

**Comment on David Allen DCAS Memo Dated June 8, 2012
to the TBD-6000 Work Group of the ABRWH in Response
to the SC&A Discussion Paper Update on GSI Intake Doses**

Daniel W. McKeel, Jr., M.D., GSI SEC-00105 Co-petitioner
June 13, 2012

- This brief report is a response to the Allen 6.08.12 memo in the title that replied to SC&A's May 30, 2012, analysis of internal doses from radiation intakes at the General Steel Industries (GSI) AWE site in Granite City, IL. SC&A subsequently replied to this Allen DCAS report on June 12, 2012. In their second report in this series, SC&A totally reversed one of its major 5.30.12 findings that NIOSH had underestimated uranium intakes by a factor of 10-fold, i.e., by one order of magnitude.
- In part, this is also a comment on how the co-petitioner perceives the current state of DCAS/NIOSH scientific process and transparency within the EEOICPA program at DCAS/NIOSH. There is great room for improvement.

The two Attachment A & B letters in the DCAS
June 8, 2012 David Allen memo

1. Background: Co-petitioner McKeel questions the exact citation for these two letters. David Allen replied to McKeel on 6.12.12 that the reference number was 16356, presumably from the SRDB. He also commented that these letters were discussed at a 2008 TBD-6000 work group meeting in which SC&A acknowledged the letters on page 103 and McKeel participated, citing page 104 from the relevant meeting transcript. The implication was that, because McKeel participated, he had the relevant documents in his possession. That conclusion is not logical, and it is not supported by the transcript. Dr. Anigstein simply referred to MCW to GSI memos prior to any purchase orders. Dr. Anigstein said nothing about the citations, dates, titles, source, or, most importantly, that the two letters (Attachments A and B to Allen 6.8.12) say **absolutely nothing about uranium**. The McKeel comment that follows on pages 103 and 105 bolsters the idea the GSI covered period should start in 1952 because the Old Betatron facility was built in 1951, from GSI Board minutes Ramspott and McKeel discovered in St. Louis and shared with the work group. The GSI Board minutes also proved the government owned GSI Betatron 24 Mev x-ray machine was in place in 1952 and ready to go. This is solid, concrete evidence. As I understand it, DOE set the start date of the GSI covered period.

Comments:

(a) Allen stating that McKeel participated in a work group meeting is not equivalent to McKeel having the referenced documents in his possession. And it does not indicate the documents were provided to McKeel by OCAS/DCAS and NIOSH (see (b) below).

(b) My e-mail inquiry to Mr. Allen dated 6.12.12 addressed several questions:

[1] **The Attachment A and B sources** (a number is not a source). Allen indicating the source as "the same place as the purchase orders" is equally vague and not especially helpful. Because I did not get this information from Dave Allen, I

researched the issue and the two letters, to be precise, are contained in FUSRAP document IL.28-5 on pages 17 (labeled “a-9” and on page 21, labeled a-13). The document is available on the DOE LM website under the GSI listing. It is interesting how imprecise a description of IL.28-5 that DOE provides (see below):

7. IL.28-5 - DOE Memorandum; Williams to The File; Subject: Authority Determination -- Granite City Steel Site, Granite City, Illinois, March 11, 1991. Attachment: Authority Review for Granite City Steel Site in Granite City, Illinois.

[2] **Does DCAS or NIOSH have any other GSI documents it has not yet shared with SC&A, the work group, or the petitioners?** Mr. Allen did not address the second question in his reply to McKeel on 6.12.12. The second question was asked again on 6.13.12 in a follow up e-mail to Mr. Allen.

(c) An isolated SRDB number is marginally useful to McKeel (a) because the source and title of the documents were not given by Allen, and (b) Long ago OCAS/NIOSH under former Director Larry Elliott denied McKeel direct access to SRDB documents or to a searchable index of SRDB documents that SC&A and DCAS have access to. At first, McKeel was denied knowing whether documents he sought were in the SRDB database, or the SRDB number/s of document/s he was seeking. After much negotiation, some SRDB numbers were made available to McKeel. But as in the present case, the number often was not accompanied by the full citation that includes the document source agency, the title, the year, and the pagination information, all of which are worldwide, standard citation notations for scientific literature.

(d) McKeel has petitioned the Obama **open.gov** website to make the non-classified portion of the DCAS SRDB open to the public. The request was never replied to. Whether the McKeel request was acted upon is unknown.

(e) The lack of access to the SRDB document database puts all SEC petitioners at a distinct disadvantage with respect to SC&A and DCAS, as is evident from the present case. The policy is not claimant favorable, and it does not promote transparency.

2. Site expert John Ramspott has pointed out in two e-mails the two Attachment A and B documents in Allen June 08, 2012, are not clearly referencing uranium purchase orders at all. The letters could refer to purchase orders for other metal components that GSI is known to have supplied to MCW. He cites Purchase Order U-83621-F dated 6-5-62 for a “Piston Rod per MCW sketch” at a cost of \$120 mentioned in IL.28-5 on page 30 as one example. We believe the Attachment A and B letters to Allen 6.08.12 on pages 17 and 21 of that document are probably *irrelevant* to the MCW-GSI uranium issue and should be hereafter *disregarded* because what they refer to is unclear.

