

UNITED STATES OF AMERICA  
DEPARTMENT OF HEALTH AND HUMAN SERVICES  
CENTERS FOR DISEASE CONTROL AND PREVENTION

+ + + + +

NATIONAL INSTITUTE FOR OCCUPATIONAL  
SAFETY AND HEALTH  
ADVISORY BOARD ON RADIATION AND WORKER HEALTH

+ + + + +

SUBCOMMITTEE ON PROCEDURES REVIEW

+ + + + +

FRIDAY, MAY 1, 2009

+ + + + +

The meeting came to order at 9:30 a.m., in the Zurich Room at the Cincinnati Airport Marriott Hotel, Hebron, Kentucky, Wanda I. Munn, Chair, presiding.

PRESENT:

WANDA I. MUNN, Chair  
MICHAEL H. GIBSON, Member  
MARK GRIFFON, Member\*  
PAUL L. ZIEMER, Member

THEODORE M. KATZ, Acting Designated Federal  
Official

IDENTIFIED PARTICIPANTS:

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS  
1323 RHODE ISLAND AVE., N.W.  
WASHINGTON, D.C. 20005-3701

NANCY ADAMS, NIOSH contractor\*  
HANS BEHLING, SC&A\*  
KATHY BEHLING, SC&A\*  
ELIZABETH BRACKETT, ORAU  
STUART HINNEFELD, NIOSH  
PAT KRAPS, ORAU\*  
ROY LLOYD, HHS\*  
ARJUN MAKHIJANI, SC&A\*  
STEVE MARSCHKE, SC&A  
MICHAEL RAFKY, HHS\*  
MUTTY SHARFI, ORAU\*  
SCOTT SIEBERT, ORAU  
MATT SMITH, ORAU\*  
ELYSE THOMAS, ORAU

\*Participating via telephone

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

(202) 234-4433

[www.nealrgross.com](http://www.nealrgross.com)

## TABLE OF CONTENTS

	<u>Page</u>
Welcome and Introductions	4
Database Update and Summary Report	11
CATI Discussions	
Responses to Previous Questions	
Review of Proposed New Wording	
Recommendation to Board Discussion	45
Review PDF File Tracking History of OTIB-0027 Issues Transferred	196
New OCAS-IG-004 Findings Review	258
Result of OTIB-029-03 Technical Discussions	286
Housekeeping Items	303
Adjourn	313

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22

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

9:34 a.m.

MR. KATZ: This is Ted Katz, Acting Designated Federal Official. This is the Subcommittee on Procedures Review, and if we will just do roll call starting with in-the-room board members.

CHAIR MUNN: This is Wanda Munn, Chair of the Procedures Subcommittee and member of the board.

MEMBER ZIEMER: Paul Ziemer, work group or its subcommittee member now, subcommittee.

MEMBER GIBSON: Mike Gibson, subcommittee member.

MR. KATZ: And then just to check, do we have any board member on the phone yet?

(No response.)

MR. KATZ: Okay and then we will just carry on with NIOSH OCAS, either OCAS or Contractor or ORAU staff in the room.

MR. HINNEFELD: Stu Hinnefeld from

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

1 NIOSH.

2 MS. THOMAS: Elyse Thomas, ORAU  
3 team.

4 MS. BRACKETT: Liz Brackett, ORAU  
5 team.

6 MR. SIEBERT: Scott Siebert, ORAU  
7 team.

8 MR. KATZ: And then on the  
9 telephone, ORAU, NIOSH, ORAU?

10 DR. SHARFI: Mutty Sharfi, ORAU  
11 team.

12 MS. KRAPS: Pat Kraps, ORAU team.

13 MR. SMITH: Matthew Smith, ORAU  
14 team.

15 MR. KATZ: Okay, and then in the  
16 room, SC&A?

17 MR. MARSCHKE: Steve Marschke.

18 DR. MAKHIJANI: Arjun Makhijani.

19 MR. KATZ: And on the line, SC&A?

20 DR. MAURO: John Mauro, SC&A.

21 DR. BEHLING: Hans Behling, SC&A.

22 MS. BEHLING: Kathy Behling, SC&A.

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

1 MR. KATZ: Okay and then we don't  
2 have yet anyone from HHS in the room, but let  
3 me check on the line. HHS, either contractor  
4 to NIOSH or HHS staff or other government  
5 staff?

6 MR. RAFKY: Yes, this is Michael  
7 Rafky from HHS.

8 MR. KATZ: Welcome, Michael.

9 MR. LLOYD: Roy Lloyd, HHS.

10 MR. KATZ: Welcome, Roy.

11 MS. ADAMS: Nancy Adams, NIOSH  
12 contractor.

13 MR. KATZ: Okay and then any  
14 members of the public on the telephone who  
15 want to self-identify?

16 MS. ADAMS: Ted, did you hear me?

17 MR. KATZ: Yes, perfectly.

18 MS. ADAMS: Okay, because I didn't  
19 hear you come back. Thank you.

20 MR. KATZ: Oh, I'm sorry. I should  
21 have said welcome to you, too. Yes, thank  
22 you.

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

1                   Okay, that is it for roll call.  
2                   And I don't know, Wanda, if you have any  
3                   administrative matters you want to cover  
4                   before we check for Mark again.

5                   CHAIR MUNN: No, just the one that  
6                   we were discussing informally, the business of  
7                   whether or not 9:30 or 10:00 is the  
8                   appropriate starting time for this particular  
9                   group. I always have a tendency personally to  
10                  push for 10:00 because I selfishly find that  
11                  it is easier for my West Coast body to adjust  
12                  to 10:00 than it is 9:30. But that means that  
13                  in most cases we will in fact run well into  
14                  the afternoon and will seldom disband before  
15                  4:30 or 5:00.

16                  So I was getting the feeling as we  
17                  discussed this around the room that I am  
18                  probably the only person who would be  
19                  preferring a 10:00 start time. Is that  
20                  correct?

21                  MEMBER ZIEMER: Either is okay with  
22                  me. Since I drive in, it is a three-hour

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

1 drive, so 10:00 is always a little better.  
2 But I am good with 9:30.

3 CHAIR MUNN: We have two either  
4 ways. Mark isn't on yet. The local folks  
5 don't seem to matter. Arjun?

6 DR. MAKHIJANI: Either way is fine.

7 MR. KATZ: Okay. Well then, why  
8 don't we, if it makes it easier for Paul and  
9 you and --

10 MEMBER ZIEMER: I'm okay but --

11 MR. KATZ: -- then we can start at  
12 10:00. I mean, there is --

13 MEMBER ZIEMER: I think the body  
14 time adjustment is harder than the three-hour  
15 drive.

16 CHAIR MUNN: Yes, I think it  
17 probably is.

18 MR. KATZ: Okay, so going forward -  
19 -

20 CHAIR MUNN: Without any real  
21 adverse comment one way or the other, I think  
22 in the future we will go back to our 10:00

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701



1 start time, which is what we used to do. And  
2 for those who do fly in, that gives them a few  
3 extra minutes to get here from the airport.

4 MR. KATZ: Sure. I will make that  
5 just a habit then.

6 CHAIR MUNN: Thank you. I  
7 appreciate that.

8 MR. KATZ: Mark, have you joined us  
9 yet?

10 (No response.)

11 MR. KATZ: No.

12 CHAIR MUNN: I would like to delay  
13 actually starting our discussion on that CATI  
14 until Mark is on the phone. During our last  
15 meeting, he was not able to join us at all.  
16 And much of the material that we discussed had  
17 been items that he had raised. That being the  
18 case, it would be helpful, I think, to make  
19 sure that Mark is here when we begin to  
20 discuss the material that we now have with  
21 respect to the CATI.

22 Do all of you have the material

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

1 that Stu sent, the responses to the questions  
2 that have been raised?

3 DR. MAKHIJANI: I got five of them.  
4 That's all.

5 CHAIR MUNN: Yes, I think that is  
6 about right. And Steve is getting us up on  
7 the screen here so that we can be following  
8 what we are doing with our procedure  
9 transactions as we go along, even though the  
10 CATI information will not be a part of that.

11 The database and summary report  
12 were the first thing that we had following the  
13 CATI on our agenda. You do all have a copy of  
14 the agenda, I trust. In view of the fact that  
15 that is a little bit more straight forward, it  
16 is just a review of where we are, perhaps I  
17 could ask, Nancy, are you going to try to do  
18 this by phone or is Steve going to do it for  
19 us here?

20 MS. ADAMS: Whichever. I sent out  
21 a spreadsheet updated this morning. I had  
22 trouble, as always, in the last few meetings

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

1 getting into the database, but Steve was kind  
2 enough to ship me the numbers and I produced a  
3 spreadsheet which I emailed to everybody.

4 CHAIR MUNN: Yes, I do have that  
5 and Steve has the tracking system from the O:  
6 drive up on the screen now. So if you would  
7 like, Steve, if it is okay with you, you want  
8 to just run through those for us? Is that all  
9 right with you, Nancy?

10 MS. ADAMS: That is perfectly fine.  
11 Thanks, Wanda and Steve.

12 CHAIR MUNN: Thank you.

13 MR. MARSCHKE: This is a summary of  
14 the tracking database that I ran last evening,  
15 and it is very little changed since the  
16 beginning of April. The only thing that was  
17 changed was at the bottom, the finding date  
18 3/30. We added seven new issues which are  
19 associated with OCAS-IG-004. SC&A did a  
20 review of OCAS-IG-004, and it was transmitted  
21 to the board recently. And in that review we  
22 identified seven issues. And so this tracking

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

1 database has identified those seven issues.

2 And with those, now we have a total  
3 of 538 findings; 155 of those are open,  
4 meaning that we haven't discussed those yet;  
5 28 of those are in progress; 75 are in  
6 abeyance, which means that basically we are in  
7 agreement on the solution we just haven't  
8 implemented the solution; 15 of them have been  
9 identified as being addressed in other  
10 findings; 29 of them were transferred; and we  
11 have 236 issues which are closed or about 44  
12 percent of the issues have been closed. And  
13 if you combine the 44 percent in closed and  
14 the 14 percent in abeyance, we have 58 percent  
15 which are essentially in agreement; we have  
16 come to a consensus on.

17 DR. MAURO: Steve, this is John.  
18 How does that compare to say a month or so  
19 ago? It seems that we are making some  
20 progress here in getting this backlog cleared.

21 Do you recall the percent? I always look to  
22 that bottom line percent, namely, a

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

1 combination of in abeyance and closed as being  
2 a good indicator as to our percent completion  
3 of this particular assignment.

4 MR. MARSCHKE: Yes, you have  
5 identified one of the weak points of the  
6 database tracking system is it doesn't allow  
7 you to go back in time. But what we have done  
8 here is what I have put up on the chart now or  
9 on the screen, obviously you can't see, John,  
10 but which the people here in Cincinnati can  
11 see is an Excel bar graph which tracks the  
12 numbers of issues and their status as either  
13 closed or in abeyance. And you can see that  
14 the number of issues have been growing  
15 recently, somewhat, up to the 538. And you  
16 can see that, and there is another chart, if  
17 you will, that shows the percentage  
18 completion, and this always adds up to 100  
19 percent.

20 And the bottom, on the bottom, you  
21 see the ones that are closed, and as the  
22 percentage goes up, you can see the percentage

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

1 closed has been increasing since -- March of  
2 2008 we were down around 30 percent. In  
3 August 2008, we are approaching 40 percent,  
4 and now in April or May first of 2009, we are  
5 up at 44 percent closed.

6 So, yes, we have been making some  
7 progress percentage-wise. And that also  
8 includes the fact that the number of issues  
9 have changed slightly. Again, back in March  
10 of 2008, we were down 480 issues. And now we  
11 are up to 538 issues. So even though the  
12 number of issues have been increasing and the  
13 percentage that have been closed has also been  
14 increasing. So we are making some progress.

15 DR. MAURO: And, Steve, a second  
16 matter that might be of interest to the work  
17 group -- to the subcommittee is everything  
18 that we are doing right now, including, I  
19 believe, this latest OCAS-004 set of findings,  
20 this is all work related to carryover from the  
21 earlier contract, previous contract.

22 I do not believe there is any

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

1 material in your database that we are looking  
2 at in the process we are going through that  
3 represents what I call new procedure reviews,  
4 new issues. The only reason I say that, I  
5 think it is important for the subcommittee and  
6 the board in general to have I guess what I  
7 would call a very dire view of the burden that  
8 old work is placing on the new budget, so to  
9 speak.

10 The extent to which when the day --  
11 I don't know the feasibility of doing this,  
12 but when the day comes when we start to load  
13 up our findings related to new procedures that  
14 we are reviewing under the new contract, which  
15 hasn't happened yet, by the way, I don't know  
16 whether there would be a way in which we could  
17 make the distinction between those and whether  
18 or not the subcommittee considers it something  
19 that we'd like be able to track.

20 You see, the way I am managing the  
21 project is I have allocated a budget for old  
22 Task 3 work that represents carryover and new

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

1 Task 3 procedures work.

2 And I guess I am doing my best to  
3 clear that old work as quickly as we can, keep  
4 track of it, see the progress we are making,  
5 so that we have a good appreciation of the  
6 degree to which this old work is in fact  
7 burdening our new budget.

8 CHAIR MUNN: John, this is Wanda.  
9 Won't we just simply see the new work that  
10 comes along as, the way we are handling  
11 material, as the next set of material?

12 DR. MAURO: Yes, if it is that  
13 simple. That is when we do the roll up -- I  
14 guess I am talking not so much about the  
15 individual findings and the way in which they  
16 are loaded into the system, I guess it goes  
17 toward this roll up that you have right now  
18 where a demonstration is made, for example, I  
19 just heard 54 percent of the backlog of issues  
20 have been falls into purposes resolved. I  
21 would like to keep tracking that.

22 Because as we close that out, it

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701



1 gives me a good sense that we are getting to  
2 the point where we are not carrying the old  
3 backlog into the new contract. So it is  
4 really the roll up that I am interested more  
5 than I am, certainly, with regard to the  
6 actual database itself.

7 CHAIR MUNN: Well since we have  
8 been tracking these by date of origin, it  
9 appears to me that it would be a fairly simple  
10 matter, we have it all electronically on the  
11 database, to simply segregate the first three  
12 sets of data and the individual procedures  
13 that have fallen to us in between those times  
14 in our minds, in one group, and simply call  
15 those the first three sets for your purposes.

16 DR. MAURO: Yes.

17 CHAIR MUNN: And then simply look  
18 at anything from this point forward as being  
19 fourth set and on. That should be a fairly  
20 easy distinguishing factor, shouldn't it? Is  
21 that going to come --

22 DR. MAURO: That would be great.

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

1 If it is straight forward, that is terrific.  
2 I guess I was really asking the question is it  
3 that simple for us to do.

4 CHAIR MUNN: Well I believe it is  
5 simply because we have made the decision early  
6 on to have our initial point of tracking  
7 following the name of the procedure we are  
8 looking at to be the date of origin. And that  
9 very clearly defines what was in the old  
10 contract and what is in the new, just by the  
11 date itself.

12 DR. MAURO: Yes, it absolutely  
13 would. That would be fine. Thanks.

14 CHAIR MUNN: Paul?

15 MEMBER ZIEMER: Yes, everything has  
16 a finding date, and I assume that any new  
17 findings, John, will be under the new  
18 contract. Is that correct?

19 DR. MAURO: Yes. The only one, the  
20 last batch we just loaded. Namely, OCAS-IG-  
21 004. I believe that was done under the old.  
22 And that really concludes, the way I see it

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

1 right now, with the loading of those set of  
2 findings, that concludes all work that was  
3 done under the old contract, and we have now  
4 loaded up our database with everything that  
5 was, even though the date that you loaded it,  
6 the actual authorization of that work was  
7 under the old contract.

8 But the boundary line right now has  
9 been set. That is it. I do not, there may be  
10 certainly changes, and there may be even some  
11 additions to the set that is in there right  
12 now, everything, the 500 or so findings. But  
13 anything that we add new, as a result of a new  
14 procedures review, which has not occurred yet,  
15 would represent new work, under the new  
16 contract.

17 MEMBER ZIEMER: A follow up  
18 question. Do you close out the old set of  
19 findings under existing or carry forward money  
20 or are you closing out under new funds?

21 DR. MAURO: Okay. No, this is  
22 really -- think of it like this. We have 3.44

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

1 million dollars in our budget for the year,  
2 the calendar year 2009. The way our contract  
3 is currently written, we can spend that; the  
4 board can spend that any way they like. That  
5 is, you can spend it on dose reconstructions,  
6 procedure reviews, SEC petition reviews, any  
7 way you like. There are no boundaries.

8           What I do, though, and that  
9 includes the carryover work that we have been  
10 authorized to do and new work that emerges at  
11 each one of our full board meetings. So those  
12 are the resources available to the board.

13           Now we have been authorized to do a  
14 certain amount of new work, as you know. And,  
15 of course, we have also been authorized to  
16 continue to close out issues related to the  
17 old work. I feel that -- what I have been  
18 doing is tracking old work and the cost and  
19 the progress we make on all of the tests from  
20 SECs to dose reconstructions to procedures, on  
21 old work and also on new work. This way, and  
22 you will see, I am preparing a special report

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

1 for this upcoming meeting which will apprise  
2 the board of the amount of resources that we  
3 have expended to date closing out and dealing  
4 with old work, including these issue  
5 resolution issues on the subcommittee and the  
6 amount we expect it will cost to finish all  
7 that up. So that, and which really means,  
8 here is how much money we have available, you  
9 have available, to do new work. Some of  
10 which, of course, there has been a great deal  
11 of new work authorized. No new procedures,  
12 but there has been new work certainly on site  
13 profile reviews, dose reconstruction reviews,  
14 and SEC petition reviews. And that, of  
15 course, places -- is additional resources that  
16 have been committed.

17 So you could see why even though  
18 our contractors are really from the point of  
19 view of perhaps the board, listen you have got  
20 3.4 million and you can authorize as you go  
21 and do whatever you feel you would like to do.

22 But I feel as if it is our obligation to keep

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

1 you apprised of where the money has been spent  
2 and where we think it has been committed and  
3 what might be left.

4 So that is why I bring this up. I  
5 feel that it is important that I am in a  
6 position to track how we are doing on closing  
7 out issues associated with the old contract  
8 related to procedure reviews.

9 MEMBER ZIEMER: Well this would be  
10 a report similar to what you provided at the  
11 last meeting.

12 DR. MAURO: Exactly. Exactly. I  
13 have actually finished the draft, and I am  
14 refining it, and I will be mailing it out. As  
15 soon as I get our actual billings, I will know  
16 our actual costs through the end of April in  
17 about two days. As soon as I get that number,  
18 I put it into the report that I have already  
19 written. It is just waiting for that number,  
20 and I will be sending it out to the full  
21 board, and it will be another one of those  
22 reports like I had the last time. And you

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

1 will have a good view, a good bird's eye view,  
2 of where things stand and how much  
3 discretionary funds the board has with respect  
4 -- it turns out it is going to be about 1.4  
5 million.

6 In other words, in effect, out of  
7 the 3.44 million available to the board, the  
8 obligated money, the committed money between  
9 old work and new work such that you have about  
10 a little less than half of that remaining to  
11 work with. And that is the story that is  
12 going to come out in this report. I am sorry  
13 to go on and on like this.

14 MEMBER ZIEMER: Well that will be  
15 similar. It is the same situation for all of  
16 the work groups and subcommittees.

17 DR. MAURO: Exactly.

18 MEMBER ZIEMER: It is an overall  
19 thing. So that will be helpful, I think,  
20 aside from this subcommittee, just for the  
21 overall thing. You will be tracking it. We  
22 will be knowledgeable of it, and that will

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

1 help us in our decisions --

2 DR. MAURO: Exactly. Exactly.

3 MEMBER ZIEMER: -- going forward.  
4 So I don't think we have to make a separate  
5 decision for this subcommittee.

6 DR. MAURO: Oh, no. I'm sorry for  
7 going on like this. It is within the -- the  
8 reason I brought the question up in the first  
9 place regarding the tracking was within that  
10 context.

11 MEMBER ZIEMER: I think it is  
12 helpful. I like Steve's bar chart, and,  
13 Madame Chairman, I wonder if Steve couldn't  
14 provide us each time -- you are going to do  
15 that anyway, I guess, as you track things.  
16 Steve, are you? It's fairly simple to  
17 generate that.

18 MR. MARSCHKE: It is fairly simple  
19 to generate. Yes, I can make a note just like  
20 Stu is going to bring the projector each time;  
21 I can make a note to myself to --

22 MR. HINNEFELD: Ted is going to

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701



1 remind me to bring the projector.

2 MR. KATZ: Yes, there's a chain  
3 here.

4 MR. MARSCHKE: I will make a note  
5 to myself to make a bar chart and bring it to  
6 each meeting that we go to.

7 MEMBER ZIEMER: Right. And isn't  
8 NIOSH going to provide all of the board  
9 members with a pocket projector, those  
10 miniature ones now?

11 MR. MARSCHKE: They haven't bought  
12 us one yet.

13 MEMBER ZIEMER: They haven't bought  
14 you one yet.

15 CHAIR MUNN: It probably won't  
16 quite work.

17 MR. KATZ: And John, just to cap  
18 the discussion that we just had, I just would  
19 like to make the point from a sort of  
20 contractor/officer point of view. I mean, it  
21 is not old work that you are doing. It makes  
22 it sound like it is remedial and that you

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

1 didn't get your homework done. But this is  
2 new resolution work that you are doing under  
3 the current contract. It relates to  
4 deliverables that you delivered as you needed  
5 to under the first contract. But just  
6 understand that that is current resolution  
7 work under the new contract. It is not old  
8 work that you are remediating.

9 DR. MAURO: Absolutely. But I am  
10 telling you why it is important to make this  
11 distinction. When we put in place our new  
12 contract, it had a budget and a SOP which  
13 included six site profile reviews, 60 dose  
14 reconstructions, six SEC petition reviews, 30  
15 procedure reviews, plus project manager. And  
16 that budget to do all of that work was 3.44  
17 million.

18 So right now -- now what happened  
19 is when we did that, when we put that contract  
20 in place, the budget and the SOP, it did not  
21 include this item called issues resolution  
22 related to work completed under the previous

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

1 contract.

2 MR. KATZ: Right.

3 DR. MAURO: So it is important that  
4 the board knows that -- now, fortunately, the  
5 nature of the work has been unfolding in a way  
6 that we are okay. That is, we are burdened --  
7 that 3.4 million for calendar year 2009 under  
8 the new contract, is in fact burdened with a  
9 lot of closeout activity associated with work  
10 completed under the previous contract.  
11 Fortunately to date, things have unfolded in a  
12 way that we are able to manage that. But I  
13 think it is important that the Board  
14 understands that the current, you know, the  
15 budget we do have is burdened. And it was  
16 never planned. In other words, when we  
17 originally wrote the contract, it wasn't an  
18 item, a line item that said okay, you also  
19 include the cost associated with closeout  
20 issues associated with the old contract. That  
21 was not a line item in our contract.

22 MR. KATZ: Right, that is correct.

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

1 DR. MAURO: Yes, and that is okay.

2 I mean, we have discussed this matter, if you  
3 recall, Ted, with David, and I think you were  
4 very helpful in helping resolve that issue.

5 But at the same time, it is  
6 important that the board has that bird's eye  
7 view where things are so that they could make  
8 informed decisions about where they would like  
9 to invest their remaining resources.

