad.

24 But anyway, the story is ever since then I'm on
25 this peaks and valleys all the time. Sunday -

1 - I have a dog that's bad and I was -- I've got
2 a ramp made and I was putting in the -- in my
3 car and I got a sliver. And whenever I get a
4 sliver, I want to show you. This little sliver
5 was so small I just picked it out, but I get an
6 infection. Look at my infection -- my hand how
7 swole (sic) it is. I've been to the doctor and
8 had it operated on five different times 'cause
9 my hand will swell up like this. The only way
10 I can get by is if I take -- they put me on
11 high doses of predisone (sic). Well, predisone
12 causes me to have high sugar and high blood
13 pressure. That's the only thing that keeps me
14 going, so I'm always on these peaks and valleys
15 and we could sure use you guys' help if you can
16 help us settle a lot of these situations here
17 because it was -- and at that time -- I was
18 there when they had the fire and I worked in
19 the pressure suits and everything, and it was -
20 - it wasn't a pretty thing, so --

21 **DR. ZIEMER:** Thank you.

22 **MR. WYNN:** -- thanks.

23 **DR. ZIEMER:** Uh-huh. Yes, sir.

24 **MR. POSEY:** Yes, sir, I'm Robert Posey. I
25 would just like to say I've been denied my

1 claim twice, and those records -- I found out
2 in August 2003 that those records was destroyed
3 many years ago by Dow -- by a chemical company
4 up -- that -- over in their -- I have proved to
5 them that those records are not available, and
6 they have denied me. But they've got the first
7 time to mention anything concerning those lost
8 records. But they find some way to nit-pick
9 something out of there so they can deny it
10 without mentioning that these records is lost,
11 is shredded by the company up there many years
12 ago. All records that was kept over six years
13 or older, they destroyed those records. And
14 they -- the government and the claim handlers
15 have yet to mention, in either one of those
16 denials, that those records are lost and still
17 saying we have no evidence. I can't get no
18 evidence if they done destroyed the records.
19 I've proved this to them over and over and
20 over, and they still says we don't -- now some
21 other little company they wrote here in town,
22 they said that we have no record on him. I
23 don't know where it was the union, CPWO or
24 whatever it was, and they used that. Says CPWO
25 said they don't have no record on you. Well,

1 who is CPWO? I don't even know. I said now
2 the government got 30-something,000 workers up
3 there and they can't find the record. How
4 could you expect these four or five people over
5 here in some garage to find those records? I
6 just don't believe it can happen. Thank you.
7 **DR. ZIEMER:** Thank you. Again, thank all of
8 you for coming tonight. Again, we invite you
9 to return tomorrow. We'll have the formal
10 discussion of the Rocky Flats petition before
11 the Board beginning at 8:30 tomorrow morning.
12 (Whereupon, the meeting was adjourned at 9:50
13 p.m.)

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CERTIFICATE OF COURT REPORTER**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 26, 2006; 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 26th day of May, 2006.

STEVEN RAY GREEN, CCR**CERTIFIED MERIT COURT REPORTER****CERTIFICATE NUMBER: A-2102**