The first Ramspott e-mail was attached to my 6.13.12 reply to Mr. Allen and to members of the TBD-6000 work group. His second e-mail documenting the MCW piston rod Purchase Order is attached to this comment.

3. It is unclear to GSI SEC-00105 co-petitioner McKeel exactly what new data or other information was contained in the Allen 6.08.12 memo that would lead SC&A to recant its view on May 30, 2012, that NIOSH had underestimated GSI intake doses by an order of magnitude in 2007-2008. SC&A is familiar with TBD-6000 surrogate data that Allen cites in support of his original calculations. What has changed or is new?

4. Mr. Allen relies in his June 8, 2012, analysis on *slug facility surrogate intake data* gleaned from TBD-6000. There exists no such real (measured) intake monitoring data at GSI. The slug facility in TBD-6000 has not been justified as being comparable and similar enough to GSI to meet either Board or SC&A surrogate data criteria. The types and mix of uranium metal at the slug facility and at GSI were not shown to be similar, the source terms at both facilities could not have been similar for GSI possessed two 24-25 Mev Betatrons and used Ra-226 and Cobalt-60 and Ir-192 as well. GSI uranium was exposed to photon levels that caused activation and some fission. Were similar sources used at the slug facility that is highlighted in TBD-6000? The use of this slug facility data is not based on good, solid science. Rather, it is based on convenience. The petitioners therefore reject this analysis outright as they have indicated for many years and believe the Board also should reject the slug facility uranium intake data as being valid for GSI, an admittedly “unique” facility by OCAS Director Elliott in 2005.

5. Regarding the NIOSH analysis on page 2 of **uranium work times**. The co-petitioner reiterates his objection to an analysis of uranium source term mass based solely on MCW purchase orders as being in any way “sufficiently accurate” for bounding purposes in the SEC. Purchases Orders need to be confirmed by shot logs, shipping manifests, receipts at either location (MCW, GSI), x-ray NDT reports, etc. None of that corroborative documentation exists. NIOSH cannot know (a) the MCW purchases it has are all that were issued, or that (b) the P.O.’s were actually fulfilled as specified. This is an inference on the part of science, and that is insufficient for a valid scientific conclusion. The Board should reject the contorted pseudo-science that NIOSH uses to defend its recommendation to deny SEC105, both during the covered period and in the residual period, based on such flimsy evidence of demonstrable sufficiently accurate methodology based on inferences and assumptions rather than solid representative real measured data.

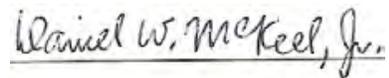
6. Allen on page 3, discussing the **2nd bullet**, relegates the air resuspension factor to be a “TBD” issue based on the peculiar unsound reasoning that because the value is contentious among work groups, then the issue should be deleted as an SEC issue. It and the use of TIB-70, are crucial residual period SEC issues at many sites. SC&A believes the value NIOSH uses for resuspension rate is a 100% underestimate. The TBD-6000 work group has allowed too many acknowledged SEC/Appendix BB overlap issues and findings to be put on the back burner as Appendix BB issues, and thus kicked down the road until after the June 20 presentation of GSI SEC-00105 to the full Board in New Mexico. This approach is very unfair and adversarial to GSI claimant interests.

7. The co-petitioner disagrees with NIOSH about the **3rd bullet**; that there is no worker exposure to uranium intakes in the shooting room. During the covered period and thereafter dust was several inches deep in the shooting room. Uranium Ingot and dingot surfaces were abraded by chains and crane movements and undoubtedly deposited on the floor and many surfaces. No recorded uranium surveys of the Betatron buildings at GSI from 1952 to 1988 have survived. ORNL found little uranium in 1989 in

the Old Betatron building only, **23 years after the covered AEC uranium contract period ended** at GSI, because the facility had been cleaned up with vacuums, and had been power washed. The conditions at GSI in 1989 bear no direct relation to residual uranium load during the late 1960s, 1970s and early 1980s. These levels of surficial uranium loading are unknown and unknowable. The values NIOSH uses, and SC&A accepts, for the residual period are meaningless in any real scientific or practical sense. The data NIOSH uses in their calculations are inappropriate, and the work group and full Board should reject the analysis, because it is based on too little real data, if they want to claim that "good science" is practiced in this compensation program.

8. **5th Bullet**, page 3. In a truly bizarre contortion of logic, Allen and NIOSH in the June 8, 2012 memo admit the consensus average work week number of 3250 hours at GSI, that had been agreed to in *October 2007* in Collinsville IL, *should be used*, but they *refuse* to use it now in the SEC bounding calculations until "the next revision of the TBD," date unannounced. The "next" revision of Appendix BB will be the first revision as Rev. 0 was issued in June 2007 and NIOSH has steadfastly refused to revise it. The TBD-6000 work group is not finished with resolving Appendix BB issues, and no meeting is scheduled to do this. Claimants deserve better treatment.