10 MR. KATZ: Right. No, I agree  
11 completely, John.

12 CHAIR MUNN: Well John, I think we  
13 have that bird's eye view to which you refer  
14 here in this particular group. It might be a  
15 good idea for you to point that out to the  
16 full board at the time that you are giving  
17 your contractor report. It may not be obvious  
18 to all the amount of -- the volume of work  
19 that might be involved in closing some of  
20 these earlier decisions.

21 DR. MAURO: It is substantial. I  
22 certainly would be prepared to discuss that,

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

1 if you would like. I do plan to distribute  
2 this material beforehand. If you would like  
3 me to go over it a bit, I would be happy to  
4 come to the microphone.

5 MEMBER ZIEMER: We will take a look  
6 at it at that point. You actually did talk  
7 about this some the last time when you had  
8 that initial report. So I think the board is  
9 somewhat cognizant of this, and we can  
10 reemphasize it. But it will be very clear if  
11 your report at the Amarillo meeting is similar  
12 to the last one. I think it is quite obvious  
13 what the separation is there.

14 DR. MAURO: Yes.

15 MEMBER ZIEMER: Thank you.

16 CHAIR MUNN: Good. Are we all  
17 comfortable with the review we had regarding  
18 the material that is on our current screen? I  
19 agree with Paul that the bar chart is always  
20 very helpful in getting a quick look at  
21 progress. We will look forward to continuing  
22 to see that, Steve.

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

1 MR. MARSCHKE: Okay.

2 CHAIR MUNN: Thank you.

3 MEMBER GRIFFON: Hey Wanda, this is  
4 Mark Griffon. I just wanted to let you know I  
5 am on the phone.

6 CHAIR MUNN: Good.

7 MEMBER GRIFFON: Sorry for being  
8 late.

9 CHAIR MUNN: No, that is quite all  
10 right.

11 MEMBER GRIFFON: And I also have  
12 one question for Steve about the database. I  
13 am looking at the database, and I am assuming  
14 that no one has had a chance to attempt the  
15 improvement that I requested for the database,  
16 which is that these fields, you know, somehow  
17 if you click on a finding or whatever, you can  
18 blow it up so that it fills the screen so that  
19 you can actually read more than one line at a  
20 time instead of scrolling down a line at a  
21 time in some of these fields?

22 MR. MARSCHKE: That is correct,

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

1 Mark.

2 MEMBER GRIFFON: Okay.

3 MR. MARSCHKE: I am getting -- this  
4 is one of the --

5 MEMBER GRIFFON: It is very  
6 difficult to follow along with the findings  
7 and the responses when you have to like cursor  
8 down every little individual line reading six  
9 words at a time.

10 MR. MARSCHKE: This is, again,  
11 going over to the SQL version of the database  
12 --

13 MEMBER GRIFFON: Right.

14 MR. MARSCHKE: -- I mean, we -- I  
15 am assuming that we would implement that  
16 suggestion at that point in time.

17 MEMBER GRIFFON: Yes. I figured  
18 there is no sense in doing it now.

19 MR. MARSCHKE: I know when we were  
20 working on the dose reconstruction database,  
21 this is one of the features that Kathy Behling  
22 wanted to talk to me about and wanted to make

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

1 sure the dose reconstruction database had that  
2 feature incorporated into it.

3 So it should be, again, maybe if  
4 Kathy wants to but I am assuming that it would  
5 be incorporated into that database but at this  
6 point, we are not making any changes to the  
7 Access version of this database. So it is on  
8 hold.

9 MEMBER GRIFFON: Okay.

10 MS. BEHLING: And this is Kathy  
11 Behling. And, yes, that has been incorporated  
12 into the database that you have in hand, Mark.

13 MEMBER GRIFFON: Oh, okay. I guess  
14 I should look at that a little closer, too.

15 MS. BEHLING: Okay, but it has been  
16 incorporated into the database.

17 MEMBER GRIFFON: Okay, thank you.

18 CHAIR MUNN: That is great. Thank  
19 you.

20 MR. KATZ: Do we have a status on  
21 the SQL work?

22 MR. HINNEFELD: I don't have one

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701



1 ready today. I believe the intention is it  
2 will be available or become available about  
3 the time the board has their accounts because  
4 it will be running on our system although this  
5 one can be shared readily between us on our  
6 contracts.

7 MR. KATZ: Okay, good because the  
8 board is about ready to come online.

9 MR. HINNEFELD: Yes, it is ready.  
10 I mean the application is, it is a document  
11 review application that has many, many uses.  
12 And so this is one module of it. I don't --  
13 and the data from these tables is not loaded,  
14 but that is, I think, just a simple matter of  
15 moving the data. It is not like it has to be  
16 entered. It is just a matter of moving the  
17 table.

18 And I need to get back with our TST  
19 people about what they call the front end, in  
20 other words what we see, and make sure that it  
21 is as similar to what we are used to as we  
22 can. The reason I say that is that many of

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

1 our document review processes don't follow  
2 quite this. You know, they have evolved other  
3 standard practices that are sort of built in.

4 And I want to make sure that we are together  
5 on that, that this is going to look pretty  
6 similar. I don't know that it is going to be  
7 exactly the same, but I would hope that it is  
8 fairly similar.

9 I really have to go find out. I am  
10 not exactly sure what the capability is. For  
11 instance, can an access front end just be  
12 brought over and masked and used in that. I  
13 don't know if it can or not.

14 MR. KATZ: Well, I will probably  
15 poll the board members then at the Amarillo  
16 meeting to see if everybody is ready to come  
17 online at that point so that you will have  
18 that heads up.

19 MR. HINNEFELD: Okay.

20 CHAIR MUNN: It seems that would be  
21 an excellent juncture for this group to give a  
22 little thought to whether or not we are

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

1 comfortable with our current filtering and  
2 sorting system. I certainly have found it to  
3 be useful, but from time to time we have had  
4 some questions about whether or not we can  
5 filter some way other than what we are doing.

6 I would suggest that certainly for any  
7 members of this particular subcommittee, if  
8 you have any thoughts or concerns with respect  
9 to how we filter and sort, it would be very  
10 wise to get that information to Stu certainly.

11 Right?

12 MR. HINNEFELD: Yes, best in  
13 writing because if you tell me, I will not be  
14 able to reproduce it faithfully for our TST  
15 people.

16 CHAIR MUNN: Yes. So we are right  
17 on the cusp of a change of process here. At  
18 least a change of behind the scenes process.  
19 So anyone who has any grief with what we have  
20 been doing in the past relative to filtering  
21 and sorting, please do get your concerns in  
22 writing to Stu at the earliest possible

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

1 moment.

2 MR. MARSCHKE: I was just going to  
3 expand upon that a little bit, Wanda, and  
4 suggest that there are several other updates  
5 that we have kind of put on hold. Like one of  
6 them was to associate a little text, a  
7 description field with each of the finding  
8 dates so that we can find what these dates  
9 were really representative. And we have kind  
10 of put that on hold. And there is Mark's  
11 suggestion about expanding in the field. So  
12 there are a few other updates to the database  
13 that we may want to collect all these  
14 suggestions and then present them to NIOSH or  
15 whoever is going to be doing the SQL  
16 programming to kind of upgrade or make a  
17 general upgrade to the database.

18 CHAIR MUNN: That is a good  
19 suggestion, Steve. And in light of the  
20 discussion that we have just had with John  
21 relative to keeping track of his previous  
22 contract, as opposed to this contract, that

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

1 kind of notation would be very helpful.

2 MR. MARSCHKE: We could add that  
3 feature to the database as well.

4 CHAIR MUNN: Right.

5 MEMBER ZIEMER: Steve, you are  
6 talking about here just information on, for  
7 example, what procedures were reviewed or the  
8 findings represent what procedures.

9 MR. MARSCHKE: Right.

10 MEMBER ZIEMER: For example, the  
11 9/20/2007, that covered the following  
12 procedures or something like that.

13 MR. MARSCHKE: Right. Or this one  
14 was the first set of general procedures or the  
15 second set. This one was, I think, OTIB-52.  
16 This one was --

17 MEMBER ZIEMER: Whatever defining  
18 characteristic you have --

19 MR. MARSCHKE: Yes, so we know --  
20 right now we have got a bunch of numbers and  
21 dates up there --

22 MEMBER ZIEMER: Yes.

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

1 MR. MARSCHKE: -- and it is hard to  
2 keep track of what they are.

3 CHAIR MUNN: So we wanted a column  
4 that indicate this is set one, set two,  
5 individual, individual, that type of  
6 designation.

7 MEMBER ZIEMER: Right.

8 MR. KATZ: Does it make sense if we  
9 have, I don't know if it is Steve or Kathy  
10 Behling, but we have an SC&A point of contact  
11 to work with the software folks?

12 MR. HINNEFELD: Well, I think if we  
13 were to work with software folks, we would  
14 work with --

15 MR. KATZ: Steve?

16 MR. HINNEFELD: -- Steve or your  
17 programmer guy. I can't think of his name  
18 now.

19 MR. MARSCHKE: Don Loomis.

20 MR. HINNEFELD: Loomis, yes. And I  
21 know, I think there has been some contact  
22 between -- I don't know specifically about

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

1 this but it has been a while, I think. But I  
2 think they did talk once or twice about some  
3 stuff.

4 MR. KATZ: So I think if we hook  
5 them up, we can make sure that --

6 MR. HINNEFELD: I'll make entry to  
7 Steve and let Steve arrange it on their side,  
8 if that needs to be done. But my first task  
9 is to go back to our TST and get a better  
10 understanding of really timetable and what --  
11 is this really going to look like what we  
12 think. You know, is this going to be what we  
13 think. So I may need to get with the  
14 developer and actually do some more building  
15 there. I don't know what I have to do.

16 CHAIR MUNN: So, again, I emphasize  
17 if Stu is going to do this, he needs written  
18 comments from anyone who wishes to see any  
19 additional information or any change in  
20 process. So if you and I do not take it upon  
21 ourselves individually to submit that  
22 information, then a change is not likely to

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

1 occur.

2 MR. KATZ: I was just going to say,  
3 I think it would probably be best to do that  
4 all through Steve so that really their  
5 computer people have just one person providing  
6 all of the sort of design information, as  
7 opposed to --

8 MR. HINNEFELD: You can send it to  
9 both of us. I would just suggest sending it  
10 to both of us, and we will work it out.

11 CHAIR MUNN: All right, it goes to  
12 Stu and to Steve. Thank you. Anything else  
13 on the tracking system before we leave it?

14 MEMBER ZIEMER: Well the only other  
15 comment, I would make the comment that it  
16 might be that in working along with something,  
17 you know, I get the bright idea that I would  
18 like them to be able to sort on some obscure  
19 thing that may occur so rarely that it is not  
20 worth the time and effort doing.

21 I would not -- I think it might not  
22 be good for us as individuals to be tasking

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701



1 those kinds of things. I mean, I would like  
2 to make sure they cleared through the chair of  
3 the subcommittee.

4 CHAIR MUNN: I would like to make  
5 sure --

6 MEMBER ZIEMER: If I say I would  
7 like you to be able to sort on, I don't know,  
8 some parameter which you could do with a lot  
9 of effort and which might only need to be done  
10 or the sort may occur so rarely, it is just  
11 not worth the time and effort. I have the  
12 feeling as we have progressed here and we have  
13 looked at a lot of kinds of sorts, we have  
14 probably covered 99.9 percent of how you would  
15 use the database.

16 Now things like expanding the text,  
17 I think that is a great idea. It would be  
18 very helpful. So as your cursor hits a line,  
19 that text blows up. I know it can be done  
20 because I see it all the time on other  
21 applications. Your cursor hits a line, and  
22 the full paragraph expands.

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

1           But anyway, but otherwise, just to  
2 sort of at my whim or Mike's or Mark's or  
3 whatever, well, you heard what I said. That  
4 is my feeling on it.

5           CHAIR MUNN:     I think you are  
6 absolutely correct. And I am not suggesting  
7 that they act on them once they get them. I  
8 had assumed that the suggestions would then  
9 come back to us in this group and that  
10 Procedures Subcommittee would review those.

11          MEMBER ZIEMER:   Or Steve could say,  
12 this is really easy to do and we will do it or  
13 tell you that. Or this is going to be a major  
14 effort, so do you really want to do it.

15          MR. MARSCHKE:   I think when we are  
16 converting to SQL; it gives us an opportunity  
17 to make a general upgrade. And so we can come  
18 up with a laundry list at this particular  
19 point in time and go through and do it now.  
20 After we get done with this general upgrade,  
21 if we get trickling in, little requests  
22 trickling in, then we will table them and

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

1 bring them to the meeting and present them to  
2 the subcommittee and get their opinion or  
3 blessings before we do anything. How does  
4 that sound?

5 CHAIR MUNN: Probably reasonable.

6 MR. MARSCHKE: And even the general  
7 upgrade, I think, before we start it, we  
8 should probably, if we collect a list, we will  
9 get it and we will basically present it to the  
10 subcommittee and get the okay before we go off  
11 and start implementing it.

12 CHAIR MUNN: Actually, the intent  
13 of my original comment was precisely that,  
14 regardless of how inarticulately it was  
15 presented.

16 MS. ADAMS: Wanda, this is Nancy.  
17 I have also created a list that actually I  
18 have shared with the folks in the NIOSH  
19 computer groups of things that, from a  
20 reporting perspective that I thought the  
21 subcommittee and the board might be interested  
22 in having.

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

1                   CHAIR MUNN:     That would be very  
2 nice if you would share that with us when you  
3 have an opportunity, Nancy.   Certainly before  
4 we make any actual changes, we would like to  
5 see that.   And perhaps you will be able to be  
6 with us at our next meeting and provide that  
7 to us prior to that time.

8                   We also need to bear in mind,  
9 especially with issues like the expansion of  
10 the text, that our ultimate purpose in  
11 maintaining this database is to have a  
12 reliable archive.   So text expansion needs to  
13 be a high priority for us.

14                  Anything else?   If not, then let's  
15 move over to our CATI discussions and begin  
16 those.   We are a little disjointed with  
17 respect to where we are with the CATIs.

18                  I have one question for Mark before  
19 we go forward.   Mark, at our last meeting when  
20 we carried on without you, you had provided a  
21 number of questions and concerns that you had  
22 relative to the EE forms but had not seen

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

1 anything from you with respect to survivor  
2 forms, I believe. Do you have any specifics  
3 that you want considered today on that  
4 survivor form or shall we continue down our  
5 road focusing more closely on the EE form?

6 MEMBER GRIFFON: Wanda, I don't  
7 have any more specifics right with me, but I  
8 think a lot of them -- some overlap, anyway.

9 CHAIR MUNN: Yes, a great many of  
10 them.

11 MEMBER GRIFFON: It would be  
12 applicable to both, but I need to go through  
13 the survivor form the way I did the other one.

14 CHAIR MUNN: Good. Okay, just  
15 wanted to make sure you didn't have something  
16 in hand or some major concern that we were  
17 missing.

18 All right. If it is amenable to  
19 the group, I would like to ask Stu to give us  
20 the information that he has already provided  
21 us. I would like to go through those items  
22 one at a time with response to the issues that

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

1 have already been raised to see if we can come  
2 to an agreement on some of those points. Stu,  
3 do you have some preference as to how to  
4 address this?

5 MR. HINNEFELD: No. No, I don't  
6 have any preference.

7 CHAIR MUNN: Then I will leave it  
8 to your discretion. My thought was that we  
9 would start with the letter itself to see if  
10 there was any concern with respect to that  
11 letter and the single correction that was  
12 intended there.

13 MR. HINNEFELD: Now when you say  
14 letter, are you talking about the letter that  
15 was, the cover letter that provides the blank  
16 CATI interview form, essentially, to the  
17 claimant? Is that the letter?

18 CHAIR MUNN: This letter, yes.

19 MR. HINNEFELD: Can I look at it  
20 real quick?

21 CHAIR MUNN: Yes.

22 MR. HINNEFELD: I can't read it

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

1 from far that away, no.

2 DR. MAKHIJANI: It is on the  
3 screen.

4 MR. HINNEFELD: Okay, good. Okay,  
5 on that letter.

6 CHAIR MUNN: Entitled "ORAU Team  
7 Dose Reconstruction Project for NIOSH."

8 MR. HINNEFELD: Well, I have --

9 CHAIR MUNN: It starts with a  
10 tracking number.

11 MR. HINNEFELD: Yes. I have  
12 submitted a letter to the subcommittee  
13 members. Let's see.

14 MEMBER ZIEMER: I think it is  
15 called proposed revision May 1 '09. Is that  
16 the one?

17 MR. HINNEFELD: It would be CATI --

18 MEMBER ZIEMER: CATI Letter.

19 MR. HINNEFELD: CATI Letter  
20 Proposed Revision May 01. I sent that to --

21 MEMBER ZIEMER: That's it right  
22 there.

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

1 MR. HINNEFELD: So the idea here is  
2 to compare this to the previous version, which  
3 was the previous one on the screen there. I  
4 think that we have revised, we are proposing  
5 to revise this letter to incorporate some of  
6 the, a number of the comments, at least as I  
7 took notes from the last meeting, that should  
8 be addressed in this letter, in the tone of  
9 the letter. In particular, it was additional  
10 emphasis on the fact that the interview is  
11 voluntary and that if they don't want to  
12 participate or if they cannot provide, they  
13 cannot answer the questions or don't feel like  
14 they can provide much information, to provide  
15 some reassurance to the claimant that that is  
16 okay, we can still do an appropriate dose  
17 reconstruction anyway. So that is sort of the  
18 nature of how we tried to revise this cover  
19 letter.

20 Like I said, this is proposed.  
21 This has not been put into effect yet. But we  
22 felt those comments were certainly well

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701



1       founded, and we didn't want to introduce that  
2       additional level of stress into a claimant to  
3       say that if I mess this up or if I don't know  
4       the answers, then everything is going to go  
5       badly for me and they won't know what to do.  
6       So that was the intention of it.

7                   Now with respect to specific  
8       passages, we didn't really start with one  
9       letter and mark things out and so on. We  
10      wrote another letter that tried to accomplish  
11      what we wanted to accomplish. And so there is  
12      not really a markup version to go look at.  
13      This is what we have to look at.

14                   So I realize I only just provided  
15      anything in the last couple of days. I  
16      suspect people may want to look at this. But  
17      I have also provided, I sent the previous  
18      version as well so that at their convenience,  
19      people could look at these two side-by-side,  
20      see the changes, and particularly what I  
21      consider the change in the tone, about sort of  
22      this, there was this sort of urgency in the

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

1 earlier part that kind of imparted a lot of,  
2 you know, felt like a lot of responsibility on  
3 the claimant that we didn't really intend or  
4 at least we don't intend. And so that is why,  
5 you know, so it is written with that in mind.

6 So other than that, I don't know how to cover  
7 this one.

8 CHAIR MUNN: Now the rereading --  
9 the removal of that last sentence in the first  
10 paragraph of the original letter makes a great  
11 deal of difference in the tone of the entire  
12 letter. And the additional emphasis on the  
13 voluntary nature of the interview seems very  
14 helpful. Does anyone have any concern with  
15 the new wording, or do you need some time to  
16 look it over?

17 MEMBER ZIEMER: Is what we saw in  
18 the letterhead right there different from your  
19 -- I mean --

20 MR. MARSCHKE: I can't get them  
21 side-by-side.

22 MEMBER ZIEMER: Okay, but the one

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

1 on the letterhead looks different than the  
2 letterhead copy I have. For example, oh,  
3 there. There are two -- see, those two are  
4 different. See that one that says Oak Ridge,  
5 request -- okay, wait a minute.

6 MR. HINNEFELD: Well there is no  
7 letterhead on the proposed change.

8 MEMBER ZIEMER: No. I see that.  
9 But this first one or this one right here says  
10 in the second line, ORAU is the contractor  
11 assisting NIH and NIOSH. The other letterhead  
12 one doesn't have that phrase in it. I'm  
13 looking at it right here. I think it is good  
14 to have it in. But you must have two versions  
15 with letterheads up, Steve. Do you have two?

16 CHAIR MUNN: Well, one --

17 MR. MARSCHKE: This one doesn't  
18 have a letterhead.

19 MEMBER ZIEMER: No, no. Do you  
20 just have two things open?

21 CHAIR MUNN: No, one of them is an  
22 EE and one of them is a survivor letter.

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

1 MR. MARSCHKE: The only ones I have  
2 open are the scripts.

3 CHAIR MUNN: Yes.

4 MEMBER ZIEMER: Okay, I am looking  
5 at a letterhead, the letterhead CATI letter  
6 for EE. Okay, that does say ORAU is the  
7 contractor assisting. So, that is the right  
8 one. Okay, I just wanted to make sure I am  
9 matching that. That is good.

10 MR. MARSCHKE: I see it now.

11 MEMBER ZIEMER: Okay maybe I read  
12 that wrong. But I am good. Go ahead. I've  
13 got the right one.

14 CHAIR MUNN: Mark, do you have any  
15 comment with respect to the letter as  
16 proposed?

17 MEMBER GRIFFON: Just saw the  
18 document. So, you know, I don't really have  
19 any comment to this. It is a little difficult  
20 to, I guess, for me to comment on a letter  
21 regarding a questionnaire that I still have  
22 outstanding issues with. So, I mean, it seems

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

1 like it is, I don't know. But other than  
2 that, I mean, I don't have -- I think the idea  
3 of putting voluntary in there is okay. That  
4 is fine.

5 CHAIR MUNN: Would you like us to  
6 set this letter discussion aside for a moment  
7 and address your issues?

8 MEMBER GRIFFON: Well maybe that  
9 would be -- yes, I don't -- yes, maybe that  
10 would be better.

11 CHAIR MUNN: That is simple enough  
12 to do. Let's set this aside for the moment  
13 and begin our discussion addressing Mark's  
14 issue.

15 Mark, I am sorry that you weren't  
16 with us the last time we met because we  
17 encountered several minor issues inside your  
18 stated issues that we were at a loss to  
19 resolve without your input. Would you like to  
20 --

21 MEMBER GRIFFON: I'm sorry I wasn't  
22 there, too. I was in a non-disclosed

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

1 location, unfortunately.

2 CHAIR MUNN: Yes, we were aware of  
3 what was going on. And when the man says go,  
4 we wouldn't have you do anything other than  
5 go.

6 MEMBER GRIFFON: All right.

7 CHAIR MUNN: It would be helpful  
8 for us then if you would -- have you had any  
9 feedback at all with respect to the  
10 deliberations that were undertaken in your  
11 absence?

12 MEMBER GRIFFON: No, no. Maybe, I  
13 mean, maybe you can summarize where things  
14 stand or summarize the discussion from last  
15 time, if you can recall.

16 CHAIR MUNN: It would be difficult  
17 to summarize because you had some very  
18 specific information there. We did go through  
19 the material, the questionnaires that we had  
20 before us and had a considerable amount of  
21 discussion relative to the wording of many of  
22 the questions. And I think, in most cases, we

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

(202) 234-4433

[www.nealrgross.com](http://www.nealrgross.com)

1 were wordsmithing material that was not as  
2 pertinent as your questions were.

3 I think at that time Paul had made  
4 a statement which appeared to me to cover the  
5 issues quite well with respect to wording of  
6 the questions when he said, "Despite how the  
7 question is worded, the bottom line really is  
8 whether we are getting the information that we  
9 need when we ask these questions." There was  
10 never a universal response to that but that is  
11 in fact the question that was proposed.

12 My attempting to summarize for you  
13 what was essentially about a three hour  
14 discussion centering around that issue and the  
15 questions that you had raised, would probably  
16 fall very short of the reality of where we  
17 were.