Respectfully submitted,



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Enclosure: MCW P.O. U-83621-F and Ramspott 6.12.12 e-mail regarding it

Subj: **The Piston PO is on Page 30 (see below)**
Date: Tuesday, June 12, 2012 7:39:34 PM
From: jwramspott@sbcglobal.net
To: danmckeel2@aol.com

Ramspott:

That \$48 dollar payment that is referenced Dave Allen and SC&A may easily be for some "odd ball" Special job not even pertaining to Uranium and The Betatron. **See the prime example of this in another AEC/ Mallinckrodt Purchase Order BELOW:**

So using the **"Two letters (Attachment A and Attachment B)"** for a "guide / example etc." for any kind of AEC Uranium Project analysis / hours etc. is not "provable or valid". This AEC/Mallinckrodt PO EXAMPLE below, was for \$120 for a "Piston Rod". **(P.30 of IL.28-5)**

This PO was with the "Same" PDF file as the **"Two letters (Attachment A and Attachment B)"**.

SOURCE: [DOE - Office of Legacy Management -- Granite City IL Site - IL 28 "CLICK"](#)

See p. 30

The **"Two letters (Attachment A and Attachment B)"** could be for "anything" done by GSI for Mallinckrodt. There is no mention in the **"Two letters (Attachment A and Attachment B)"** of Betatron work, X-rays, hours etc.

Another "possible" reason for a "split/ partial" Purchase order or owed money, is that MCW Destrihan Plant operation "moved" to Weldon Spring in 1958.

That may have caused some partial PO payments. (There are NO purchase orders prior to 1958.)

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PURCHASE ORDER
MALLINCKRODT CHEMICAL WORKS
 URANIUM DIVISION
 P.O. BOX 472, ST. CHARLES, MISSOURI

ACTING UNDER
 UNITED STATES ATOMIC ENERGY COMMISSION
 PRIME CONTRACT NO. W-14-103 ENG. 8 (AMENDMENT 121)

TO: **General Steel Industries, Inc.**
 1417 State St.
 Granite City, Illinois

SHIP TO:

U. S. ATOMIC ENERGY COMMISSION
 MALLINCKRODT CHEMICAL WORKS
 URANIUM DIVISION
 Weldon Spring, Missouri

SHOW THIS NUMBER ON ALL INVOICES, PACKAGES, BILLS OF LADING, PACKING SLIPS

DATE	6-5-62	PURCHASE ORDER NO.	U-83621-F
REQUIRED DELIVERY DATE: 6-15-62 AT DESTINATION			

FORM 1410.2A REV. 12-59
 F.O.B.

GraniteCity, Ill.

ROUTING

Bee Line c/o Triangle

TERMS

1/2% 10 Days, Net 30 Days

ITEM NO.	QUANTITY	UNIT	REQUISITION NO.	DESCRIPTION	UNIT PRICE
1	Approx. 50 (1 ea.)	lb.	E-360-402-9	Piston Rod, per MW Sketch 3604-16, estimated rough weight 50#, material Austenitic Manganese Steel ASTM A-128-33	.70/ per lb
2	1	ea.		Pattern, per MW Sketch 3604-16	120.00

Tagging Instructions:
 Engineering Project 22-360-402
 Breakout Machine
 Attention: R. W. Aubert

6-5-3 Aubert - Deliver to W.S. Stores (155)

GL-2-2120
Aubert

IMPORTANT INSTRUCTIONS & INFORMATION

DO NOT BILL MISSOURI SALES TAX - EXEMPTION IN ACCORDANCE WITH MISSOURI CODE SECTION 136.020

INVOICING - MAIL TWO (2) COPIES ATTENTION ACCOUNTS PAYABLE, GIVE ITEM NUMBER, DESCRIPTION AND UNIT PRICE EXACTLY AS SHOWN ON THIS ORDER

THIS IS A DEFENSE RATED ORDER - PRIORITY - A CO-C-2 RATING CERTIFIED UNDER DMS REGULATION NO. 1 APPLIES TO THIS ORDER

SHIP ABOVE MATERIALS SUBJECT TO ATTACHED INSTRUCTIONS, TERMS AND CONDITIONS, 6589 AND IN ACCORDANCE WITH YOUR BID OF

GEN. LEDGER ACCOUNT	SUB. ACCT.		JOB NUMBER
	DEPT.	EXP.	
2320			22-360-402 IL

ADDRESS CORRESPONDENCE ATTENTION R. McCordick BUYER

5-29-62

a-22

BY

[Signature]
 MALLINCKRODT CHEMICAL WORKS
 URANIUM DIVISION
 PURCHASING Agent