18 Perhaps the smartest thing to do is  
19 for us to address your questions again, now  
20 that you are here. And if you want to propose  
21 those questions, then one of the principles  
22 who is involved in the discussion perhaps can

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

1 bring you up to speed on that question. Would  
2 that be a feasible way to approach this?

3 MEMBER GRIFFON: Yes, that is fine,  
4 Wanda.

5 CHAIR MUNN: Why don't you just --  
6 why don't we do that. I need to try to get  
7 back to what your questions were. And having  
8 lost a great deal of my personal database on  
9 my computer since that time, I may not be  
10 doing a very good job. But you certainly must  
11 have those questions in front of you and you  
12 may also have -- you have Stu's information  
13 with respect to some of the responses that  
14 were made to the CATI questions themselves. I  
15 don't know whether you have had an opportunity  
16 to go through those.

17 MEMBER GRIFFON: Well, I'm not sure  
18 what -- I have these two sample questionnaires  
19 that Stu sent. Is that what you are referring  
20 to or is there other information?

21 CHAIR MUNN: No, he sent action  
22 items from this meeting, which included

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701



1 responses to much of the discussion that went  
2 on relative to the wording of the questions.

3 MEMBER GRIFFON: Okay, I just found  
4 it. I did just find that document. So yes, I  
5 have that pulled up. Okay.

6 CHAIR MUNN: If you have that, then  
7 that may address some of the questions that  
8 you had. But there is also a document that  
9 has been provided specifically responding to  
10 your comments on the CATI letter. That is  
11 dated May first.

12 MEMBER GRIFFON: Yes.

13 CHAIR MUNN: Have you had an  
14 opportunity to absorb any of those?

15 MEMBER GRIFFON: Response to Mark  
16 G. comment on CATI letter.

17 CHAIR MUNN: Right.

18 MEMBER GRIFFON: I have it pulled  
19 up. I mean, it is only one page so I guess I  
20 can look at it.

21 MEMBER GRIFFON: Yes, I mean, Stu's  
22 or NIOSH's response basically is that the new

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

1 questionnaire proposed has the expanded work  
2 history section. Right? Is that basically  
3 it, Stu, and that that would cover --?

4 MR. HINNEFELD: Yes, the work  
5 history form accommodates as much work history  
6 as the person has. You know, it is the CATI  
7 interview process is, you know, we show a  
8 static picture of, when we distribute the  
9 picture of the interview form, we show you the  
10 static picture. But it is entered, you know,  
11 the CATI information is entered directly onto  
12 a computer in a computer application. And so  
13 the fields expand to accept, you know,  
14 everything that, you know, all of information  
15 that is provided.

16 MEMBER GRIFFON: And those would go  
17 into -- where would those print? I mean,  
18 those would end up in like comment sections or  
19 --

20 MR. HINNEFELD: There are a couple  
21 places they could be. I mean, it depends on  
22 what they are saying.

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

1 MEMBER GRIFFON: Yes.

2 MR. HINNEFELD: If what they say  
3 kind of fits in line with the question of, you  
4 know, that is on the form, then it would go  
5 there and if there is additional information,  
6 that would go in the comment section. You  
7 know, if the interviewer feels like it is  
8 additional information but it is not exactly  
9 responsive but it is additional information,  
10 so it would go in like a comment section.

11 MEMBER GRIFFON: Right. Right.  
12 Right.

13 CHAIR MUNN: The additional  
14 information that we received recently included  
15 two completed CATI interviews. Did you  
16 receive that?

17 MEMBER GRIFFON: Yes. Yes, and --

18 CHAIR MUNN: It is a good  
19 demonstration of how expansive the comment  
20 section can be.

21 MEMBER GRIFFON: It is a great  
22 demonstration and actually I would propose to

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

1 hire Heather because I have never seen this  
2 many comments in the current questionnaires  
3 that we did. But I have never seen, you know,  
4 I mean, those who have been involved in the DR  
5 reviews, I have looked at a lot of cases and I  
6 never recall seeing anywhere near -- now maybe  
7 with this new form, it will give the  
8 opportunity to have this, you know, more  
9 expanded information. Stu, is that what you  
10 are trying to get at?

11 MR. HINNEFELD: I think the form  
12 has always expanded in that fashion. I think  
13 that the comments, you know, certain  
14 interviewees are very expansive and so they  
15 end up with a lot of comments and other  
16 interviewees are not.

17 I, to be honest with you, don't see  
18 any more, very few more dose reconstructions  
19 than the dose reconstruction subcommittee  
20 does. I just, it is not part of the role I  
21 play.

22 MEMBER GRIFFON: Right, right,

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

1 right.

2 MR. HINNEFELD: So I don't really  
3 have a real clear view. I know I have seen  
4 some CATIs with essentially no comments and I  
5 have seen some CATIs that I thought had really  
6 nice information, good information to know in  
7 the comment field. But I don't really have a  
8 kind of a meter, a metric of what I would  
9 expect in the comments field.

10 MEMBER GRIFFON: Yes, I mean, I,  
11 too, have only seen the ones on our  
12 subcommittee. But like I have said, I have  
13 never seen this level of comments added. And  
14 I guess, you know, the notion is that our, I  
15 mean, I guess the proof is in the pudding, you  
16 know, that kind of thing. If they are  
17 capturing all of this additional information  
18 that is very important, that is different than  
19 if it is just, you know, check boxes and any  
20 additional information is kind of, you know,  
21 it is sort of up to the phone interviewers to  
22 decide is this important enough to expand my

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

1 field and take it down or is it, you know, not  
2 important enough or not relevant to dose  
3 reconstruction, that sort of thing.

4 And my sense from the cases that I  
5 have looked at anyway, I mean a couple  
6 hundred, not, maybe 150 total, you know, is  
7 that I see very sparse, you know, once in a  
8 while they will mention an incident or two.  
9 And that is about it, as far as the comment  
10 section goes.

11 MR. HINNEFELD: Well, I think --

12 MEMBER GRIFFON: They might mention  
13 another cancer that wasn't included on their  
14 thing and they don't know why. But beyond  
15 that, I have never seen this kind of expanding  
16 comments.

17 MR. HINNEFELD: Well, Pat Kraps, I  
18 believe, is on the phone. She is a team  
19 leader for ORAU's interview personnel. I  
20 don't know, Pat, did you have anything you  
21 wanted to offer about how the interviewers  
22 conduct that portion of it and collect the

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

1 comments on the CATI?

2 MS. KRAPS: We essentially report  
3 anything the claimant would like to provide to  
4 us during the questioning process, as we are  
5 going through the script.

6 So, you know, if the claimant gives  
7 us a lot of detail, there is going to be a lot  
8 of detail. If the claimant does not give us a  
9 lot of detail, then we can only, naturally,  
10 record what they have provided to us.

11 So, some CATIs will be much greater  
12 in detail than others, obviously, you know,  
13 depending upon the history of the claimant  
14 themselves, whether it be an EE or a survivor.

15 MEMBER GRIFFON: And when you say  
16 record, I mean, these aren't recorded. You  
17 mean write down or logged down.

18 MS. KRAPS: Yes, which is -- we use  
19 a computer program. That is what CATI stands  
20 for, is a computer aided telephone interview.

21 MEMBER GRIFFON: Right.

22 MS. KRAPS: So when I use the term

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

1 "recorded," I am merely reflecting that we are  
2 typing every single response that they give us  
3 and we put it into the appropriate section.

4 MEMBER GRIFFON: Okay.

5 CHAIR MUNN: So, that being said --

6 MS. BEHLING: Wanda, this is Kathy  
7 Behling. I just wanted to make a comment here  
8 also because I am looking at these comments.  
9 And from the CATI reports that I have looked  
10 at, I do agree I have never seen this level of  
11 detail. And I think it is one of the issues  
12 that I seem to bring up all the time. And  
13 that is the fact that we often don't know  
14 where these workers work and sometimes you  
15 will just, they will give you three different  
16 job descriptions and you don't know what time  
17 period those job descriptions covered.

18 And what I am seeing in these  
19 comment sections, this comment section, is  
20 something much more expansive than I have seen  
21 before. And it would be very nice to have  
22 this level of detail in the other cases that

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701



1 we have looked at.

2 MR. HINNEFELD: Well Kathy,  
3 understand we can only put the level of detail  
4 that the interviewee tells us.

5 MEMBER GRIFFON: Well maybe I can  
6 rephrase that question. I think it would be  
7 useful for, I mean, these hypotheticals are, I  
8 guess, useful to look at in terms of  
9 considering the questionnaire. But can we get  
10 just an example of the range, maybe five  
11 different, you know, you guys can go through  
12 and give me five and show me one that has this  
13 level of detail? And then I will get off this  
14 soap box?

15 CHAIR MUNN: Well, Mark --

16 MS. BEHLING: When you are actually  
17 dealing with the Energy employee and he tells  
18 you that he had three different job functions,  
19 does it get asked, when did you work in this  
20 particular job function as opposed to the next  
21 job function?

22 Right now, I am putting together

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

1 some data for the Fernald SEC work and one of  
2 the things I see often is the individual will  
3 write down job descriptions from various  
4 different activities and job activities.  
5 However, there is nothing that lets me know  
6 when those -- what job period, or what  
7 employment period covers what job function.  
8 And that is what I am impressed with on this  
9 particular example.

10 CHAIR MUNN: We discussed these  
11 concerns at considerable length in our last  
12 meeting. This was true with respect to the  
13 job title and the type of work, as well as the  
14 supervisor's name and the buildings and  
15 locations we worked in.

16 We all agreed that if you are  
17 talking to an employee who was in that job for  
18 only one or two years, they can probably tell  
19 you what their job descriptions, what their  
20 titles were, and some of them may even  
21 remember who their supervisors were. But if  
22 you have done what many of these individuals

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

1 have done, who even though they were  
2 specifically a carpenter or a pipefitter, or  
3 had some title of that sort, they have worked  
4 in so many different kinds of jobs, in so many  
5 different types -- you know, I have a hard  
6 time telling people where I lived during any  
7 particular year, even though I have not moved  
8 around the countryside very much.

9 So, if you have an employee, which  
10 is often the case from what I have seen, that  
11 has worked 20 or 25 years and is now retired  
12 and has an infinite number of jobs that he or  
13 she has performed, telling people when they  
14 performed those jobs is a gargantuan task.

15 We have to be realistic with  
16 respect to what we can expect from the  
17 claimants themselves. If they are unable to  
18 give us the information and if we ask them  
19 that information, the question that we had  
20 earlier when we were talking about it, is  
21 whether or not this is even a capable thing  
22 for the ordinary claimant.

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

1                   MR. HINNEFELD: Yes, another thing  
2 I would be curious about Kathy, are there  
3 instances when in that situation where the  
4 dose reconstruction didn't sufficiently  
5 address the uncertainty in particular, in  
6 different job titles?

7                   If there is a situation like that  
8 where a person has moved around or has had  
9 several jobs or in several locations, the dose  
10 reconstructions that I have seen and, like I  
11 said, I don't see that many, but as a general  
12 rule, if you don't know what years they worked  
13 in what places, you generally -- and it makes  
14 a difference. You know, if they have got an  
15 exposure record, it may or may not make a  
16 difference, depending upon whether there are  
17 location-specific adjustments you have to make  
18 to the exposure record. If it makes a  
19 difference, aren't they placed in the position  
20 and in the spectrum that gives them  
21 essentially the highest risk factor in the  
22 dose reconstruction pretty consistently,

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

1 unless there is evidence?

2 For instance, some radiation  
3 exposure records, some bioassay records placed  
4 the person in their work location. I mean,  
5 the record itself says they worked in the one  
6 hundred area or whatever building. So  
7 sometimes there is additional evidence to  
8 place them. And so, you would have that  
9 evidence, aside from the interview. And if  
10 there is not that evidence, the ones I have  
11 seen pretty consistently say if you don't  
12 know, we are going to pick the one that, and  
13 if it makes a difference, we will choose the  
14 one that provides the highest risk factor to  
15 the worker.

16 I mean, there is a number of things  
17 to consider here about exact -- you know,  
18 other than just how precise the information  
19 you are going to ask the person for, how many  
20 times is it going to really matter.

21 CHAIR MUNN: Are we getting the  
22 information we need if we ask that question?

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

1 Paul.

2 MEMBER ZIEMER: It is not clear to  
3 me at this point what the issue really is. Is  
4 the issue the fact that the form that goes to  
5 the claimant looks very different from a  
6 completed computer-generated CATI interview?  
7 I think there was concern initially that the  
8 form, it looked too simple. Like it wouldn't  
9 cover all of the jobs or this or that.

10 But the form that they get is sort  
11 of, as Stu described it, a static picture. It  
12 simply gives them an indication of the types  
13 of questions that will be asked. But it does,  
14 in fact, look quite different than the detail  
15 on a completed form. But it is not clear to  
16 me if our initial charge is to determine  
17 whether or not the things sent to the worker,  
18 sent by mail, I guess, and as approved by OMB,  
19 do we need to change that in some way. Isn't  
20 that what we are looking at?

21 Are we recommending changes in what  
22 is sent out? Isn't that the issue?

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

1 MR. HINNEFELD: Well, I mean, there  
2 are a number of things here.

3 This started with a review of the  
4 CATI process. And within the CATI process,  
5 there were a number of findings related to the  
6 CATI itself, the questions on the CATI. And  
7 so the issue is in this subcommittee  
8 essentially because of that. It started as a  
9 review of the CATI procedure and then  
10 associated with that, there were these  
11 findings.

12 During this discussion, you know,  
13 there has been an issue that it is an OMB  
14 approved form. If you are going to get  
15 information for more than nine people, you  
16 have got to get OMB approval of your vehicle.

17 And so it is in that arena. So, I guess,  
18 it's wrapped into it. But we recently renewed  
19 it and we started this conversation thinking  
20 it might be timely at renewal to issue an  
21 alternative. So, the discussion kind of went  
22 longer.

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

1           And so we said well, we will just  
2 renew the one we have because we can change  
3 it. We don't have to wait until the next  
4 renewal date to change the form if we want to  
5 change it. We just have to submit it and get  
6 approval of the revised form. So, we are  
7 proceeding on that path now. So, I mean, that  
8 is where it is.

9           MEMBER GRIFFON: Well we did, Stu  
10 this is Mark, if I can interject. We did,  
11 Paul, talk about two sets of different -- you  
12 are right, in a sense, because we talked about  
13 trying to separate these things into questions  
14 or concerns about the process and questions or  
15 concerns about the form and the letter.

16           MR. HINNEFELD: Right.

17           MEMBER GRIFFON: And my comments  
18 that I sent to Wanda for that last meeting  
19 were focused on just the letter and the form  
20 that is attached to the letter.

21           MEMBER ZIEMER: Right. And that is  
22 what I was trying to pin down.

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701



1                   MEMBER GRIFFON:    Yes, so if you  
2                   want to do that first and then maybe talk  
3                   about the process stuff.  But that might be a  
4                   way to proceed.

5                   MEMBER ZIEMER:    Well, originally,  
6                   we were sort of under pressure to recommend to  
7                   the board some changes so that the OMB thing  
8                   could be taken care of.  For example, we have  
9                   that issue about asking them if there were  
10                  other coworkers who could verify their work  
11                  and so on.  And we found out that that was  
12                  never used and, therefore, we said why ask  
13                  that question, since it is not a piece of  
14                  information that is ever used and that sort of  
15                  thing.

16                  So, it wasn't clear to me, as we  
17                  got to talking about the detail on the  
18                  computer-generated response, whether we were  
19                  saying that we want the claimants to see what  
20                  a real response looks like, versus the  
21                  original form.  It seemed to me that the  
22                  original form, which is much simpler looking,

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

1 would be more useful for the recipients, as a  
2 means of indicating to them the types of  
3 questions that would be asked.

4 MEMBER GRIFFON: Yes.

5 MEMBER ZIEMER: The fact that the  
6 fields can be expanded in much more detail can  
7 be generated, I think is not that critical at  
8 that point to the recipients, as long as they  
9 sort of know what to expect and also not to  
10 ask questions for soliciting information that  
11 will never be used.

12 MEMBER GRIFFON: Well, that is a  
13 separate comment on my, you know, the coworker  
14 question is another question but if I can  
15 stick to the one that NIOSH gave a response  
16 on.

17 I am still, the example CATIs you  
18 sent out, Stu, those are from the current  
19 CATI. Correct? They are not from the new  
20 proposed --

21 MR. HINNEFELD: That is correct.

22 The new proposed form is proposed. It has not

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

1       been used at all.

2                   MEMBER GRIFFON:   So the new form of  
3       the questionnaire has more, if I recall, has  
4       more extensive fields for collecting job  
5       information by, you know, I mean, you look at  
6       your exposure information for each job over  
7       time. I mean, it is broken out more on the  
8       questionnaire, the new proposal, if I am  
9       getting this right.

10                  MR. HINNEFELD:   Boy, I am trying to  
11       recall.

12                  MEMBER GRIFFON:   I know. I know  
13       and I can't find my copies of the new draft  
14       questionnaires, the blank questionnaires.

15                  MEMBER ZIEMER:   There is one called  
16       CATI Letter in Form EE, all Changes and  
17       Deletions, --

18                  MEMBER GRIFFON:   Yes, that is the  
19       one. Yes.

20                  MEMBER ZIEMER:   -- which I think is  
21       the proposal from NIOSH.

22                  MEMBER GRIFFON:   That is the one I

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

1 was commenting from. Yes. Thank you, Paul.

2 MEMBER ZIEMER: And it had some  
3 things highlighted in yellow. And it has some  
4 deletions indicated in red.

5 MEMBER GRIFFON: Right. So for  
6 example, even in that current version, you  
7 know, employment, number one, what jobs, blah,  
8 blah, blah, you asked for facility and job and  
9 start and end date for each job, which is what  
10 Kathy was kind of eluding to.

11 MEMBER ZIEMER: Right. That is --

12 MEMBER GRIFFON: And then you also  
13 have a column for supervisors' name. So you  
14 know, that goes into my first question, which  
15 is if you are going to ask for supervisors'  
16 names, you sort of deleted the section on  
17 coworkers but you are still asking for  
18 supervisors' names, why ask for it if you are  
19 not going to use it. And I would argue why  
20 delete it. Is it just to be expedient? I  
21 mean, you are not using it when --

22 MEMBER ZIEMER: Is it ever used?

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

1                   MEMBER GRIFFON:   Maybe you should  
2                   be.

3                   CHAIR MUNN:     Well this is one of  
4                   those things that we discussed with respect to  
5                   the fact that very few people can remember who  
6                   their supervisor was 25 years ago.

7                   And it was suggested that if we are  
8                   going to use it, it should include a  
9                   parenthetical, "if known" statement.

10                  MEMBER GRIFFON:   Yes, "if known" is  
11                  fine.     I mean, my experience, I have  
12                  interviewed hundreds of workers and I think it  
13                  varies greatly.   I mean, I have got some  
14                  people I interviewed that were at sites for 40  
15                  years and they, you know, they would come to  
16                  the interviews with a listing in a written out  
17                  form of every job they had, detailed dates of  
18                  when they started and stopped and they would  
19                  have their supervisors' names.   They have  
20                  incredible memories.   But then you are right,  
21                  Wanda, it ranges all the way to the other end  
22                  where they can't really remember those times

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

1 or supervisor information at all.

2 So, I think "if known" would be  
3 good but I think some people do know it and it  
4 could be valuable.

5 CHAIR MUNN: So would you be  
6 comfortable with "supervisor's name, if known;  
7 job title, if known?"

8 MEMBER GRIFFON: Yes. I mean, you  
9 know, or some clause in the introductory  
10 question, you know, complete fields to the  
11 best of your memory or whatever. That is  
12 fine.

13 MEMBER ZIEMER: Yes, because even  
14 the dates might have caveats.

15 MEMBER GRIFFON: Right, exactly.  
16 Because I found oftentimes, they don't know  
17 month and year. They can give me year  
18 ballparks but not --

19 CHAIR MUNN: That would be most  
20 common.

21 MEMBER GRIFFON: Right.

22 CHAIR MUNN: And Arjun is chomping

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

1 at the bit to say something here.

2 DR. MAKHIJANI: No, I am never  
3 chomping at the bit. I'm calm.

4 CHAIR MUNN: There is no bit.

5 DR. MAKHIJANI: The proposed  
6 questionnaire in section seven of the proposed  
7 questionnaire, question seven, there is a new  
8 proposed addition "time period worked." So, I  
9 think the issue that we were talking about  
10 earlier actually proposed to be addressed in  
11 the new questionnaire, further down from where  
12 we are looking at.

13 CHAIR MUNN: Down at question eight  
14 or something.

15 DR. MAKHIJANI: And I would just  
16 suggest that perhaps the job title question be  
17 addressed there. Where it says duties, it  
18 could just say "duty/job title" and that might  
19 kind of -- you have already got building  
20 location. So I think that pretty much would  
21 cover all of the possible issues that might  
22 enter into a dose reconstruction. For

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

1 instance, if you are using air monitoring data  
2 or something, which is the only case that I  
3 can think of where you have something like  
4 this potential would be useful to you.

5 CHAIR MUNN: Yes. Is there any  
6 feeling one way or the other about that? Is  
7 that reasonable and going to be one of our  
8 suggestions for adoption?

9 We realize, of course, that we  
10 can't tell anybody what to do but we can  
11 certainly provide the questions.

12 MR. HINNEFELD: What was the  
13 suggestion again? I have lost track.

14 CHAIR MUNN: The suggestion was  
15 two-fold. One, that we incorporate the "if  
16 known" concept.

17 MR. HINNEFELD: Okay that is --

18 MEMBER ZIEMER: That is in question  
19 one.

20 CHAIR MUNN: In question one, yes.

21 DR. MAKHIJANI: Well you have job  
22 title in question one.

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701



1 CHAIR MUNN: Well yes, but a lot of  
2 people don't know what it was, can't remember  
3 what it was.

4 MEMBER ZIEMER: Mark's suggestion,  
5 I think, on that was to include that before  
6 the table because the "if known" might apply  
7 to not only the supervisor, it might apply to  
8 the dates.

9 Mark, weren't you suggesting that  
10 we add the sort of "if known" comment ahead of  
11 that table?

12 CHAIR MUNN: Incorporate it --

13 MEMBER GRIFFON: Yes, I mean,  
14 something like that. I would, you know, for  
15 the whole section, you know, below is  
16 questions on employment history, complete the  
17 fields to the best of your memory. You know,  
18 da, da, da. I don't know. I haven't thought  
19 about the exact language.

20 But I think Wanda is right that  
21 some people, you know, and especially it  
22 strikes me that month/year would definitely be

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

1 a problem with some of the people I have  
2 interviewed. You know, it was the early '50s,  
3 you know, they might say '51, '52, whatever.  
4 They are usually nailing down month is the  
5 exception rather than the rule.

6 CHAIR MUNN: Unless we have a  
7 lifelong OCD practitioner who has kept track  
8 of every paycheck that has ever been received  
9 --

10 MEMBER GRIFFON: Yes, and some  
11 people have like their work cards.

12 CHAIR MUNN: There are a few people  
13 who do that.

14 MEMBER GRIFFON: Yes.

15 MR. HINNEFELD: Now, do you feel  
16 like that is necessary beyond the letter,  
17 saying that we are only interested in what you  
18 can provide easily and you don't have -- you  
19 know, the letter is supposed to indicate that  
20 we are only interested, we don't want you to  
21 research, this, this is just what you are  
22 supposed to provide readily. Do you think it

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

1 would be necessary to modify this question in  
2 addition to that?

3 MEMBER ZIEMER: I don't personally  
4 think it hurts to re-emphasize that. I mean,  
5 they skim through the letter and then they  
6 start focusing on this. Maybe under  
7 employment history, simply say please provide  
8 the following information, if known, or  
9 something like that. I mean, it would apply  
10 for everything under employment history.

11 MEMBER GRIFFON: Or as best as you  
12 can remember.

13 MEMBER ZIEMER: As best as you can  
14 remember.

15 MEMBER GRIFFON: Yes, my concern  
16 sometimes is that they, you know, they are  
17 concerned to sort of guess because they are  
18 afraid that if it is wrong, they will be in  
19 some way --

20 MEMBER ZIEMER: Yes, penalized or -  
21 -

22 MEMBER GRIFFON: -- penalized if

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

1 they wrote down the wrong dates or something.

2 So, yes.

3 CHAIR MUNN: And that, I think, was  
4 the primary concern that moved a great deal of  
5 our issue forward from the outset, was the  
6 concern that we were placing undue stress on  
7 people leading them to believe that they  
8 needed to do research and work out the answers  
9 to these questions, if they didn't already  
10 have them, or otherwise, we actually had that  
11 sentence that led people to believe it would  
12 be to their detriment to not be able to  
13 provide information.

14 Having removed that or change the  
15 language, whichever we opt to do --

16 MEMBER GRIFFON: Is helpful, yes.

17 CHAIR MUNN: -- is considerably  
18 helpful. And I can guarantee you that every  
19 person sitting around this table has already  
20 spent more time reading these letters than any  
21 claimant ever has.

22 So what an individual picks up --

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

1                   MEMBER ZIEMER:    We are preparing  
2                   for later.

3                   CHAIR MUNN:    Yes.

4                   MEMBER ZIEMER:    I would suggest we  
5                   do the same thing on the detailed work  
6                   history. Just repeat the same phrase again.

7                   CHAIR MUNN:    Yes.

8                   MEMBER ZIEMER:    Re-emphasize it.

9                   CHAIR MUNN:    The real question here  
10                  is what do we want that specific phrase to be?

11                  MR. HINNEFELD:    We can probably  
12                  write it, unless you have a real specific  
13                  interest on what you want it to be.

14                  I mean, it would be easier for us  
15                  to have one person, a technical writer write  
16                  it than for us to try to write it in the  
17                  subcommittee.

18                  CHAIR MUNN:    It certainly would.

19                  MR. HINNEFELD:    Okay.

20                  CHAIR MUNN:    I just wanted to make  
21                  sure that there wasn't anybody with --

22                  MEMBER ZIEMER:    But it is along the

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

1 lines of "if known" or to the best of your  
2 recall.

3 MR. HINNEFELD: As you can easily  
4 provide it, or as you can easily provide it.  
5 You know, to the extent that you can recall,  
6 whatever words we decide. Okay.

7 MEMBER GRIFFON: That's fine, yes.

8 MR. HINNEFELD: Okay. I'm sorry.  
9 The second part of the recommendation, did  
10 that go to question number seven or what was  
11 the second part of that recommendation?

12 DR. MAKHIJANI: I actually withdraw  
13 that suggestion to put job titles in question  
14 number seven again because you have got it in  
15 question one and it is just confusing If you  
16 are asking for duties, routine duties in  
17 question seven.

18 MEMBER GRIFFON: And duties, I  
19 think you are getting at job tasks, right, or  
20 whatever? I mean, that is what you are trying  
21 to --

22 CHAIR MUNN: Correct because that

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

1 really and truly is what bears most --

2 MEMBER GRIFFON: Right, right,  
3 right.

4 CHAIR MUNN: -- heavily on the  
5 potential for exposure. What were the duties?

6 MEMBER GRIFFON: And Larry and  
7 NIOSH assured me that this is not a problem  
8 with regard to classification at all.

9 CHAIR MUNN: I can't see how it  
10 would be.

11 MEMBER GRIFFON: I hate to bring up  
12 this issue, but, you know --

13 MR. HINNEFELD: If the individual -  
14 -

15 MEMBER GRIFFON: -- people start  
16 talking buildings and on your form, you are  
17 linking together, inadvertently, exposures,  
18 buildings, and time periods, and tasks.

19 MEMBER ZIEMER: And nuclides.

20 MEMBER GRIFFON: And nuclides --  
21 that is what I said, exposures. Yes. Yes.

22 CHAIR MUNN: Well, but the question

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

1 is, is anybody of questionable security ever  
2 going to have access to that information. And  
3 the answer is no.

4 MEMBER GRIFFON: Well, the other --

5 MR. HINNEFELD: Well now, wait a  
6 minute.

7 MEMBER GRIFFON: Those can't have  
8 classified information on them.

9 MR. HINNEFELD: This should not  
10 have classified information in it.

11 CHAIR MUNN: No.

12 MR. HINNEFELD: What Mark is saying  
13 is that if a person says I was exposed to this  
14 magic radionuclide in this building at this  
15 facility, I am not even cleared, but I think  
16 that is one of the things that gets kind of  
17 dicey in terms of what you are able to talk  
18 about.

19 MEMBER GRIFFON: All I am saying is  
20 from my experience that I had to get my  
21 questionnaires for Y-12 cleared by Y-12  
22 security before I could use them in the

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701



1 medical screening program.

2 MR. HINNEFELD: I will note --

3 MEMBER GRIFFON: And we had to  
4 actually have some defaults that if you were  
5 an assembly worker, please do not complete the  
6 following details. I mean, there were certain  
7 --

8 MR. HINNEFELD: I will check --

9 MEMBER ZIEMER: Or do not provide  
10 information that you think may be classified.

11 MEMBER GRIFFON: Right. Right,  
12 just don't put it down.

13 MR. HINNEFELD: Well, we pretty  
14 much tell them that. We tell them don't tell  
15 us things you think are classified.

16 MEMBER GRIFFON: Yes, but  
17 sometimes, you know --

18 MR. HINNEFELD: The problem is, --

19 MEMBER GRIFFON: -- people don't  
20 think about --

21 MR. HINNEFELD: They don't think  
22 about that.

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

1                   MEMBER GRIFFON:  -- the linking of  
2 the different sections.  You know what I mean?

3                   MR. HINNEFELD:  Right.  Because it  
4 is they say well, you are clearly asking me.  
5 If you are asking me about my radionuclides  
6 and you are asking me about my place, I mean,  
7 that must be okay --

8                   MEMBER GRIFFON:  Right, right.

9                   MR. HINNEFELD:  -- to answer it.  
10 And a lot of people may not have that ready.  
11 Just because you are cleared doesn't mean you  
12 are an ADC and you are prepared to judge  
13 things as being cleared or un-cleared.

14                  CHAIR MUNN:  This material that is  
15 being gathered is not going to be available,  
16 is it?

17                  MR. HINNEFELD:  It is available to  
18 everybody that works on the project.

19                  MEMBER ZIEMER:  It would be  
20 available to un-cleared people.

21                  MEMBER GRIFFON:  Un-cleared people  
22 on the project, yes.

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

1 MR. HINNEFELD: It is available to  
2 everybody who works on the project. Most of  
3 us do not have clearances.

4 CHAIR MUNN: I guess that is true.

5 MR. HINNEFELD: Until DOE finds out  
6 it is there and they shut down the computer  
7 system.

8 CHAIR MUNN: Well knowing how  
9 difficult it is for me to have access to some  
10 of this, to get access to some of this  
11 material, it is difficult to imagine --

12 MR. HINNEFELD: We clearly can't  
13 have --

14 CHAIR MUNN: Yes, there is a  
15 question. There is an issue.

16 MEMBER GRIFFON: I hate to bring  
17 this up in a way but I don't want it to be a  
18 problem. I mean, it can be a nightmare later.

19 MR. HINNEFELD: I will get another  
20 check at this. We will make sure that some of  
21 our guys who are in a position, who are  
22 cleared, who may be able to render judgment.

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

1 They still may say I can't render judgment on  
2 this. We will have to get somebody in DOE to  
3 render a judgment on it, on how specific we  
4 can ask about your exposures, meaning, what  
5 were you exposed to and at what building were  
6 you exposed to it.

7 MR. KATZ: But just for memory's  
8 sake, I mean, you are correct, Mark in  
9 recollecting that Larry was asked this same  
10 question and that he did state that this was  
11 not an issue for DOE --

12 MEMBER GRIFFON: Right.

13 MR. KATZ: -- at that time. But  
14 that is not to say that Stu shouldn't follow  
15 up.

16 MR. HINNEFELD: I would like to  
17 follow up on that anyway.

18 MEMBER GRIFFON: Yes.

19 DR. MAKHIJANI: Because this is an  
20 old, except for the time period, it is an old  
21 question.

22 MR. HINNEFELD: Yes.

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

1 CHAIR MUNN: All right, Stu will  
2 question about that. So, that will have one  
3 piece of feedback we can anticipate.

4 Next issue.

5 MR. HINNEFELD: I don't remember.

6 MEMBER GRIFFON: Well, going back  
7 to my -- that was NIOSH's response to my  
8 second question on the letter. Really, where  
9 we started, we ended up going a little bit  
10 into the sections.

11 MR. HINNEFELD: Yes.

12 MEMBER GRIFFON: But the first  
13 question, I still don't -- we have touched on  
14 it but I don't know where it is being left,  
15 Wanda. It is the question in the first  
16 paragraph, why was this sentence deleted. And  
17 the sentence is related to or the sentence was  
18 if we need additional information that may  
19 only be available from supervisors, coworkers,  
20 or others, the interview is also an  
21 opportunity for you to help us identify,  
22 locate, these persons.

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

1           And I understand that you are  
2 saying well, we -- you know, it is sort of a  
3 self-fulfilling prophecy. NIOSH never --  
4 NIOSH very rarely went to these people. So,  
5 now you are just deleting it out of the form.

6           And my question is, you know, do we feel like  
7 it is something that they maybe should have  
8 been going to more often and just haven't been  
9 using.

10           CHAIR MUNN: Now the question was  
11 not so much is it being used; the question is,  
12 more properly I believe, are we getting the  
13 information that we need without asking that  
14 question. Are we getting it in other ways?

15           And my memory of our discussion  
16 from our last meeting was it was generally  
17 felt that we were getting that information in  
18 other ways and it seldom was used, simply  
19 because there are other methods for doing the  
20 dose reconstruction.

21           DR. MAKHIJANI: One of the original  
22 points that we raised in our review was, it

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

1 didn't go exactly to the point that Wanda is  
2 making but it was the question is there a  
3 level playing field between employees and  
4 survivors.

5           And clearly, you know, there is  
6 going to be some asymmetry because the  
7 employee was there and they know a lot of  
8 stuff. And the way we viewed the coworker  
9 question was it brings some more symmetry if  
10 you actually go to those coworkers, especially  
11 in cases where you are going to deny the  
12 claim, in case those coworkers know something  
13 because the survivors usually don't.

14           Now the question comes in if none  
15 of the information that energy employees  
16 themselves provide is used in the dose  
17 reconstruction, then of course, there is  
18 automatically a level playing field. But if  
19 it is, then there isn't. And the question  
20 about coworkers really is about equity and  
21 fairness, which is supposed to be part of the  
22 process.

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

1           And just to remind you that our  
2 original review had raised it in that context  
3 because the board-approved checklist that we  
4 had, had a fairness item in it. And so that  
5 was the context, just to remind you, that was  
6 raised.

7           MEMBER ZIEMER: Maybe one way to  
8 address this would be to word it in such a way  
9 that there wasn't a very clear expectation  
10 that we are automatically going to contact  
11 coworkers, that there may be the possibility  
12 if it is necessary. I mean, in many cases,  
13 even if it is a survivor, there is enough  
14 information about either the worker or the  
15 workplace that it is not necessary to  
16 specifically interview people, but if it were,  
17 then this would be important.

18           I think --

19           MEMBER GRIFFON: Yes, I mean --

20           MEMBER ZIEMER: -- one of the  
21 things we run into, we hear from people, I  
22 gave all these names and nobody ever contacted

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701



1       them.    There is clearly an expectation when  
2       the question is asked that it's some kind of  
3       follow-up.   So maybe the question has to be  
4       worded in such a way that would say if it  
5       became necessary for us to either confirm  
6       something or to get additional details, if it  
7       could be worded in such a way that would make  
8       people think that you are always going to do  
9       this.

10                    It looks here like we are looking  
11       for a confirmation.   It is almost like you are  
12       applying for a job, who are your recommenders,  
13       and I expect that you are going to contact  
14       them.

15                    MEMBER GRIFFON:    I would accept  
16       that, Paul.   I mean, I would agree that it is  
17       the exception rather than rule, where you are  
18       going to have to follow up with coworkers.

19                    MEMBER ZIEMER:    But the respondents  
20       think it is the rule, rather than the  
21       exception.

22                    MEMBER GRIFFON:    Right.   Right,

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

1 right. I mean, I would accept that kind of  
2 modification that if you made it pretty clear  
3 that it is a small percentage of ones that are  
4 going to be, you know, but these people may be  
5 needed if we can't find whatever.

6 I don't have the words but I mean,  
7 --

8 MEMBER ZIEMER: That is the  
9 concept.

10 MEMBER GRIFFON: -- instead of just  
11 dropping it completely, I would rather see  
12 something like that.

13 CHAIR MUNN: Well it is pretty  
14 important that these people not develop the  
15 idea that everything they say must be  
16 corroborated or else it is not adequate. And  
17 from comments that we have had in public  
18 comment sessions, it would appear that this  
19 has developed in the minds of many people.  
20 Without corroborating evidence, what they had  
21 to say is not being heard, which we don't find  
22 to be the case. But if that impression is

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

1 being imparted, we do need to try to  
2 circumvent that, squash that now.

3 DR. MAKHIJANI: Now, this is from  
4 memory four or five years ago when we were  
5 developing this report. And at that time, you  
6 remember that Denise Brock was one of the sort  
7 of early organized advocates for workers in  
8 the Mallinckrodt situation and I interviewed  
9 her about this. One of the difficulties that  
10 she was having is that people go through a lot  
11 of trouble to collect these names because they  
12 don't necessarily know them. They will call  
13 up a coworker and so on.

14 And I would agree with the idea  
15 just from the perspective of the interviews  
16 that I remember and the questions that were  
17 raised is that if NIOSH says in exceptional  
18 cases we might need this and we may contact  
19 but normally we don't, so that it is very  
20 explicit that you normally don't. So when  
21 survivors get the dose reconstruction and they  
22 call this coworker and say did they contact

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

1 you and they get no, then it kind of creates  
2 an upset. That was the main kind of problem  
3 that came up at the interviews. And the main  
4 problem that came up in the assessment,  
5 evaluation, was the question of a level  
6 playing field.

7 CHAIR MUNN: So are we going to  
8 recommend that Stu wordsmith something for us  
9 here or not?

10 MR. HINNEFELD: I can take it back.  
11 I mean, I am not the one person who has an  
12 opinion and decides what OCAS does.

13 CHAIR MUNN: I understand that.

14 MEMBER ZIEMER: I know, but you get  
15 the idea of what we are saying here.

16 MR. HINNEFELD: I have that note.  
17 This is about --

18 MEMBER ZIEMER: Not to necessarily  
19 delete it fully but to word it in such a way  
20 that there is not a high expectation that all  
21 of these folks will automatically be  
22 contacted.

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

1 CHAIR MUNN: As a matter of fact,  
2 there is an expectation they will not be  
3 contacted.

4 DR. MAKHIJANI: But that is a  
5 normal practice.

6 CHAIR MUNN: Yes, because it would  
7 be unusual.

8 MEMBER ZIEMER: And again, if they  
9 can identify these. Again, I don't think we  
10 want them going back and making a big effort  
11 to track down all these people.

12 CHAIR MUNN: Track people down, no.

13 MR. HINNEFELD: Well that is  
14 certainly one of the things that we felt like  
15 we wanted to change in this because we have  
16 heard those complaints also. That I gave you  
17 these names, you never even contacted them. I  
18 went to all this trouble or whatever and you  
19 never even contacted them.

20 MR. KATZ: And just to give you an  
21 OMB perspective because OMB reviews, I mean,  
22 the whole issue of OMB review is burdened on

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

1 the public. And so a natural question for the  
2 OMB person examining this is are they asking  
3 for information that they are not using?

4 And OMB routinely cuts out from our  
5 studies, from our research, from all of our  
6 work, where we survey material that they don't  
7 believe is actually going to be utilized or  
8 utilized with enough frequency to justify the  
9 burden. So you just, it is good for you to  
10 understand that expectation on OMB's part.

11 MEMBER ZIEMER: But if the burden  
12 is reduced by simply asking them if they know  
13 of these, if it could be worded in such a way  
14 so that it is making clear that we are not  
15 asking them to spend hours, and hours, and  
16 hours, and coming up with this detailed list,  
17 which most of the time won't be used.

18 MR. KATZ: I am just going to say  
19 that would be the concern that OMB, if these  
20 people are going to go and do some research to  
21 figure out who their supervisors were and so  
22 on, if 99.5 percent of the time that is not

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

1 going to be used.

2 MEMBER ZIEMER: Most folks will  
3 know a coworker or two, if it is the claimant.

4 If it is the survivor, it would be very  
5 different. But some survivors say yes,  
6 because I know they worked, you know, this was  
7 his co-worker, they worked together. They may  
8 not know anything about the job but they know  
9 who the close workers were.

10 MR. KATZ: Stu, can I just ask one  
11 other question that is sort of germane to  
12 this, or maybe this is an ORAU question. But  
13 do you have the opportunity if you find  
14 yourself in a situation where you feel like  
15 you want to know something from coworkers,  
16 isn't there an opportunity to go back to  
17 someone you have interviewed and obtain more  
18 information?

19 MR. HINNEFELD: We always tell them  
20 if something comes up, we may need to call you  
21 back.

22 MR. MARSCHKE: What I was going to

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

1 say is in the May first proposed revision to  
2 the letter, there is a sentence in there that  
3 says we do not expect you to be able to answer  
4 all questions and we do not expect you to  
5 search for records or information.

6 So I mean, it looks like they  
7 started to address these concerns. Now, I  
8 don't know if that is the great wording or  
9 not, but it looks like it is something --  
10 that's a starting point anyways.

11 CHAIR MUNN: I don't think there is  
12 any problem with the wording of the letter.

13 MR. HINNEFELD: But I think what  
14 you are saying, though, is that the letter  
15 removed completely this that we may want to  
16 contact a coworker or a supervisor, although  
17 we did still ask for a supervisor or a  
18 coworker. And that I think is Mark's point,  
19 is why abandon coworkers all together.

20 MEMBER ZIEMER: If it might provide  
21 useful information.

22 MR. HINNEFELD: And it is a fact,

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701



1 as Ted pointed out, that if we get into a dose  
2 reconstruction and we say we really need to  
3 find out more about this, we call the person  
4 back, we could at that time do it. In that  
5 case, that is not an interview of a lot of  
6 people. That is one conversation with one  
7 person. You don't need to go back to OMB to  
8 get anything approved for that.

9 So that is a part of things. So, I  
10 don't, you know, I will take the  
11 recommendations back to the staff. I am not  
12 the person who decides, necessarily what OCAS  
13 does. You know, OCAS decides what to do and  
14 then I tell the contractor what to do is the  
15 way it works right now. So, I am kind of the  
16 one that decides, the person who decides what  
17 the contractor does.

18 So, I can take them back and I  
19 don't know what kind of reaction I am going to  
20 get on this. My own view of interviews is  
21 maybe not as good as other people's. Because  
22 like I said, I rarely ever see a dose

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

1 reconstruction anymore, except in that  
2 subcommittee.

3 DR. MAKHIJANI: Stu, one other  
4 question is, and Kathy Behling -- Kathy are  
5 you still on the line?

6 MEMBER ZIEMER: Kathy are you on  
7 the line?

8 MS. BEHLING: I'm here, yes.

9 DR. MAKHIJANI: One of the equity  
10 questions that arises, how often do you use  
11 the information from the energy employees?  
12 That is in the CATI because if you have  
13 monitoring information then, obviously you are  
14 not using that information.

15 MR. HINNEFELD: I think it could be  
16 a matter of looking at some cases, if you  
17 want. You know, look at some cases and see in  
18 which of these cases did the CATI -- the dose  
19 reconstruction should say if the person in the  
20 CATI says I was in this incident or there were  
21 all these uranium chip fires where I worked,  
22 the dose reconstruction should acknowledge

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

1 that and say that we did in fact address that  
2 and his monitoring record would reflect his  
3 exposure from those situations. And so it is  
4 included in dose reconstruction.

5 Dose reconstruction would say that  
6 but in terms of the outcome of the dose  
7 reconstruction, in terms of what dose was  
8 reconstructed, how many times did the CATI  
9 affect the dose that was reconstructed? And  
10 you know, that would be a situation to think  
11 about before you want to wrap yourself around  
12 the axle or maybe not. Maybe that is way too  
13 much work and that is wrapping yourself around  
14 the axle. I'll just go ahead and write some  
15 things that are suitable that don't burden the  
16 claimant.

17 DR. MAKHIJANI: The reason I asked  
18 for it, and Kathy is on the phone, is Kathy  
19 has looked, you know, I have looked at some  
20 and not recently but Kathy looks at these  
21 things repeatedly from the point of actually  
22 looking at your dose reconstruction.

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

1           From my memory, letters and dose  
2 reconstruction usually don't explicitly  
3 acknowledge. Now my memory is of some years  
4 ago because these days I am not looking at any  
5 of that documentation since I am mostly  
6 involved, almost completely involved in SEC  
7 work.

8           Kathy, what is the current  
9 situation in regard to when a person says they  
10 have been in an incident, actually reflecting  
11 that in the dose reconstruction letter that is  
12 sent?

13           MS. BEHLING: The information that  
14 we have on the CATI report from the dose  
15 reconstructor, they do have a section that  
16 they complete that identifies any incidents  
17 that they were involved in. It is, obviously,  
18 very specific that they are asked those  
19 questions. And it is one issue I think that  
20 during our issues resolution meetings NIOSH  
21 has really looked at that data, at least in  
22 the current dose reconstructions that we are

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

1 reviewing, they do seem to look at that and  
2 they try to ensure that the data that they  
3 have either identifies the incident or their  
4 approach to reconstructing dose covers  
5 anything that might have been mentioned in the  
6 dose reconstruction or in the CATI report.

7 The other thing that we try to  
8 encourage is even if they don't feel that it  
9 is necessary to reconstruct doses or add any  
10 additional doses from an incident that is  
11 identified, that they least mention that in  
12 the report. And I think that they have been  
13 doing an adequate job of that.

14 DR. MAURO: I would like to weigh  
15 in on this; this is John, as it applies to  
16 AWE. I have reviewed just about all of the  
17 AWE cases and I have an interesting  
18 observation.

19 The AWEs generally are performed  
20 using an exposure matrix, so that the nature  
21 of the dose reconstruction is different for  
22 AWE than it is for the DOE facilities. And it

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

1 is my observation that I can't think of an  
2 occasion where any of the information in the  
3 CATI was used by the dose reconstructor. The  
4 dose reconstructor typically goes straight to  
5 the matrix and applies the matrix to the  
6 person.

7           However, when I review it, I do  
8 look at the CATI and I often notice that often  
9 there will be information in the CATI that  
10 would reveal that the exposure matrix, which  
11 is often a one-size-fits-all, did not take  
12 appropriate consideration some of the very  
13 unusual unique nature of the job that the  
14 person themselves did and described, as far as  
15 the CATI.

16           So, what I am saying is the  
17 information is valuable, especially when I  
18 review AWE cases and I think it is important.

19           However, to be somewhat critical, however, I  
20 don't think as much attention is paid to that  
21 when the dose reconstructor has a matrix that  
22 he is using. I think he just applies the

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

1 matrix fairly, you know, one-size-fits-all.

2 MR. HINNEFELD: Well John, we are  
3 kind of getting into another discussion. I  
4 would like to comment on that first. We are  
5 getting into another discussion here.

6 But you are saying that and I know  
7 why you are saying that. And it has to do  
8 with the dose model and how the dose model is  
9 generated and how it is described. Now, I  
10 will agreed with you that based on how they  
11 are described, they don't seem to be  
12 describing the maximum dose anybody could have  
13 developed, could have received at that site.  
14 But I believe that is what they are intended  
15 to do.

16 They are intended to say, okay, we  
17 have got a dose here from these people who  
18 machine uranium of you know, 2 rem a year. We  
19 know it and certain of us know that at a  
20 uranium machine plant, that is all they did  
21 every day all year long and they had loads of  
22 uranium sitting around. Nobody got 2 rem a

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

1 year. So even though our model doesn't  
2 describe the fact that this is the highest one  
3 anybody was exposed to, that should be what  
4 that dose model is. And we don't try to  
5 distinguish people in to high exposed and low  
6 exposed because we can't reliably count on  
7 having the information on each claim that  
8 allows us to do that. And so we give people a  
9 one-size-fits-all dose and it is as high as we  
10 think anyone there could have received. So  
11 that is how that is.

12 Now, the models don't describe them  
13 as being developed that way but I believe that  
14 is what the end result was. And I don't know  
15 that based on that, you want to draw judgments  
16 about the value of a CATI for the whole  
17 program.

18 DR. MAURO: I understand what you  
19 are saying, Stu. I think there are occasions  
20 when some thought needs to be given to the  
21 information about this particular worker. And  
22 we have discussed this in a DR case. And I

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701



1 agree. What we have in the circumstance, well  
2 we have information that is in the CATI that  
3 does bear on how you would model the person's  
4 dose. But at the same time, the exposure  
5 matrix is designed, in general, to be fairly  
6 claimant favorable and you often never really  
7 have the intention to try to tailor it to that  
8 extent.

9 So, we have, I guess, a bit of a  
10 dilemma. The information is there. It can be  
11 helpful. The degree to which the dose  
12 reconstruction decides to use that information  
13 is a judgment call, especially in light of the  
14 fact that the exposure matrix often was  
15 intended to be a one-size-fits-all.

16 So, I agree with you but at the  
17 same time, I think this observation needs to  
18 be put on the record.

19 MEMBER GRIFFON: John, can I just  
20 weigh in on this one? I mean, I agree with  
21 what you are saying. One thing that you have  
22 to remember though, in terms of the CATI

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

1 information being useful, and that is why I  
2 think Paul's suggestion of sort of qualifying  
3 that language that we are not going to call or  
4 try to contact most of these coworkers but we  
5 may. You know, it may be necessary.

6 But this stuff, even for  
7 interviewees, I would hope and I know that  
8 although I have never seen it that there is a  
9 database that has all this CATI information in  
10 it. And the people for the interview side of  
11 the shop that put together the site matrices  
12 or whatever, can look at this stuff in  
13 aggregate. And I think it is being used and  
14 may be beneficial in terms of them developing  
15 their exposure matrix or their site profiles  
16 for some of these interviewees. They may find  
17 out things that they didn't know from other  
18 research.

19 So there are different uses for  
20 this for the individual claims but also the  
21 CATI information can be used in aggregate. So  
22 I think it serves two purposes there. So, I

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

1 think as long as we qualify some of those  
2 these things that we may contact these  
3 coworkers but however we phrase that, given  
4 the suggestion that it is not likely but we  
5 may, or NIOSH may, I think that is the way to  
6 proceed on this.

7 CHAIR MUNN: Well, we have given  
8 that charge to Stu to go off and follow the  
9 thread to see where it leads and bring us back  
10 something at our next meeting, I suppose. I  
11 had hoped we would be able to close that issue  
12 today but it doesn't sound as though we are.

13 We are in need of --

14 MEMBER GRIFFON: I think, Wanda --  
15 oh, I'm sorry.

16 CHAIR MUNN: We are in need of a  
17 break here. So the question is what is the  
18 first thing before us when we come back?

19 MEMBER GRIFFON: Well, I can run  
20 down these other comments when we get back  
21 from break.

22 CHAIR MUNN: That will be very

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

1 good.

2 MEMBER GRIFFON: I think that will  
3 be much quicker. You know, the other, they  
4 are more form-specific things.

5 CHAIR MUNN: Let's hope so. We are  
6 going to take 15 minutes. We will be back at  
7 11:35.

8 (Whereupon, the above-entitled  
9 matter went off the record at  
10 11:23 a.m. and resumed at 11:37 a.m.)

11 MR. KATZ: This is the Procedures  
12 Subcommittee. We are getting back going  
13 again. Mark, are you with us?

14 MEMBER GRIFFON: Yes, I am here.

15 MR. KATZ: Great.

16 CHAIR MUNN: We will let you take  
17 the lead, Mark.

18 MEMBER GRIFFON: Okay. Yes, just  
19 going down my questions. After the first two,  
20 I had some comments on the form. And I think  
21 some of these we have already sort of gone by.  
22 I mean, there were just little suggestions on

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

1 the time period. I'm using this thing because  
2 we learned over time with our questionnaire  
3 that we put examples so they didn't -- again,  
4 I gave an example of years because people tend  
5 not to know month and year but that is just my  
6 preference.

7 On 8.2, I think I have the answer  
8 to some of these other questions. Stu, you  
9 mentioned earlier that these fields, basically  
10 when the person is entering them, they open up  
11 into a broader, so the person is not filling  
12 this out and sending this in, obviously, --

13 MR. HINNEFELD: Right.

14 MEMBER GRIFFON: -- in the field,  
15 so they have more room. So some of it was,  
16 you know, you ask for a lot of information you  
17 give one little line. But that is not the way  
18 it is on your screen or whatever.

19 MR. HINNEFELD: Right.

20 MEMBER GRIFFON: The other things  
21 for 8.2, the only other concern I would have,  
22 this goes back to my earlier classification

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

1 concerns, this even scares me a little more,  
2 you know, when you start talking nuclides and  
3 amounts and tests. You know, you get the  
4 point there. You are going to follow up on  
5 that anyway.

6 MEMBER ZIEMER: Was that the  
7 security issue, Mark?

8 MEMBER GRIFFON: Yes, the security  
9 issue.

10 Number three, 8.5; these are the  
11 same, so--

12 DR. MAKHIJANI: Mark, before you go  
13 on, may I ask a question?

14 MEMBER GRIFFON: Uh-huh.

15 DR. MAKHIJANI: Do we say somewhere  
16 here that these fields can open up and you are  
17 free to, you know, while you may just see a  
18 line or two, you are free to give as short or  
19 long an answer as you like? That might --  
20 because it was a little confusing to look at  
21 it initially and then to look at the  
22 completed.

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

1                   MEMBER GRIFFON:    Yes, I guess it  
2 was my sort of notion for the person that is  
3 doing this, if they get this ahead of time and  
4 they see that little tiny amount of room, you  
5 know, then they are going to be gearing  
6 towards a short answer.

7                   DR. MAKHIJANI:    So this goes to the  
8 letter, in a way.

9                   CHAIR MUNN:     But as we pointed out,  
10 this is not a form that they are filling out.  
11       This is an interactive process.  And it is an  
12 interactive process being directed by  
13 individuals who have been trained to do this.

14                  MEMBER GRIFFON:   Right.

15                  CHAIR MUNN:     And that being the  
16 case, it really shouldn't matter how long the  
17 line is.

18                  MEMBER GRIFFON:    But all I am  
19 saying is if I was to get this in the mail and  
20 you know, you say don't do any research but I  
21 might kind of for my own purpose jot some  
22 things down and then, you know, some

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

1       indication that NIOSH on the other end, you  
2       know, you don't need to limit your answer to  
3       three words or whatever. I mean, I don't know  
4       how you do that but that was sort of where the  
5       comment came from was that, you know.

6                 Anyway, you got the gist of it.  
7       I'm not how you correct the thing but that is  
8       the idea.

9                 CHAIR MUNN: And my suggestion is  
10       that it probably doesn't need to be corrected  
11       because it is interactive. This is not  
12       something that people are filling out. If  
13       they are filling out, for example, to use your  
14       own words, if you were to receive this, I  
15       would suspect that you would probably end up  
16       with a legal pad with eight different pages of  
17       information on it, which some folks may do.

18                But the interviewer certainly knows  
19       that the interviewer cannot in any case put a  
20       complete answer in any of these things.

21                MEMBER GRIFFON: Right. I think it  
22       is fine, as long as the interviewer gets a

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701



1 sense, yes, and they will, that they can  
2 expand on their answer.

3 CHAIR MUNN: Okay.

4 MEMBER GRIFFON: So I have let that  
5 one go because I understand that the field  
6 opens up and they have more room.

7 CHAIR MUNN: Fine. Okay. Then the  
8 same for 8.5?

9 MEMBER GRIFFON: I'm sorry; the  
10 next one is 8.7, the time period thing. I  
11 guess this one, the only thing I was  
12 questioning was the word "special work." That  
13 is terminology that I think came out in the  
14 late '80s maybe and I didn't know if there was  
15 any other examples that we could use, you  
16 know, that would be more reflective of the  
17 earlier times. But maybe there is not and  
18 maybe they get the gist of it with that  
19 wording.

20 If nobody has other suggestions, I  
21 guess that would be fine.

22 MEMBER ZIEMER: Are you thinking a

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

1 generic title or other special --

2 MEMBER GRIFFON: Controlled jobs or  
3 something like that.

4 MEMBER ZIEMER: Controlled?

5 MEMBER GRIFFON: Yes. Special  
6 projects or controlled jobs, or I don't know  
7 how to.

8 CHAIR MUNN: Well now, --

9 MEMBER GRIFFON: Because you know,  
10 remember we have heard for example that for  
11 some of the thorium work at Fernald or for  
12 some of the tritide work at Mound, it was very  
13 controlled. You know, there was a log that  
14 had certain people that were only allowed to  
15 access those areas.

16 CHAIR MUNN: Well doesn't that feed  
17 right into question 8.6? Isn't that what 8.6  
18 is there for?

19 MEMBER GRIFFON: Maybe it does.  
20 Hold on. Let me look at 8.6.

21 Oh well that is more protective, I  
22 guess 8.7 is more where you would do like --

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

1 you know, 8.7 implies that if you were on this  
2 special work permit or rad work permit, it was  
3 another indication that you were working in  
4 contaminated or controlled areas, rad areas,  
5 like I was just saying.

6 CHAIR MUNN: My question is --

7 MEMBER GRIFFON: Earlier than the  
8 late '80s, that doesn't really apply, those  
9 terms.

10 CHAIR MUNN: But my question would  
11 be why are those two even broken up because  
12 the question, "What exposure or contamination  
13 control measures were used to protect you"  
14 should include special work permits or  
15 radiological permits. Should it not?

16 MEMBER GRIFFON: Well, I guess it  
17 could. I guess you could put that into there,  
18 yes.

19 MR. HINNEFELD: It just depends on  
20 how you feel about that.

21 MEMBER GRIFFON: Another form of  
22 control, yes.

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

1                   MEMBER ZIEMER:    Well what is the  
2 original purpose of this question?    Because  
3 there is no follow-up on the work permit.

4                   MR. HINNEFELD:    I don't know.    I  
5 wasn't here for the original drafting of the  
6 form.    I don't know.

7                   MEMBER ZIEMER:    Is it intended to  
8 be an indicator of the level of formality of  
9 the program or --

10                  MR. HINNEFELD:    I don't know.

11                  CHAIR MUNN:    That is the only thing  
12 it could be.    A determination whether this  
13 individual was working --

14                  DR. MAURO:    I think it might be a  
15 radiation, I'm sorry, a radiation work permit  
16 on file somewhere that might contain  
17 information regarding a particular operation,  
18 a type of class of operations that might  
19 contain a richer set of information to help  
20 establish the work environment.

21                  MEMBER ZIEMER:    Well I guess my  
22 question is, is that in fact what happens?    If

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

1 somebody says they had worked under a work  
2 permit, does NIOSH, for example, try to locate  
3 work permits?

4 MR. HINNEFELD: No. Not for every  
5 individual under those permits.

6 MEMBER ZIEMER: Not per se.

7 MEMBER GRIFFON: Right. I would  
8 doubt it.

9 MEMBER ZIEMER: If a facility had  
10 work permits and you found a vast file of  
11 them, what would you do with it?

12 MR. HINNEFELD: Well, in the  
13 instance of say a task that was done for short  
14 periods of time or a limited period of time in  
15 a limited area, like thorium work at some  
16 place that normally didn't do thorium, if they  
17 have radiation work permits for that work or  
18 the equivalent of a radiation work permit, you  
19 would expect that you would have some pretty  
20 good characterization information about what  
21 these people were working around on these  
22 permits.

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

1 MEMBER ZIEMER: Right.

2 MR. HINNEFELD: Then you would  
3 compile that may assist in dose reconstruction  
4 for that specific work.

5 MEMBER ZIEMER: Right.

6 MR. HINNEFELD: I think there were  
7 probably a lot of radiation work permits that  
8 if we ran across them we wouldn't make any  
9 attempt to capture them at all. You know,  
10 because they just wouldn't be any more  
11 specific than, it wouldn't give you any more  
12 information than the person's, you know,  
13 monitoring information would give you.

14 So it really depends on the  
15 situation. I don't know that --

16 DR. MAURO: This is John again.  
17 Interestingly enough, we find that when doing  
18 our work related to data validation  
19 completeness for SEC work, the more hard copy  
20 or electronic copies of documents like  
21 radiation work permits that are available to  
22 us to sample from, the more insight we could

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

1 get, we often get related to data  
2 completeness, data adequacy.

3 So, in an interesting sort of way,  
4 nowhere we are talking about this matter  
5 within the context of CATIs or dose  
6 reconstruction and I can see why one would say  
7 "well we really don't go there." I know I  
8 never found myself ever even thinking in terms  
9 of going to check something like that when I  
10 do my reviews.

11 But I can tell you, going to  
12 something like that and the work we are doing  
13 in support of SEC petition reviews, it would  
14 be very valuable.

15 MR. HINNEFELD: That is true. I  
16 mean, I think we are doing a lot of that at  
17 NTS and I think -- well, John said it.

18 MEMBER ZIEMER: So maybe the only  
19 thing we need here is a generic term, special  
20 work permit --

21 MEMBER GRIFFON: That is what I  
22 would suggest --

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

1                   MEMBER ZIEMER:   -- or radiological  
2 permit.

3                   MEMBER GRIFFON:   -- because like  
4 you said, you know, they may have the rad work  
5 permit or equivalent you had just said. And I  
6 am trying to think of some generic term that  
7 would imply for the earlier years. And that  
8 was the only suggestion by my comment.

9                   If anybody can come up with that  
10 term, that would be great.

11                  CHAIR MUNN:   Well it probably --

12                  MR. HINNEFELD:   I mean, we can, if  
13 you guys would want us to try to do that, we  
14 could try to do that.

15                  MEMBER GRIFFON:   Yes, that is fine  
16 with me.

17                  CHAIR MUNN:   Well, why doesn't it  
18 just say did you conduct your work under  
19 special controlled situations such as a  
20 special work permit or a radiological?

21                  That, essentially covers it.

22                  MEMBER GRIFFON:   Yes, I think

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701



1 something like that probably would work. Yes.

2 I mean, Stu, you can take that  
3 back, too.

4 MR. HINNEFELD: Yes, got you. Got  
5 it.

6 MEMBER GRIFFON: I think something  
7 like that might work.

8 CHAIR MUNN: All right.

9 MEMBER GRIFFON: Number nine is a  
10 minor thing. You know, under "wore a badge"  
11 and you may get at this in another field  
12 anyway.

13 CHAIR MUNN: Yes, question nine is  
14 talking about --

15 MEMBER GRIFFON: Wore a badge  
16 weekly, monthly, you know, ask --

17 CHAIR MUNN: Time periods.

18 MEMBER GRIFFON: Yes, and the time  
19 period, again, you know, I would suggest the  
20 year thing. But then "wore a badge" was where  
21 I was talking about, you know, it is sometimes  
22 nice to know monthly, annually, quarterly.

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

1 And they should know what that means.

2 But you have frequency in the  
3 bottom section, I think 9.2. I'm sorry.

4 CHAIR MUNN: Right.

5 MEMBER GRIFFON: So maybe you  
6 should have it all on the table. You know, it  
7 seems like you are asking kind of redundant  
8 information there in the little table in 9.1  
9 and 9.2. I don't know.

10 CHAIR MUNN: Well, I --

11 MEMBER GRIFFON: I'm just trying to  
12 capture that all in one spot, instead of  
13 making them reenter time periods and  
14 frequencies.

15 CHAIR MUNN: I read those a little  
16 differently. I read the table as whether or  
17 not they were assigned a badge to where I read  
18 9.2 as to whether or not they actually wore  
19 it.

20 MEMBER GRIFFON: Oh. Oh, I didn't  
21 really read it that way but maybe you are  
22 right.

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

1 CHAIR MUNN: That is probably an  
2 incorrect interpretation.

3 MEMBER GRIFFON: I mean, Stu, do  
4 you think, I mean, I would put "wore a badge,"  
5 check yes/no and then insert a little column  
6 in there. And it might, you know, I would say  
7 frequency. And then you know, W/M/A, you  
8 know, weekly, monthly, annually.

9 CHAIR MUNN: Well that is what the  
10 badge exchange is about, isn't it, 9.3?

11 MEMBER GRIFFON: How often was your  
12 badge changed? Yes. How often did you wear  
13 your badge?

14 CHAIR MUNN: All the time, --

15 MEMBER GRIFFON: That's true.

16 CHAIR MUNN: -- once in a while.

17 MEMBER GRIFFON: Yes.

18 CHAIR MUNN: 9.3 is how often was  
19 it exchanged. That is a whole different  
20 question, really.

21 MEMBER GRIFFON: Right, right,  
22 right. I guess I was just trying to get those

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

1 all on one table instead of repeating it. I  
2 guess it is okay.

3 CHAIR MUNN: And where is it worn?  
4 Okay.

5 MEMBER GRIFFON: Yes.

6 CHAIR MUNN: So we will leave those  
7 alone.

8 MEMBER GRIFFON: But either way,  
9 even under frequency, if you leave it like  
10 9.2, 9.3, 9.4, I guess for those I would put  
11 under frequency. You know, like frequency,  
12 always, periodically, or never, or whatever.  
13 And then the second frequency you are looking  
14 for weekly -- example, weekly, annually,  
15 quarterly, whatever, for the exchange. So I  
16 am not sure that is intuitively obvious when  
17 people read the form. But anyway, it is a  
18 minor thing.

19 CHAIR MUNN: Can we get by with  
20 just saying in 9.3 how often was your badge  
21 exchanged, i.e., weekly, monthly --

22 MEMBER GRIFFON: Yes.

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

1 CHAIR MUNN: -- semi-annually,  
2 annually?

3 MEMBER GRIFFON: Yes.

4 MEMBER ZIEMER: I can see doing the  
5 badge exchange under a frequency statement,  
6 monthly and so on. How often did you wear  
7 your badge is a very different question.

8 CHAIR MUNN: It is.

9 MEMBER GRIFFON: Yes, it's a  
10 different question.

11 MEMBER ZIEMER: At our place, for  
12 example, and the university is not necessarily  
13 like an AWE lab or a DOE lab but I think the  
14 principle is the same. A professor, who has a  
15 research project involving radioactive  
16 materials, is not required to wear his badge  
17 into the lecture room. In fact, we want him  
18 to wear his badge when he goes into the lab.

19 MEMBER GRIFFON: Yes. That might  
20 be --

21 MEMBER ZIEMER: And so that is not  
22 like weekly or something. It is, for example,

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

1 the right answer is whenever I go into the  
2 restricted area.

3 MEMBER GRIFFON: Yes, right.

4 MEMBER ZIEMER: And so, it is not  
5 necessarily --

6 MEMBER GRIFFON: That could be more  
7 of an open-ended question, really.

8 CHAIR MUNN: Yes.

9 MEMBER ZIEMER: How often did you  
10 wear your badge? So, I am not sure what, you  
11 know, owning one, working in restricted areas,  
12 or something.

13 MEMBER GRIFFON: Yes.

14 MEMBER ZIEMER: I think some other  
15 titles are appropriate. It is not like I wore  
16 it every other week or once a month or  
17 something like that.

18 MEMBER GRIFFON: Yes, I agree.

19 CHAIR MUNN: But there is no way  
20 that we can possibly imagine the range of  
21 responses one might get to that.

22 MEMBER GRIFFON: Yes, that might

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

1 have to be more open-ended if you --

2 CHAIR MUNN: I would think so. How  
3 your badge is exchanged was an entirely  
4 different thing and that probably changed from  
5 time to time, too.

6 MEMBER GRIFFON: Yes.

7 CHAIR MUNN: But where was the  
8 badge worn, that is --

9 MEMBER GRIFFON: I think they can -  
10 - yes.

11 CHAIR MUNN: They can -- that is  
12 pretty straight forward.

13 MEMBER GRIFFON: That is okay, yes.

14 CHAIR MUNN: All right, I think  
15 your next one --

16 MEMBER GRIFFON: Anyway then, yes,  
17 my next one is down to --

18 CHAIR MUNN: -- 17. You didn't like  
19 the word elect.

20 MEMBER GRIFFON: Yes, I know. I am  
21 trying to -- did you ever --

22 CHAIR MUNN: There are a lot of us

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

1 who do not care for elections but --

2 MEMBER GRIFFON: To be sure.

3 MEMBER ZIEMER: What number is it?

4 CHAIR MUNN: Seventeen.

5 MEMBER GRIFFON: Well the reason  
6 why I didn't necessarily like the word elect  
7 is because we have heard at least some people  
8 suggest that they were strongly encouraged not  
9 to wear their badges. So I thought maybe just  
10 instead of implying either way, we could just  
11 say did you ever not wear or you know, not  
12 turn in your badge.

13 MEMBER ZIEMER: So we don't weigh  
14 whether it was their decision.

15 MEMBER GRIFFON: Elected or not.  
16 Elected or demanded by your foreman or  
17 whatever. You know, we don't imply either  
18 way. We just leave it open that did you ever  
19 not wear or not turn in your badge.

20 CHAIR MUNN: I don't recall the  
21 result of our conversation on this point when  
22 we discussed it last time. But my sense is

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701



1 that there would be very little conflict over  
2 the idea of removing the word elect. Does  
3 anyone disagree with Mark's position on that?

4 MR. HINNEFELD: No, I don't think  
5 we had a problem with it. It is just, that is  
6 coded into the form that shows up on the  
7 screen. We will just take it off.

8 CHAIR MUNN: Okay.

9 MEMBER ZIEMER: Is there a  
10 difference between not wearing it and not  
11 turning it in? I think many people turned it  
12 in but didn't necessarily wear it.

13 MR. HINNEFELD: Well, they are  
14 allowed to, I would expect them to tell us  
15 that in the answer.

16 MEMBER ZIEMER: Okay, well it says  
17 did you elect not to turn it in.

18 MR. HINNEFELD: Okay, well Mark's  
19 suggestion is --

20 MEMBER GRIFFON: That might have  
21 been --

22 MR. HINNEFELD: -- that we should

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

1 say did you ever not wear or turn in your  
2 badge. That was Mark's suggestion.

3 MEMBER ZIEMER: Oh, okay.

4 MR. HINNEFELD: So if we just put  
5 that in there, I think that would be all  
6 right.

7 CHAIR MUNN: All right, that  
8 suggestion will go in.

9 MEMBER GRIFFON: Okay.

10 CHAIR MUNN: Number 19.

11 MEMBER GRIFFON: And I don't know.

12 I think my concern here was the incident,  
13 incidents thing. And it does pick up that in  
14 19.1, you know, in the line before 19.1 it  
15 does imply -- again, this is this form versus  
16 you are not limited to one choice of an  
17 incident but in the opening statement, were  
18 you ever involved in an incident. I would  
19 just put parenthesis S. You know,  
20 "incident(s)" involving radiation. You know,  
21 so that they know they can list more than one  
22 if they feel it is necessary.

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

1                   MEMBER ZIEMER:     How about "any  
2 incidents?"     "Were you ever involved in any  
3 incidents?"

4                   MEMBER GRIFFON:       Or in any  
5 incidents, yes.

6                   MEMBER ZIEMER:     I can be any number  
7 then.

8                   MEMBER GRIFFON:     Right. Right. I  
9 guess that was my point.

10                   And then I have a note here and I  
11 couldn't find the old form so I am not sure  
12 what this is.     This might be a co-worker  
13 question but why is question 18 deleted. And  
14 I can't find the old form to find question 18.

15                   So, I need some help here.

16                   I mean, number 18 on the current  
17 form is not the one I was concerned about. I  
18 don't think it is medical x-rays and stuff.  
19 It must have been an old question number 18.

20                   CHAIR MUNN:     I don't think -- we  
21 didn't change any of the questions, did we?

22                   MR. HINNEFELD:   Well, yes, we did.

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

1 CHAIR MUNN: Did we?

2 MR. HINNEFELD: Yes, and there was  
3 some renumbering done and stuff like that.  
4 But between the old form and what we proposed  
5 and what we gave you to work from, there were  
6 some changes. I think that is what he is  
7 commenting about.

8 MEMBER GRIFFON: Yes.

9 MR. SIEBERT: Yes, it is. The  
10 final question is identifying coworkers and  
11 other witnesses.

12 MEMBER GRIFFON: Okay, that is what  
13 I thought. So it is the coworker question.  
14 And coworker or other incident. Anyway, I  
15 don't have it in front of me but I was  
16 questioning why it was deleted.

17 MR. SIEBERT: If you are looking at  
18 the one that is all changes and deletions, it  
19 is actually at the end of the form that it was  
20 removed.

21 MEMBER GRIFFON: Oh, yes. There it  
22 is, at the end of the form. Thank you. Is

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

1 that Scott?

2 MR. SIEBERT: Yes.

3 MEMBER GRIFFON: Thanks.

4 MR. SIEBERT: Any time.

5 MEMBER GRIFFON: All right. Yes,  
6 identifying coworkers and other witnesses.  
7 Right.

8 So I think, given our discussion  
9 earlier, I still believe that should stay in  
10 with the caveat that Paul was saying that we  
11 may, you know, it is likely we won't contact  
12 these individuals. However, we may need to if  
13 your dose reconstruction requires it, or  
14 something like that.

15 CHAIR MUNN: But Mark --

16 MEMBER GRIFFON: That way, it is  
17 not expected but it could happen.

18 CHAIR MUNN: There are also some  
19 serious issues surrounding the words that are  
20 used here. This is a very legal sounding  
21 question.

22 MEMBER ZIEMER: Which one are you

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

1 on?

2 CHAIR MUNN: Way down at the bottom  
3 of the form. All the way down to final  
4 questions that have been eliminated.

5 MEMBER ZIEMER: Oh, okay.

6 CHAIR MUNN: That question said,  
7 "Can you name coworkers or other witnesses," -  
8 -

9 MEMBER GRIFFON: Yes.

10 CHAIR MUNN: -- which immediately  
11 puts people in a courtroom in their mind.

12 MEMBER GRIFFON: Right.

13 CHAIR MUNN: So does "consulting  
14 industrial hygienists." Most of them don't  
15 even know what consulting industrial  
16 hygienists are. "Or radiation safety  
17 specialists who can confirm" -- again, you are  
18 back in the courtroom.

19 MEMBER GRIFFON: Yes.

20 CHAIR MUNN: Can you substantiate  
21 what you are saying here? How can you prove  
22 it? And that is the one thing that no one has

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

1 ever tried to do and which for some reason is  
2 firmly entrenched in the minds of many that  
3 they have to have confirmation of what they  
4 say.

5 MEMBER GRIFFON: I totally agree  
6 with you, Wanda --

7 MEMBER ZIEMER: Plus the  
8 instruction to obtain the names. This  
9 instructs them to obtain the names.

10 MEMBER GRIFFON: I totally agree  
11 with you, Wanda. This should be, I would say,  
12 identifying coworkers. And it should say can  
13 you name coworkers, not other witnesses. You  
14 know, such as industrial hygienists, radiation  
15 specialty.

16 CHAIR MUNN: I wouldn't even say  
17 can you name them, I would --

18 MEMBER GRIFFON: Yes, I would just  
19 say coworkers.

20 CHAIR MUNN: Well, do you know of  
21 other coworkers --

22 MEMBER GRIFFON: Right.

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

1 MEMBER ZIEMER: Or others, period.

2 CHAIR MUNN: Yes, or anyone who --

3 MEMBER GRIFFON: Who can expand on,  
4 not confirm. I agree with you.

5 CHAIR MUNN: -- who might have  
6 additional information that would help.

7 MEMBER GRIFFON: Yes.

8 CHAIR MUNN: But then there is the  
9 caveat that we have already discussed. We  
10 have to make it very clear to them; this  
11 doesn't mean we are going to contact them,  
12 even if you give them to us.

13 MEMBER GRIFFON: Right. I  
14 completely agree with what you said, Wanda.

15 CHAIR MUNN: So the question as I  
16 identify it before us is, one, does this type  
17 of question stay in; and two, how should it be  
18 worded if it does. Is that the correct  
19 interpretation of the question?

20 MEMBER GRIFFON: Yes. I mean, I  
21 would suggest the modification you just laid  
22 out for us, Wanda, would be appropriate. And

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701



1 then I think NIOSH, we should recommend that  
2 to NIOSH and see if they agree or disagree.  
3 But you know, the language you have with the  
4 note that Paul was talking about that we  
5 likely won't use, be contacting these  
6 individuals, but we may want to depending on  
7 the need for reconstruction, whatever.

8 CHAIR MUNN: All right, what is the  
9 action here, to request that and to ask  
10 wording from NIOSH? Do we want to approve the  
11 wording?

12 MEMBER GRIFFON: Yes, or can we --

13 CHAIR MUNN: You're up.

14 MEMBER GRIFFON: I'm sorry. I have  
15 got my other phone ringing, too. Sorry.

16 Can we suggest language similar to,  
17 and then lay out what you just sort of framed  
18 it as. Because I think the legal language  
19 that is in there already, you are right, it is  
20 a problem. So, in this case, can we sort of  
21 suggest language similar to, you know, this be  
22 included for question number 18? And then

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

1 question 18 be reinserted in the  
2 questionnaire.

3 And then NIOSH has the liberty to  
4 edit it but they, you know, they get the gist  
5 of what we want.

6 CHAIR MUNN: All right. So what I  
7 am going to do is say that our action as a  
8 subcommittee is recommending to NIOSH that  
9 this type of question be returned to the  
10 questionnaire with complete revision and  
11 wording, so that there is neither expectation  
12 nor pressure on the interviewed employee to  
13 provide this data. Right?

14 MEMBER GRIFFON: That's fine, for  
15 me anyway.

16 CHAIR MUNN: Anyone have any  
17 heartburn with that?

18 MEMBER ZIEMER: I'm good.

19 MR. HINNEFELD: I'm sorry. Am I  
20 supposed to write something for you or are you  
21 going to write something and then send it to  
22 me?

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

1                   CHAIR MUNN:     Wanda will put some  
2 words together for a recommendation and send  
3 it to you with a "for instance" language. And  
4 actually, I will send it to you and the rest  
5 of this body so that if anyone has any grief  
6 with the wording, we will relay that to you.

7                   MEMBER GRIFFON:   That sounds good,  
8 Wanda.

9                   CHAIR MUNN:     Okay. Does that come  
10 -- have we covered your general comments in  
11 our other discussions here?

12                  MEMBER GRIFFON:   I believe so. I  
13 was just looking through there. The one is  
14 that it is a lengthy questionnaire but I think  
15 we understand that. You know, you could have  
16 done these with people that have six, seven,  
17 eight, jobs, so it could be a lengthy process.

18                  And the last one is really getting  
19 to the security question in the end. So I  
20 think we have covered both of those, though.

21                  CHAIR MUNN:     So we can consider  
22 your list now having been gone through and I

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

1 have one, two, three, four, five, six, seven  
2 actions for NIOSH and one for me to NIOSH.

3 MR. HINNEFELD: I have got the same  
4 count.

5 CHAIR MUNN: Yes.

6 MR. HINNEFELD: I don't know if  
7 they are the same actions, but I have the same  
8 count.

9 Are you going to share yours with  
10 me or should I share mine with you?

11 CHAIR MUNN: Well, I am not sure  
12 that one can interpret from my scribbles what  
13 it really and truly means.

14 I have an action item for Stu and  
15 Steve to list the changes that have been  
16 suggested from board members to the overall  
17 database as we change over to SQL.

18 MR. HINNEFELD: Oh, that is not  
19 relevant to CATI.

20 CHAIR MUNN: That doesn't have  
21 anything to do with the CATI. That was my  
22 first action item, though.

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

1                   MEMBER ZIEMER:    He may have more  
2                   CATI items than you do.

3                   CHAIR MUNN:    Yes, that is possible.

4                   MEMBER ZIEMER:    That's all right.

5                   CHAIR MUNN:    The first CATI item I  
6                   had had to do with Stu checking to see how,  
7                   what security problems exist with respect to  
8                   our    requesting    information    on    building-  
9                   specific nuclides.

10                  MEMBER ZIEMER:    I had that for a  
11                  second item.

12                  CHAIR MUNN:    All right.    What did  
13                  you have for a first item?

14                  MEMBER ZIEMER:    The first item had  
15                  to do with that employment history --

16                  CHAIR MUNN:    If known.

17                  MEMBER    ZIEMER:        --    if    known  
18                  business.

19                  CHAIR MUNN:    If known, yes.

20                  MR. HINNEFELD:    On the form.    Yes,  
21                  that is what I have for the first one.

22                  CHAIR MUNN:    Okay.    Well that was

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

1 my next one.

2 And then change of expectations of  
3 are we getting into contact with coworkers or  
4 supervisors. We were going to reword. You  
5 were going to seek wording on that, how we  
6 would make sure that it was emphasized again,  
7 that when they give us this information, when  
8 we ask for additional information -- when we  
9 ask for information on coworkers, supervisors,  
10 things of that sort, it does not mean that we  
11 are going to contact those people. We will  
12 only contact them if we need to expand on  
13 information that they have given us.

14 Then I had a note we are going to  
15 change 8.7 with respect to the wording of  
16 special radiation work permits. And number  
17 17, we are going to remove the word elect and  
18 change it to wear or turn it badges. Number  
19 19, we are going to say and any incidents,  
20 rather than incidence.

21 And then I am going to deal with  
22 the wording and recommendation that we insert

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

1 something like section 18.

2 MR. HINNEFELD: Okay, I have one  
3 other comment for either 9.2 or 9.3. It is  
4 about the frequency of badge exchange when  
5 talked about, you know, there are some  
6 examples in the frequency heading.

7 MEMBER ZIEMER: Frequency of use  
8 versus of frequency of exchange.

9 MR. HINNEFELD: Well, now, I want  
10 to make sure that we are clear on that.  
11 Because you were saying that frequency of use  
12 is sort of an open-ended thing.

13 MEMBER ZIEMER: I think, in my mind  
14 it is.

15 MR. HINNEFELD: In which case, you  
16 know, for instance, if I wore a badge every  
17 time I went into what we called the controlled  
18 area, I would answer that way, as opposed to  
19 weekly or monthly.

20 MEMBER ZIEMER: Right.

21 MR. HINNEFELD: Other people might  
22 say I wore my badge every day, or daily.

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

1 Okay, so you think there might be some benefit  
2 in not listing examples there and just letting  
3 them describe the situations in which they  
4 wore their badge. Or you could say instead of  
5 asking how frequently did you wear your badge,  
6 under what situations did you wear our full  
7 badge or something like that.

8 MEMBER ZIEMER: Or something like  
9 that.

10 MR. HINNEFELD: Yes, okay.

11 CHAIR MUNN: Yes. Your last  
12 comment is probably the more broad way to ask  
13 the question.

14 MEMBER ZIEMER: I had one other and  
15 I am not sure this was an action item but I  
16 jotted down that Stu, you were going to check  
17 back on the wording relating to security  
18 issues. Were you going to have the DOE at  
19 some point look at this?

20 MR. HINNEFELD: I don't know.

21 MEMBER ZIEMER: Or you were going  
22 to talk --

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701



1 MR. HINNEFELD: I don't know.

2 MR. KATZ: Check internally.

3 MEMBER ZIEMER: Internally to see.

4 MR. HINNEFELD: I will check  
5 internally.

6 MEMBER ZIEMER: Yes.

7 MR. HINNEFELD: Internally, we may  
8 decide that DOE needs to see it.

9 MEMBER ZIEMER: Yes, I got you.  
10 But there was that security question, --

11 MR. HINNEFELD: Yes.

12 MEMBER ZIEMER: -- the one I  
13 thought was sort of an action item.

14 CHAIR MUNN: Yes, an action item.

15 MEMBER ZIEMER: It relates to time,  
16 place, location, and amount.

17 CHAIR MUNN: Time, place, yes, it  
18 covers several things.

19 All right. I think we have  
20 responses to the previous questions. Now, I  
21 have revisions of the proposed new wording on  
22 I guess the CATI letters themselves is what I

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

1 was thinking about at the time.

2 MR. HINNEFELD: Well, we looked at  
3 the two CATI letters, the proposed revision  
4 and the original version.

5 CHAIR MUNN: Yes.

6 MR. HINNEFELD: And then also we  
7 were asked what is the introduction or the  
8 introductory script to the CATI.

9 CHAIR MUNN: Yes.

10 MR. HINNEFELD: And so we produced  
11 what appears on the interviewer's screen. And  
12 Pat told us at the last meeting, well the  
13 interviewer doesn't read that verbatim, they  
14 introduce in the fashion that we want in  
15 introduced. And so we have prepared a revised  
16 introductory screen, despite the fact that the  
17 interviewer doesn't use it. You know,  
18 theoretically at some point you may hire a new  
19 interviewer and you wouldn't want to  
20 necessarily have a screen up that shows them  
21 the incorrect wording. You want to show them  
22 what you want it to be. And so should we

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

1 revise that as well. Now, I sent those out as  
2 well. Both for the current existing language  
3 and a proposed revision to that. And we might  
4 figure out what I called those.

5 CHAIR MUNN: Yes, let me see.  
6 Those went out on the 24th.

7 MR. HINNEFELD: It wasn't very long  
8 ago, probably.

9 Yes, one is called "Introduction to  
10 CATI Script Original" and the other is called  
11 "Introduction to CATI Script Proposed Revision  
12 May First."

13 CHAIR MUNN: And I believe was it  
14 the introduction to the CATI script item that  
15 I had said last time I would look at some  
16 words for that I just sent you yesterday?

17 MR. HINNEFELD: They are not  
18 included in what I sent you.

19 MEMBER ZIEMER: What was that that  
20 you were calling them?

21 MR. HINNEFELD: It was  
22 "Introduction to CATI Script."

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

1 CHAIR MUNN: "Introduction to CATI  
2 Script."

3 MR. HINNEFELD: And then one of  
4 them is underscore "Original" and the other is  
5 "Proposed Revision May First."

6 MEMBER ZIEMER: Is that a Word  
7 document?

8 MR. HINNEFELD: Yes, they are a  
9 Word document.

10 CHAIR MUNN: Yes, because the  
11 wording that we were complaining about was the  
12 end of the second paragraph that said,  
13 "However, if you choose not to be interviewed,  
14 this would hinder NIOSH in conducting the dose  
15 reconstruction for your claim. Choosing not  
16 to be interviewed may also result in a dose  
17 reconstruction that incompletely or  
18 inaccurately estimates the radiation dose to  
19 which you may have been exposed."

20 We took exception to that in our  
21 last meeting and said we feel that was  
22 inaccurate and left the impression that there

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

1 is undue pressure on the person being  
2 interviewed to provide more information. And  
3 that isn't necessarily the case.

4 So I sent you, since I accepted  
5 that as an action item last time, I sent you,  
6 let me see, did we have any other correction  
7 to that, that introduction? We didn't, did  
8 we? I didn't see that there was any change  
9 made to that.

10 So, I sent you yesterday, I  
11 believe, no, day before yesterday, maybe  
12 yesterday.

13 MR. HINNEFELD: Yes, you sent it to  
14 me yesterday.

15 CHAIR MUNN: Yes, before I left.

16 MR. HINNEFELD: Actually at 5:29  
17 Eastern Time.

18 CHAIR MUNN: Yes, right. And it  
19 was entitled "Procedures Subcommittee Proposed  
20 Revised Language Action Item." And what I  
21 submitted was "You alone can choose whether  
22 not to be interviewed." Dose reconstructions

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

1 for your claim can be made only on information  
2 that is available to us. So any additional  
3 facts might help complete or expand the  
4 information we have and could be very helpful.

5 That was my suggested change from  
6 the two sentences that I just read you  
7 previously. That was script.

8 Yes, Paul?

9 MEMBER ZIEMER: I like what you  
10 say. I have a minor suggestion that might  
11 make it feel less -- it still feels to me like  
12 there is a little bit of pressure on them  
13 here. And what I am thinking is something  
14 like "This dose reconstruction for your claim  
15 can be made with information that is already  
16 available to us but additional information  
17 might help us complete or expand what we  
18 already have."

19 CHAIR MUNN: I have no problem with  
20 that.

21 MEMBER ZIEMER: Do you see what I  
22 am saying?

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

1 CHAIR MUNN: Yes.

2 MEMBER ZIEMER: Like we only have  
3 so much and so we really need your additional.  
4 It is a very slight nuance.

5 CHAIR MUNN: But it is a worthwhile  
6 nuance. And I have no objection to it at all.

7 MR. HINNEFELD: Could I propose  
8 that I ask that you send to me in the proposed  
9 revision I sent you, how you would like this  
10 incorporated or accommodated in that? Because  
11 it is going to be a little bit -- I mean, we  
12 wrote a new introduction.

13 MEMBER ZIEMER: Oh, okay.

14 MR. HINNEFELD: And so we wrote a  
15 new introduction and so this may or may not be  
16 particularly fitting.

17 MR. KATZ: Someone put us on hold,  
18 I think.

19 CHAIR MUNN: Yes, they did.

20 MR. HINNEFELD: Probably.

21 CHAIR MUNN: At least they have a  
22 nice carrier.

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

1                   MEMBER ZIEMER:    Are the others on  
2                   the line hearing music?

3                   MR. KATZ:        Is anyone on the line  
4                   who can hear this?

5                   MEMBER GRIFFON:   Yes, we can.

6                   MR. KATZ:        Okay, I'm sorry about  
7                   that.

8                   MEMBER ZIEMER:    Somebody put us on  
9                   hold and we are getting music.    Could you all  
10                  sing along with it?

11                  (Laughter.)

12                  CHAIR MUNN:        If you could just  
13                  consider us properly directed via Hollywood.

14                  MEMBER ZIEMER:    Is there anyway to  
15                  cut that off?

16                  MR. KATZ:        Yes, someone probably  
17                  just did that.

18                  AUTOMATED VOICE:    The pass code you  
19                  are attempting to enter 9933704 is invalid.  
20                  Please check your pass code and try again.

21                  MR. KATZ:        Okay, I assume that will  
22                  be the end of it.    If it comes back, we can

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701



1 get her to cut the line.

2 CHAIR MUNN: So, you should have  
3 that on your email.

4 AUTOMATED VOICE: The pass code you  
5 are attempting to enter is invalid. Please  
6 check your pass code and try again.

7 MR. HINNEFELD: Are we out? Are we  
8 going to get thrown out of the conference?

9 MR. KATZ: Folks on the line, can  
10 you still hear us?

11 MEMBER GRIFFON: Yes, we can.

12 MR. KATZ: Yes, okay.

13 AUTOMATED VOICE: This entry is  
14 invalid. Please confirm your pass code and  
15 try your call again.

16 MR. KATZ: I am going to get her to  
17 cut that line.

18 AUTOMATED VOICE: Or call your  
19 conference leader for assistance.

20 CHAIR MUNN: So the action item is  
21 for Paul to clean up my language and send it  
22 to Stu.

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

1 MR. HINNEFELD: Preferably in the  
2 proposed revision as it stands. Because --

3 MEMBER ZIEMER: Okay.

4 MR. HINNEFELD: -- you know, where  
5 in there you want it. That kind of thing, the  
6 addition.

7 CHAIR MUNN: It is the last two  
8 sentences of the second paragraph.

9 MR. HINNEFELD: Yes, but those  
10 don't exist any more. Those are gone. The  
11 two sentences you objected to, that paragraph  
12 is gone.

13 CHAIR MUNN: Is gone. The entire  
14 paragraph is gone.

15 MR. HINNEFELD: Okay, the whole  
16 thing was rewritten. So, in order to  
17 incorporate this language, I would like you to  
18 let me know where you want it in there.

19 MEMBER GIBSON: Oh, okay.

20 MR. KATZ: If you look at the  
21 rewrite, I just would suggest that this sort  
22 of really has been handled already.

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

1 MR. HINNEFELD: I think it has.

2 MR. KATZ: So, I am not sure that  
3 there is anything to be done.

4 CHAIR MUNN: Yes, there may not be.

5 MEMBER GIBSON: The third paragraph  
6 in the proposed, I think captured it.

7 MEMBER ZIEMER: In the letter  
8 itself?

9 MR. HINNEFELD: It is the  
10 introductory, the introduction to the CATI  
11 script. The introduction to the script.

12 CHAIR MUNN: Now, it is in the  
13 third but it really and truly doesn't say.

14 MEMBER GIBSON: The first sentence  
15 seems to me to real simply just tell it. It  
16 is voluntary.

17 CHAIR MUNN: No, you see it hasn't  
18 been fixed. Because look at the last sentence  
19 of the second paragraph. That is, if I am  
20 looking at the correct introduction to the  
21 CATI script, the last sentence of the second  
22 paragraph still says --

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

1                   MEMBER ZIEMER:    That may be the  
2 original one.

3                   MR. HINNEFELD:    The last sentence  
4 in the second paragraph says, the one I sent  
5 says if we need to divide this interview into  
6 a couple of shorter calls, we can do that as  
7 well.

8                   CHAIR MUNN:       Okay.     So, I am  
9 looking at the wrong CATI introduction.

10                  MEMBER ZIEMER:    I was looking at  
11 the old one.

12                  CHAIR MUNN:    And the introduction  
13 to the CATI script.

14                  MR. KATZ:       Yes, it is the title of  
15 the file is "Introduction to CATI Script  
16 Proposed Revision May 1, '09"

17                  MEMBER ZIEMER:    I've got it.

18                  CHAIR MUNN:    And why it is not  
19 where I want it to be, I don't know.

20                  MR. MARSCHKE:    Wanda, it was up on  
21 the screen a few moments ago.

22                  MR. KATZ:       Yes, it's there.

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

1 CHAIR MUNN: It doesn't even  
2 address the issue. Therefore, it is fine with  
3 me.

4 MEMBER GIBSON: I just moved it  
5 down to the third paragraph.

6 CHAIR MUNN: Well yes, but it  
7 doesn't even -- all it really says is that it  
8 is voluntary. That is fine with me.

9 MEMBER ZIEMER: The second  
10 paragraph, I think, covers it in the sense it  
11 says, "We would like you to help us gather  
12 additional information to ensure that what we  
13 use is as complete as possible." I think that  
14 covers it, doesn't it?

15 CHAIR MUNN: I think so.

16 MEMBER ZIEMER: It is not at all  
17 like it is their burden to --

18 CHAIR MUNN: No, it does not.

19 Mark, are you seeing this?

20 MEMBER GRIFFON: Yes. Yes, I  
21 looked at it and I think it is okay.

22 CHAIR MUNN: No grief?

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

1                   MEMBER GRIFFON: No grief. Can we  
2 make as a statement that the subcommittee  
3 approves the selected, the proposed new  
4 introduction to the CATI script?

5                   MEMBER GRIFFON: Yes.

6                   CHAIR MUNN: Any opposition to  
7 that? Stu, you may pass that on.

8                   MR. HINNEFELD: Okay.

9                   CHAIR MUNN: Okay?

10                  MR. HINNEFELD: I was thinking that  
11 could have been a little easier.

12                  (Laughter.)

13                  CHAIR MUNN: All right, do we want  
14 to take up any other items? Are we complete  
15 with as far as we can go right now on the  
16 CATI, absent the action items that we have  
17 today?

18                  MEMBER ZIEMER: Well what about the  
19 other CATI form for the survivors? I think  
20 that there are a lot of parallels and maybe to  
21 the extent that things apply to both, we can  
22 say that they are covered. But are there any

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

1 differences we need to look at between the EE  
2 form and what is the other one?

3 CHAIR MUNN: SV.

4 MEMBER ZIEMER: SV?

5 CHAIR MUNN: For survivor.

6 MEMBER ZIEMER: Oh, yes. Or were  
7 you going to handle that separately?

8 CHAIR MUNN: I did not have any  
9 issues with it. We originally undertook to  
10 look at both of them at the same time. But I  
11 think the issues that we were discussing with  
12 the EE form were among those that were  
13 overlaps for both of them.

14 It has been a couple of months  
15 since I, personally have reviewed the language  
16 on the SV form. Does anyone have any specific  
17 concerns that they are aware of at this moment  
18 on the SV form?

19 MEMBER ZIEMER: Let me ask first,  
20 does the same letter go -- is the letter  
21 itself the same one for both groups?

22 MR. HINNEFELD: I think the letter

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

1 is the same. I think the letter is the same  
2 but the questions are somewhat different for  
3 the survivor.

4 CHAIR MUNN: The letter says  
5 employee/survivor, I believe.

6 MR. HINNEFELD: So we are okay. It  
7 is the same letter. There is not a different  
8 letter.

9 MR. HINNEFELD: I believe it is the  
10 same letter. It is the same text of the  
11 letter. Electronically they may be filed  
12 differently and they may have different names.

13 MEMBER ZIEMER: Right.

14 MR. HINNEFELD: Just for file  
15 handling.

16 CHAIR MUNN: So the question is  
17 really do we need to --

18 MEMBER ZIEMER: Is there anything  
19 we have to attend to out in the survivor form  
20 or is everything overlapping?

21 CHAIR MUNN: And of course,  
22 everything is not overlapping. It is a

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701



1 slightly different form, as I repeated  
2 earlier. I will repeat what I said earlier.  
3 I personally did not identify any problem that  
4 I had with that form but if anyone has done  
5 so, we should know about it now or we need to  
6 make the decision that we will address that  
7 form completely separately.

8 DR. MAKHIJANI: I am presuming that  
9 this coworker question, parallel things will  
10 apply to the earlier comments we made. You  
11 are asking for any new comment.

12 CHAIR MUNN: That was my intention,  
13 yes.

14 I don't hear any strong feelings  
15 with respect to setting aside a time on our  
16 next agenda to go through this.

17 MEMBER GRIFFON: To go through it  
18 on the next agenda. Is that what you are  
19 saying?

20 CHAIR MUNN: Yes, because --

21 MEMBER GRIFFON: That would be --  
22 okay, I was trying to scan through it quickly.

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

1 I mean, I agree with Arjun's comment that the  
2 coworker comment would still apply here. But  
3 I haven't gone through this as much as I did  
4 the other one.

5 CHAIR MUNN: Is it the desire of  
6 the subcommittee that we accept the changes  
7 from the EE questionnaire as being applicable  
8 also to the SV questionnaire or do you wish to  
9 move this into a separate agenda item for our  
10 next meeting?

11 MEMBER GRIFFON: Well, I think, my  
12 opinion, Wanda, is that not all the changes we  
13 made are applicable. You know, the comments  
14 on the first, the EE questionnaire, not all of  
15 them will be applicable to this one.

16 CHAIR MUNN: No, of course not.  
17 But those that do overlap, will.

18 MEMBER GRIFFON: Oh.

19 CHAIR MUNN: Those that do not,  
20 obviously drop off the table.

21 Do I hear any desire to -- yes.

22 MR. KATZ: Let me just ask a

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

1 procedural question here and I guess Stu may  
2 have perspective here about this but I thought  
3 our aim was to provide recommendations,  
4 whatever they will be, at this next Amarillo  
5 meeting. Because then otherwise, we are  
6 waiting for another, there is that long gap.  
7 And I don't know how quickly OCAS wants to go  
8 forward and get the improvements implemented.

9 But the longer it takes for the Board to make  
10 its recommendations, the longer that is  
11 delayed. So, I just, if this work can get  
12 done today, that would be great, I would  
13 think, so that you can report out to the full  
14 board.

15 CHAIR MUNN: I agree. I would  
16 prefer that.

17 MEMBER GRIFFON: Can we go, can we  
18 just step through the sections, Wanda? I  
19 mean, I think we got the gist of it from the  
20 other one and I am willing to just go through  
21 this one as I am looking at it, if you want to  
22 do it that way, that is fine with me.

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

1 CHAIR MUNN: May I suggest that it  
2 is our lunchtime and that if we take ten  
3 minutes of lunchtime or so to read through the  
4 survivor's questionnaire, as opposed to the  
5 one we have just looked at, that may give us  
6 the answer that we need. Can we, is that  
7 amenable with everyone?

8 MR. KATZ: We could have an hour  
9 and 15 minute lunch break if you want and that  
10 way, everybody has plenty of time to read and  
11 think a little bit about differences.

12 CHAIR MUNN: Any problem with at  
13 that?

14 MEMBER GRIFFON: That is fine.

15 CHAIR MUNN: All right, very good.  
16 We are going to break for lunch. We will be  
17 back at 1:45 Eastern Time.

18 (Whereupon, the above-entitled matter went off  
19 the record at 12:31 p.m. and  
20 resumed at 1:57 p.m.)

21 A-F-T-E-R-N-O-O-N S-E-S-S-I-O-N

22 1:57 p.m.

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

1 MR. KATZ: This is Ted Katz with  
2 the Advisory Board on Radiation and Worker  
3 Health Procedures Review Subcommittee and we  
4 are coming back into session after a break.

5 Mark, do we have you on the line?

6 MEMBER GRIFFON: I'm here, Ted.

7 MR. KATZ: That's great.

8 CHAIR MUNN: Mark, this is Wanda.  
9 Do you have anything that you want to call to  
10 our attention with respect to the survivor  
11 CATI questionnaire?

12 MEMBER GRIFFON: Yes. Not a lot  
13 but there is a few things, I think, in  
14 addition to the ones that overlap from the  
15 first one.

16 CHAIR MUNN: Right.

17 MEMBER GRIFFON: But I had a  
18 question as to whether we should have  
19 somewhere included, and I was thinking maybe  
20 it was a possibility around question 14 where  
21 we asked if they had, did the covered employee  
22 receive any biological monitoring. Oh, it

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

1 says after an incident, though. I don't know  
2 if I like the way that reads either. But  
3 anyway, I mean, what I was trying to get at  
4 was I know the exposure, the whole list of  
5 radionuclides was dropped out for the survivor  
6 questionnaire and I agree with that.

7 CHAIR MUNN: Yes.

8 MEMBER GRIFFON: But I wondered if  
9 somewhere we wanted to include an opportunity,  
10 an open-ended question on like exposures to  
11 radiation. And I thought maybe one place to  
12 do it was related to biological monitoring  
13 where we say if they have biological  
14 monitoring and then we could follow up with a  
15 question saying if you know, do you know what  
16 the monitoring was for or something like that.

17 CHAIR MUNN: Do you not feel that  
18 is redundant from question 15?

19 MEMBER GRIFFON: Fifteen, did I  
20 miss that?

21 CHAIR MUNN: If yes, tell us  
22 everything you know.

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

1                   MEMBER GRIFFON: Well that is kind  
2 of asking about conditions, yes.

3                   CHAIR     MUNN:           Situations     or  
4 practices.

5                   MEMBER GRIFFON: Yes. I mean, I  
6 think overall it looked good. And I know why  
7 you wouldn't. I mean, I don't want to ask  
8 them do you know what radionuclides you were  
9 exposed to because I think people would say  
10 what is a radionuclide.

11                  CHAIR     MUNN:           What     is     a  
12 radionuclide.

13                  MEMBER GRIFFON: Yes.

14                  CHAIR   MUNN:     You don't want to go  
15 there.

16                  MEMBER GRIFFON: But if they had  
17 monitoring and if they knew they had urine  
18 monitoring they may remember it was for  
19 uranium or whatever. That is all I was  
20 getting at is some sort of follow-up where we  
21 would, you know, an open ended question where  
22 you know, if they have that information they

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

1 can include it.

2 CHAIR MUNN: Do you feel strongly -

3 -

4 MEMBER GRIFFON: I'm not sure 15  
5 gets to that part of it. You know, that sort  
6 of talks about --

7 CHAIR MUNN: Would you think 15  
8 covered it if we inserted a word like  
9 biological monitoring or situations or  
10 practices in there?

11 MEMBER GRIFFON: Have we missed  
12 asking about any conditions, situations, or  
13 practices where that occurred?

14 CHAIR MUNN: Practices,  
15 parenthesis, including monitoring and  
16 biological testing practices.

17 MEMBER GRIFFON: Yes, I don't know,  
18 I think it would be easier to add it onto 14  
19 and say do you know what they -- if yes to  
20 14.1, do you know what they were testing for,  
21 or something like that.

22 CHAIR MUNN: Okay.

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701



1                   MEMBER ZIEMER: How does that help  
2 us, Mark? In other words, will it make a  
3 difference in record retrieval? I'm trying to  
4 think of --

5                   MEMBER GRIFFON: Well it may not  
6 make a lot of difference, unless, you know,  
7 because you are not asking a lot about  
8 exposure anyway. But it is an opportunity for  
9 them to add if they knew something about that  
10 end of it that, yes, I know --

11                   MEMBER ZIEMER: Well if the person  
12 said they took urine samples, it was for a  
13 particular nuclide, --

14                   MEMBER GRIFFON: And you don't find  
15 any records related to that.

16                   MEMBER ZIEMER: Well whether or not  
17 they knew what the nuclide is, I am sort of  
18 saying how important is it for us to know what  
19 nuclide it is, in most particular cases.

20                   MEMBER GRIFFON: Well, I guess it  
21 depends on where they work. But I will give  
22 you an easy example is Fernald and they say,

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

1 yes, they tested urine for uranium but also  
2 they did thorium. I remember them talking. I  
3 remember them saying some special projects for  
4 thorium. And we looked at this list of people  
5 that NIOSH has and the person is not included.

6 You know --

7 MEMBER ZIEMER: Oh, I see.

8 MEMBER GRIFFON: So that sort of  
9 thing. I doubt that many people are going to  
10 have it so I don't want to make it like a big  
11 matrix. I agree that that is a good idea  
12 dropping that. But I just thought an open-  
13 ended question like that, if they know  
14 something that could be helpful. I don't  
15 know.

16 That was the only real thing I had.

17 And then as I was reading 14 again, the only  
18 other comment I would have is on 14, I guess  
19 14 is lumped under incidents. This section in  
20 incidents. And I wonder if we don't want to  
21 keep that more generic. In other words, did  
22 they monitor --

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

1 This is after the incident.

2 MEMBER ZIEMER: Well there is  
3 biological monitoring in the general, earlier,  
4 under the general monitoring.

5 MEMBER GRIFFON: Oh, did it? Okay,  
6 I'm sorry.

7 CHAIR MUNN: Yes, it gets  
8 redundant.

9 MEMBER GRIFFON: I'm sorry. I  
10 missed that.

11 CHAIR MUNN: Yes, under monitoring,  
12 we have the whole thing.

13 MEMBER ZIEMER: Item 9 covers  
14 regular monitoring.

15 MEMBER GRIFFON: Oh, okay.

16 MEMBER ZIEMER: Maybe the same  
17 comment would hold for you there, though, what  
18 nuclides.

19 MEMBER GRIFFON: Yes. Yes, so the  
20 same comment would hold there. And then to  
21 relate that one to the incidents. And that  
22 was really it.

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

1                   MEMBER ZIEMER:       And I am not  
2                   objecting to asking that. I mean, I was just  
3                   kind of trying to get a feel for whether it is  
4                   something, in what way that helps NIOSH.

5                   MEMBER GRIFFON:    yes, I mean, that  
6                   was the only hypothetical that I could give  
7                   you, Paul, is that it may help.

8                   MEMBER ZIEMER:    Yes, maybe it might  
9                   suggest that they work with something that we  
10                  don't know.

11                  MEMBER GRIFFON:    Right.

12                  CHAIR    MUNN:            And from my  
13                  perspective --

14                  MEMBER GRIFFON:    Or that you don't  
15                  have any urine uranium records for the  
16                  individual at all.

17                  CHAIR MUNN:    But my perspective is  
18                  there are enough open ended questions in there  
19                  that -- and remember, we have trained people  
20                  asking the questions.

21                  MEMBER GRIFFON:    Yes and I felt,  
22                  and rightly so, I felt like they were focusing

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

1 on duties and process and sort of practices,  
2 which I think is right. Because there,  
3 especially a survivor is most likely to know.

4 CHAIR MUNN: And much more likely  
5 to get information in that regard, too.

6 MEMBER GRIFFON: Right but I  
7 thought at least maybe one open-ended on the  
8 economy sort of that might get into the  
9 radionuclides would be okay. And I thought it  
10 would be valuable to add in in that section.  
11 I guess those two sections, now that I am  
12 looking at it again.

13 CHAIR MUNN: Yes.

14 MEMBER GRIFFON: That was my only  
15 comment, really. Other than that, I thought  
16 it looked pretty good.

17 CHAIR MUNN: Well I have one thing  
18 that bothers me as I go through this. And  
19 that is, there are three or possibly four, I  
20 can't remember, questions on here, which is  
21 the very last, when you get to the very tail  
22 end of the information, the folks are asked if

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

1 they have , and if they do have records, would  
2 they be willing to provide copies to us. And  
3 then there is the question, if they say no,  
4 "Why not?" And if I were a survivor and were  
5 getting that question and if somebody asked  
6 well why won't you, I think my response would  
7 be well it is none of your business.

8 MEMBER GRIFFON: It can't be  
9 included on the transcript?

10 CHAIR MUNN: Well, I think it  
11 probably wouldn't be wise to include it on the  
12 transcript. But I guess that is another one  
13 of those questions that what purpose does that  
14 serve. Does it get us anything? Does anybody  
15 ever say why they wouldn't give you the  
16 information?

17 MR. HINNEFELD: I don't know.

18 CHAIR MUNN: If they are not going  
19 to give you the information, they are not  
20 going to give you the information.

21 MR. HINNEFELD: I think the reason  
22 why that is there is they are afraid I won't

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

1 get them back. Because I want to keep them or  
2 something like that. It would be to reassure  
3 them that it would be duplicated and see if  
4 they have anything we want.

5 I don't know why it is on there.  
6 This survey was drawn up more than six years  
7 ago. And I don't know why it was put on there  
8 at the time. I will go back and find out if  
9 anybody thinks that really needs to be on  
10 there.

11 MEMBER ZIEMER: Or maybe somebody  
12 thinks it would reveal some classified  
13 information that they don't think they can  
14 share.

15 MEMBER GRIFFON: That they  
16 shouldn't have themselves.

17 MR. HINNEFELD: Yes, if they can't  
18 share it, then they shouldn't have it.

19 MEMBER GRIFFON: Yes.

20 CHAIR MUNN: Well, in any case, if  
21 that is the case, they are not going to tell  
22 you I have classified information and,

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

1 therefore, I am not going to share it with  
2 you. I think it is highly unlikely. And I  
3 can't imagine you are getting anything of  
4 value from that question.

5 So my only action that I have then  
6 is Stu is going to ask whether that is serving  
7 the purpose.

8 MEMBER GRIFFON: Well, I mean I  
9 think I agree with you on the no part. Some  
10 people have supplied records, I know that.

11 CHAIR MUNN: Well, yes, but those  
12 are people that answer yes.

13 MEMBER GRIFFON: Oh, okay.

14 CHAIR MUNN: If they answer no, --

15 MEMBER GRIFFON: I agree.

16 CHAIR MUNN: -- then they are not  
17 going to -- I mean the probability you are  
18 going to get an honest answer as to why not is  
19 probably remote and what would you do with it  
20 after you got the answer? That was my point.

21 MEMBER GRIFFON: Okay.

22 CHAIR MUNN: All right. Then that

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701



1 is Stu will get back to us with a response to  
2 whether or not that gives us anything.

3 Anything else?

4 MEMBER ZIEMER: What is agreed now  
5 going with the March first issue? Are we  
6 going to ask for the nuclides or not going to  
7 ask for them?

8 CHAIR MUNN: We are not going to  
9 ask for nuclides on the SV.

10 MEMBER ZIEMER: Not necessary?

11 CHAIR MUNN: Not necessary.

12 MEMBER GRIFFON: We are not going  
13 to ask for them?

14 MR. HINNEFELD: Well, Mark wants a  
15 conversation saying that it might be something  
16 to ask. Something like that, you know, some  
17 additional follow-up. If they say yes, I know  
18 my spouse or whatever was monitored. Some  
19 more than --

20 MEMBER ZIEMER: Do you know what  
21 they were monitored for or --

22 MR. HINNEFELD: Or do you know why

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

1 or do you know what they were monitored for.

2 MEMBER GRIFFON: Yes, something  
3 like that.

4 MR. HINNEFELD: Something like  
5 that.

6 MEMBER GRIFFON: I would leave the  
7 wording up to NIOSH.

8 MR. HINNEFELD: Yes, that is what  
9 he suggested. I am not advocating it or  
10 arguing against it. I am just trying to  
11 repeat what I believe he has suggested.

12 CHAIR MUNN: Under the radiation  
13 monitoring section, we were talking. Right?

14 MEMBER GRIFFON: Under Section 9  
15 and 14 I was looking at.

16 MEMBER ZIEMER: I think 14, it  
17 almost comes out in the description of the  
18 incident.

19 MEMBER GRIFFON: Well yes, so it  
20 might not be necessary in 14. But for  
21 consistency, maybe you just want to put it in  
22 both places. And yes, I would keep it very

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

1 simple and open-ended.

2 CHAIR MUNN: An open-ended question  
3 and it probably along about 9 or 10.

4 MEMBER GRIFFON: Yes, I would make  
5 it a subset of that, like 9.1(a) or whatever,  
6 under 9.1. But I will leave the formatting up  
7 to NIOSH to consider how they want to get that  
8 in there or if they want to get that in there.

9 CHAIR MUNN: Okay.

10 MEMBER ZIEMER: And I think Arjun  
11 had an item, too, he was going to leave here.

12 MR. HINNEFELD: Did he say he left  
13 it with me?

14 MEMBER ZIEMER: Yes.

15 MR. HINNEFELD: What he said, what  
16 he left with me was that the survivor does not  
17 make any mention of coworkers. And that --

18 MEMBER GRIFFON: I'm sorry, Stu, I  
19 can't hear.

20 MR. HINNEFELD: I'm sorry. I'm  
21 behind my screen.

22 MEMBER GRIFFON: Yes, okay.

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

1 MR. HINNEFELD: He said that the  
2 survivor CATI makes no mention of coworker at  
3 all. And he thought that the same sort of  
4 gentle solicitation of coworkers, if you want  
5 to call it that, -- I am only saying what he  
6 told me -- would be useful, he thought would  
7 be useful there as well, the same thing as in  
8 the EEs.

9 MEMBER GRIFFON: Well yes, I agree.  
10 I thought we --

11 MEMBER ZIEMER: Well the end of  
12 this form, in the cross-out section, --

13 MR. HINNEFELD: The same cross-out.

14 MEMBER ZIEMER: -- has the same  
15 cross-out as the other one that we thought --

16 MR. HINNEFELD: Was going back in.

17 MEMBER ZIEMER: -- perhaps could go  
18 back in --

19 MR. HINNEFELD: As modified.

20 MEMBER ZIEMER: -- with some  
21 modified wording, so it didn't sound like a  
22 legal --

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

1                   MR. HINNEFELD:    That is what he  
2                   told me and he must not have just seen that.  
3                   Because it is kind of down at the end and  
4                   crossed out, if I am not mistaken. He just  
5                   must not have seen it but that is what he told  
6                   me.

7                   MEMBER ZIEMER:    Yes, can you name  
8                   supervisors, coworkers, or and here it had  
9                   that potential witnesses business. So  
10                  whenever that wording changed, we probably  
11                  need to parallel what we did on the other one,  
12                  I would think.

13                  CHAIR MUNN:    So that gives us three  
14                  recommendations.

15                  MR. HINNEFELD:    Okay and what were  
16                  the three? Are you counting mine and 14 as a  
17                  separate one?

18                  CHAIR MUNN:    I think we should  
19                  decide that right here.

20                  MR. HINNEFELD:    Well, I'm trying to  
21                  figure out what you have as three because I  
22                  only have two.

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

1 CHAIR MUNN: Oh. Well, the no  
2 answers.

3 MEMBER ZIEMER: One was 12.4, Stu,  
4 do we need to ask, or how do we ask why not.

5 MR. HINNEFELD: Yes, that one I  
6 got.

7 MEMBER ZIEMER: The earlier  
8 bioassay one about nuclides.

9 MR. HINNEFELD: Yes.

10 MEMBER ZIEMER: And then this third  
11 one, --

12 MR. HINNEFELD: Oh, yes, the  
13 survivor one. Got you. Thanks.

14 CHAIR MUNN: Yes, but that, "if no,  
15 why not" question occurs on more than one of  
16 these. Under it is 10.2, and in 12.4 --

17 MEMBER GRIFFON: Oh, yes.

18 CHAIR MUNN: You know, it keeps  
19 coming up again. And in 14.3, so it recurs.

20 MR. HINNEFELD: Okay.

21 CHAIR MUNN: All right. Are we  
22 content with what we have suggested? Then we

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

1 will leave Stu with those three suggestions to  
2 proceed on and we are, unless someone stops us  
3 now, going to leave the CATI for the moment.

4 Yes?

5 MR. KATZ: For the moment or for  
6 the meeting?

7 CHAIR MUNN: No, for the moment.  
8 Unless you feel it is important for us to  
9 identify exactly what our recommendation is  
10 going to be at this juncture.

11 MR. KATZ: Well, by the end of this  
12 meeting, I think you need to sort your  
13 recommendations. But what order you do that,  
14 I don't know.

15 CHAIR MUNN: I would like for us to  
16 do that, too, but we have a significant number  
17 of items that are going to be involved in that  
18 recommendation.

19 MEMBER ZIEMER: Before we can make  
20 them.

21 CHAIR MUNN: Yes, and I am not at  
22 all sure that we can wordsmith those and get

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

1 the answers that Stu is going off to get yet  
2 this meeting.

3 MEMBER ZIEMER: You weren't  
4 proposing to get this today.

5 MR. HINNEFELD: I'm not going to  
6 write anything today.

7 MR. KATZ: So will there not be  
8 recommendations at the Amarillo board meeting  
9 from this work group/subcommittee?

10 CHAIR MUNN: The only way we can  
11 have a recommendation is if we have some  
12 communication between now and then with  
13 respect to feedback that Stu gets.

14 MR. HINNEFELD: It would be very  
15 hard. I am not in the office. I am barely in  
16 the office next week until Friday. Monday  
17 morning and Friday are my only times in the  
18 office next week.

19 So, I will not have anything back  
20 to you next week.

21 MEMBER ZIEMER: Yes, there are a  
22 number of NIOSH actions.

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701



1 CHAIR MUNN: We can indicate we  
2 accepted the language of the letter but I  
3 don't know how we can proceed otherwise.

4 I don't believe we have a choice.

5 MEMBER ZIEMER: No.

6 CHAIR MUNN: The next item we have  
7 on our agenda is Steve reviewing a PDF file  
8 that tracks OTIB-0027.

9 MR. MARSCHKE: Okay. This came out  
10 at the last meeting when we were talking about  
11 some of these OTIBs that we reviewed. I guess  
12 in the third setup of procedures that we  
13 reviewed we got a lot of procedures from some  
14 of the other working groups. For example, in  
15 this example it is the Rocky Flats working  
16 group. We were looking at the, I think it was  
17 the SEC for Rocky Flats and we reviewed a lot  
18 of procedures. As part of that effort, we  
19 rolled all those procedures into the third  
20 report that we prepared. And during the last  
21 meeting that we had here back in March, we  
22 were looking at OTIB-0027 and we saw that

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

1 there were four findings associated with OTIB-  
2 0027. And I think three of the four we have  
3 closed.

4 MEMBER GRIFFON: What is OTIB-0027?

5 MR. MARSCHKE: OTIB-0027,  
6 Supplementary External Dose Information for  
7 Rocky Flats Plant.

8 CHAIR MUNN: That is the one that I  
9 am supposed to give you a formal indication  
10 for that we have -- what the status is because  
11 it refers to Rocky Flats.

12 MEMBER GRIFFON: Right.

13 CHAIR MUNN: I am supposed to  
14 transmit information to you but I have  
15 hesitated to do that because I need to draft  
16 an email to send it to you. And what Steve, I  
17 think, is preparing to do is tell us what that  
18 email is going to say.

19 Essentially we closed two, wasn't  
20 it?

21 MR. MARSCHKE: Three.

22 CHAIR MUNN: Three?

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

1           MR. MARSCHKE: We closed three out  
2 of the four and the status of the one that is  
3 in progress, we can look at and see. I'm not  
4 sure -- okay.

5           MEMBER GRIFFON: I guess this is  
6 the, my concern was this, and several of these  
7 ones in the document that you sent along was  
8 shouldn't we just transfer these to the work  
9 groups? I mean, there are profile issues in  
10 these coworker models, especially the one you  
11 are talking about. This neutron coworker  
12 model, I mean that TIB that is under  
13 discussion, I think, I don't even know if it  
14 still exists or does it defer to the CIB  
15 profile?

16           I mean, I don't even know if that  
17 TIB is still being used.

18           CHAIR MUNN: Twenty-seven?

19           MEMBER GRIFFON: Maybe I was  
20 looking at the wrong one.

21           MR. MARSCHKE: Yes, Mark, it says  
22 basically -- yes.

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

1 CHAIR MUNN: Supplementary External  
2 Dose Information for the Rocky Flats Plant.

3 MR. MARSCHKE: That was the,  
4 actually Mark, that was the NIOSH response was  
5 the information in this ORAUT had been  
6 transferred to the Rocky Flats site profile  
7 document. And then what we did is we asked  
8 Ron Buchanan to track down or go into the  
9 Rocky Flats site profile document and follow  
10 this issue into the site profile.

11 And for the first one anyways, he  
12 went in there and he felt that the issue had  
13 been resolved.

14 MEMBER GRIFFON: Right, I guess my  
15 feeling with any of these, these kind of, you  
16 know, they are procedures but they are all,  
17 almost, you know, well a lot of these ones in  
18 the package that you sent are coworker models.

19 And I am not sure they even belong in the  
20 procedures review. You know, because I mean,  
21 maybe I missed the discussion at the last  
22 meeting but I think this one is because

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

1 neutrons, assigned neutron for exposures for  
2 coworkers. Is that correct or am I wrong?

3 MR. MARSCHKE: I am not sure.

4 MR. HINNEFELD: Does 27 involve  
5 neutrons?

6 MEMBER GRIFFON: If Ron Buchanan  
7 was reviewing it, I am assuming it is  
8 neutrons.

9 MR. HINNEFELD: I have to look at  
10 our historic. It is not current. So I  
11 believe it has been canceled.

12 MEMBER GRIFFON: So it is canceled,  
13 it is deferred?

14 MR. HINNEFELD: It is not on my  
15 list of active ones. I will tell you that.

16 MR. MARSCHKE: It has been  
17 canceled, yes.

18 MEMBER GRIFFON: It is canceled.  
19 It is deferred to the site profile and then  
20 you have got someone looking at the -- I still  
21 think these should be on the site profile  
22 review and I say that not only because I am

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

1 sharing Rocky Flats but because I have got  
2 this Rutenber database hanging out there with  
3 Rocky Flats, which may or may not have  
4 different neutron information. I mean, there  
5 are a lot of other tangential issues that I am  
6 afraid to, you know, if we say this is closed  
7 and I get on the site profile work group and  
8 we disagree with what we have done here in the  
9 procedures, it is going to create problems  
10 down the line. You know? So I don't know how  
11 to deal with it.

12 But the same thing with all these  
13 coworker models. You know, I am not sure it  
14 makes sense to go into them on the Procedures  
15 Work Group and you do have to go into them to  
16 really --

17 MEMBER ZIEMER: Well weren't we, in  
18 effect, doing that, we were -- was this a  
19 transfer, do you call?

20 MEMBER GRIFFON: Well that is the  
21 question.

22 MEMBER ZIEMER: Well only in the

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

1 sense that we basically said you guys have  
2 already closed it. Wasn't that what you were  
3 saying?

4 MR. MARSCHKE: No. We closed it in  
5 the -- I mean, Ron Buchanan is going to look  
6 at it from SC&A's point of view. He is going  
7 to look at it whether it comes in through the  
8 Rocky Flats work group or whether it comes in  
9 through this work group.

10 Now, he has looked at it -- so, he  
11 has looked at it and his recommendation is  
12 that it be closed. He presented that  
13 recommendation, I guess, to the procedures  
14 subcommittee last time and the procedures  
15 subcommittee on three out of four of these  
16 OTIB-0027 issues agreed with that they should  
17 be closed. And the fourth one, Ron  
18 recommended that it remain in progress.

19 And so the subcommittee agreed with  
20 Ron's recommendations and closed three of  
21 them, left one in progress. Now again, out of  
22 the and I am just trying to remember here, but

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

1 as I recall, the last time we got together, it  
2 was decided that we shouldn't be doing this  
3 stuff in a vacuum because these are site-  
4 specific OTIBs and so let's inform the work  
5 group chair of that site-specific work group  
6 chair of what our status is and how we have  
7 changed this.

8 MEMBER ZIEMER: But what was Ron's  
9 basis for recommending that it be closed? He  
10 went into what the Rocky Flats site profile  
11 folks had done and basically said they have  
12 dealt with this issue. Did he not?

13 MR. MARSCHKE: That is correct. He  
14 opened up the revised site profile that had  
15 taken the information from OTIB-0027 and now  
16 incorporated it into the site profile. He  
17 went -- this was under our, what we perceived  
18 to be our charter to track the issues to their  
19 closures. And so he went into the site  
20 profile, looked for where this information was  
21 being presented in the revised site profile,  
22 you know, looked at it, and he was satisfied

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701



1 that the issue was resolved.

2 MEMBER ZIEMER: Yes, and maybe  
3 Mark, maybe what you are saying is does the  
4 work group agree that the issue was resolved.

5 MEMBER GRIFFON: Well yes,

6 MEMBER ZIEMER: Because I don't  
7 think we are saying we resolved it here. We  
8 are saying that it was resolved by your work  
9 group but maybe you don't agree with that.

10 MEMBER GRIFFON: Well I just heard  
11 Stu say that the subcommittee agreed that  
12 these things were closed. And I don't know  
13 that --

14 MEMBER ZIEMER: Only in the sense  
15 that it appeared that your group had closed  
16 them, I believe.

17 MEMBER GRIFFON: Well, no. I think  
18 Ron looked at the site profile and it would be  
19 his opinion.

20 MEMBER ZIEMER: Oh.

21 MEMBER GRIFFON: But I don't think  
22 the work group --

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

1                   MEMBER ZIEMER:       The work group  
2                   didn't necessarily.

3                   MEMBER GRIFFON:       No, the Rocky  
4                   Flats Group didn't.

5                   MR. MARSCHKE:    No, Ron just looked  
6                   at it for his own self. And because SC&A, we  
7                   don't close issues. We make a recommendation  
8                   that an issue be closed. And in the past, it  
9                   has been this subcommittee who basically had  
10                  been closing, or at least on issues that I  
11                  have been associated with, it has been this  
12                  subcommittee who has closed, you know, acted  
13                  upon our recommendation.

14                  Either accept them or to come up  
15                  with some different status.

16                  MEMBER GRIFFON:    I am suggesting, I  
17                  mean, this is a blanket suggestion that, it is  
18                  site-specific, if we have site-specific  
19                  procedures, we should just defer them back to,  
20                  if a site-specific work group exists. And if  
21                  it doesn't exist, that is a different issue.  
22                  I mean, we should keep them here, probably.

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

1 But if a site-specific work group exists, then  
2 I think we should refer them back.

3 Because in this version I have here  
4 is that, you know, it may be that Ron's  
5 analysis is fine but Ron hasn't looked at this  
6 Ruttenber stuff that we have got in. And that  
7 is kind of on the table and everybody is  
8 curious of whether that is going to make any  
9 difference or not. And I don't know one way  
10 or the other. I mean, I am assuming all the  
11 original data is the same and these  
12 conclusions are likely to be fine.

13 But, you know, we did tell the  
14 petitioner and the public and everybody that  
15 we would look at this Ruttenber data. It is  
16 all the neutron data related to Rocky Flats.  
17 So, before we jump the gun and close the  
18 coworker model, I think we should, you know, I  
19 think I would like to keep it in the loop with  
20 the site profile.

21 CHAIR MUNN: Well you are correct,  
22 Mark that this would be a change in process.

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

1 Our process in the past has been this  
2 subcommittee gets only what the Board has  
3 recommended that we get. It doesn't just  
4 magically appear to us.

5 The Board has recommended that we  
6 get these things and following your  
7 recommendation that any procedure which is  
8 directly relevant to a specific site should  
9 not be dealt with in this committee, should be  
10 dealt with in the work group, if that exists,  
11 and in almost all cases, I believe it would  
12 exist, then we need to probably ask the Board  
13 that question, since we never get anything  
14 that the Board hasn't already presented to us.

15 MR. MARSCHKE: Well is John Mauro,  
16 John Mauro, are you on the line?

17 DR. MAURO: Yes, I think I can help  
18 out here because and this came up the last  
19 time we had this work group meeting and it  
20 actually came up in the context of OTIB-0029.

21 The reason we have this dilemma is  
22 about two years ago we were all working hard

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

1 on reviewing site profiles and part of that  
2 work very often ended up reviewing OTIBs. And  
3 we did prepare white papers related to various  
4 OTIBs or various site profiles, which stood  
5 alone. And what happened was, we were also  
6 simultaneously reviewing lots of generic  
7 procedures, which are also OTIBs. And our  
8 mandate originally, this goes right back to  
9 the beginning of the first contract, was the  
10 procedures group was primarily focused on  
11 generic procedures.

12 But what happened was along the  
13 way, I had mentioned before the full Board, I  
14 said listen, we are putting together our next  
15 package of procedures, review documents, big  
16 three-ring binders and by the way, we also  
17 have about ten OTIBs that are site-specific  
18 and they are all written up more like white  
19 papers. And I asked would it be appropriate  
20 for us to simply take those and it was at a  
21 modest marginal cost, and convert those into  
22 the standard format and content of a procedure

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

1 review and package it along with all of the  
2 other generic procedures that were undergoing  
3 review.

4 So, it was a good intention that  
5 now has created an administrative dilemma.  
6 What we have now is a number of site-specific  
7 OTIB reviews that are commingled with a large  
8 number of generic OTIB and PROC reviews. And  
9 it has created this administrative problem.

10 So I think that this issue, when  
11 the subcommittee received its mandate from the  
12 Board, quite frankly, we didn't really give it  
13 much thought that there were these two  
14 different types of procedure that were in the  
15 package. And there is certainly room for  
16 discussion here how best to proceed from here.

17 So, I don't think there is any real  
18 problem other than agreeing on  
19 administratively how would you like to move  
20 forward.

21 It sounds like that Mark has  
22 certainly a reasonable approach. That is, you

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

1 can transfer the ones that are active and not  
2 transfer others. We could theoretically do  
3 them here but not close them and make this  
4 almost like a service being provided to a work  
5 group. For example on Y-12, which we will get  
6 to in a minute, I don't think there is an  
7 active work group. And it is possible that if  
8 we could make some progress in closing OTIB-  
9 0029 issues, at least from the perspective of  
10 the Procedures Work Group, we can use that  
11 process and documentation of it, as a service  
12 being provided to a Y-12 work group that may  
13 or may not formulate some time in the future.

14 With regard to Rocky, which has an  
15 active work group, I sort of agree with Mark.

16 In fact, I agree with the Mark that it does  
17 create a bit of a dilemma and that transfer  
18 probably would be a reasonable thing to do in  
19 that case. I hope that helps.

20 MR. MARSCHKE: Maybe we should  
21 transfer it with a recommendation or something  
22 like that. If the subcommittee agrees with

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

1 Ron's recommendation, SC&A's recommendation,  
2 maybe we could transfer back to the work group  
3 and say we have finished our work on this. We  
4 recommend that it be closed but we are leaving  
5 it open until we hear from the Rocky Flats  
6 work group chairman.

7 MEMBER ZIEMER: Steve, could you  
8 follow up a minute on that? The work group  
9 meeting was 3/24. And it says Wanda is to  
10 inform the Rocky Flats chair that the issue is  
11 in progress.

12 MR. MARSCHKE: Yes, that's for  
13 issue number three. There was --

14 MEMBER GRIFFON: The work group  
15 meeting? You mean the subcommittee meeting  
16 was 3/24.

17 CHAIR MUNN: Well, yes at the time  
18 we were a work group.

19 MEMBER GRIFFON: Oh, okay.

20 MEMBER ZIEMER: Now below that is a  
21 follow-up action. Is that on the same item?

22 MR. MARSCHKE: Yes, this follow-up

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701



1 action is on the same item.

2 MEMBER ZIEMER: Follow-up to what?

3 MR. MARSCHKE: It is a follow up to  
4 actually it is NIOSH response. Then SC&A  
5 follows up NIOSH response. So we are a little  
6 bit off --

7 MEMBER ZIEMER: So that follow-up  
8 was before the work group meeting?

9 CHAIR MUNN: Yes.

10 MR. MARSCHKE: -- follow-up was  
11 before the work group meeting, and the work  
12 group meeting gave us this direction based  
13 upon SC&A's recommendation that it be closed,  
14 the subcommittee agreed with that, and we  
15 agreed also that Wanda would contact Mark to  
16 let them know that this is the action we had  
17 taken on this particular -- and this is what I  
18 entered into the database based upon our, what  
19 was it, March meeting, March 9th meeting.

20 MR. KATZ: Yes, can I -- I can just  
21 remind you of what was discussed, although you  
22 are fresher, you read the transcript. I

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

1 didn't actually read the transcript, but I  
2 recall this discussion. And we went around on  
3 this, what the procedure would be for a little  
4 bit, but the resolution was that this  
5 procedures committee, when it was dealing with  
6 a site-specific issue and resolving it, that  
7 the procedures subcommittee would close it, if  
8 necessary, whatever, if it decided it was  
9 ready to close it but that it would inform,  
10 just as it is shown in this matrix, that it  
11 would inform the working group chair that it  
12 had closed it.

13 That would not prevent the working  
14 group chair from continuing with the issue  
15 itself, but it would be closed as far as the  
16 procedures subcommittee.

17 MEMBER ZIEMER: It is out of our  
18 hands.

19 MR. KATZ: Out of the procedures  
20 subcommittee's hands. So that was, at least  
21 that was the thinking at that meeting as how  
22 we would go forward with these because the

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

1 procedures subcommittee, at this point, is  
2 finished with it.

3 MEMBER ZIEMER: That doesn't close  
4 it necessarily --

5 MR. KATZ: It doesn't close it for  
6 the Board.

7 MEMBER ZIEMER: -- for the Board or  
8 --

9 MR. KATZ: Right.

10 MEMBER ZIEMER: -- the other work  
11 group.

12 CHAIR MUNN: But my interpretation  
13 was that this information was going to be  
14 communicated from me --

15 MR. KATZ: Absolutely.

16 CHAIR MUNN: -- directly to Mark  
17 and give him what we, from our perspective,  
18 what the status is now, including that item  
19 number three is still in progress not closed.

20 But from this subcommittee's point of view,  
21 all of these items are now closed and  
22 transferred to him. And that was going to be

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

1 the thrust and actually the content of my  
2 email.

3           You know, this, as you pointed out,  
4 we keep going around this what is the process  
5 when we come to these things, especially with  
6 respect to transferring things. And since we  
7 are not going to be transferring our  
8 responsibility, we are going to say our  
9 responsibility is closed and we are not going  
10 to be dealing with this anymore.

11           MEMBER GRIFFON: Okay.

12           CHAIR MUNN: Is that making sense  
13 to you?

14           MEMBER GRIFFON: Well, yes, I  
15 guess. To me, it just creates a little  
16 confusion because if, you know, what if we  
17 pick it up in the work group and then we  
18 decide that, no, the issue wasn't resolved and  
19 yet it was posed in the procedures -- I just  
20 as soon transfer it right away and not deal  
21 with it in two places. I mean, I think we are  
22 going to have similar people handling it from

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

1 SC&A's standpoint.

2 MR. KATZ: I mean, Mark, I mean  
3 that whole idea is that procedures  
4 subcommittee has nowhere to go with it. But  
5 in notifying the work group chair, you in this  
6 case, with Rocky Flats, that the Procedures  
7 Work Group has done its work on this and this  
8 is what it has found, you are certainly, as a  
9 work group chair for Rocky Flats, you are  
10 welcome to keep this as a live issue for the  
11 Rocky Flats work group.

12 MEMBER GRIFFON: Then why just  
13 transfer it all? We are not going to lose the  
14 work. I agree that any work that was done  
15 could be transferred but just transfer it  
16 instead of saying closed and transferred.  
17 That is confusing to me.

18 MR. KATZ: But Mark, if you agree  
19 that it should be closed, there is no reason  
20 to adopt this open issue and have to close it  
21 in your work group. I mean, if you were to  
22 agree with these, then you would have nothing

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

1 to do.

2 MR. MARSCHKE: I kind of agree with  
3 Mark, actually. I would recommend, I would  
4 like to see it transferred to the Rocky Flats  
5 work group with a recommendation that it be  
6 closed. Because once it gets closed, you  
7 know, if they disagree with our  
8 recommendation, then basically they have to  
9 reopen it or something like that. It becomes  
10 confusing to people who are looking at the  
11 record.

12 Because if all of a sudden we have  
13 an issue that is going along, going along, it  
14 is closed, and now all of a sudden it is  
15 reopened, you know, I think it would be  
16 cleaner if we went along, went along, and  
17 transferred it with a recommendation to be  
18 closed and then it was either closed in the  
19 work group.

20 MEMBER ZIEMER: How did we handle  
21 TBD-6000 stuff? Did we show it just as  
22 transferred?

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

1                   MEMBER    GRIFFON:        Yes,    just  
2 transferred.

3                   MR.   MARSCHKE:    Yes,  those  are  all  
4 just  transferred.

5                   CHAIR  MUNN:     It  was  my  intention  
6 that  this  would  show  simply  transferred  and  
7 that  the  communication  would  say  we  closed  
8 this,  we  closed  this,  but  it  doesn't  
9 necessarily  --

10                   MEMBER  ZIEMER:   But  that's  on  TBD.  
11 Did  we  show  it  as  closed  --

12                   MR.   MARSCHKE:    No.

13                   MEMBER  ZIEMER:    --  or  simply  
14 transferred  and  that  is  it?

15                   MR.   MARSCHKE:    Basically,  we  didn't  
16 --

17                   MEMBER  ZIEMER:    Or  is  it  out  of  our  
18 hands  as  a  transfer?

19                   MR.   MARSCHKE:    On  the  TBDs  we  
20 didn't  get  into,  well,  we  did  get  into  some  
21 discussion  on  it.  But  we  just  transferred  it.

22                   MEMBER  ZIEMER:    Well,  they  had

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

1 started to resolve the --

2 MR. MARSCHKE: Right, but in the

3 --

4 MEMBER ZIEMER: In fact, some of  
5 the items were resolved in this work group,  
6 not on the appendix BB but on TBD-6000, I  
7 think some of them had been dealt with before  
8 the transfer.

9 MEMBER GRIFFON: You know, I just  
10 think as a long as -- I don't think it's good  
11 to close it because then -- I agree with  
12 exactly what Steve was saying. Then if we get  
13 it on the Rocky Flats Work Group and something  
14 -- we find something else and then we decide,  
15 you know, that it is a problem or whatever.  
16 And then what do you do?

17 Do I contact Wanda and it is  
18 reopened? I think that creates confusion. I  
19 think it would be easier just to say, you  
20 know, we have got this initial findings, we  
21 have got initial comments from or response  
22 from NIOSH and then transfer them on ones

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701



1 where the work groups exist.

2 I mean, there are several, like Y-  
3 12, I would say arguably it should stay here  
4 because we don't have an active work group,  
5 and I don't think there was actually ever a Y-  
6 12 work group. I mean, it was always done in  
7 a larger subcommittee. So the ones where we  
8 don't have any, just keep them here. I think  
9 K-25 is another example that we don't have an  
10 active work group so we could handle that  
11 under procedures, for lack of a better place  
12 to handle it. You know? But I think that  
13 would be cleaner just overall.

14 CHAIR MUNN: Well my concern  
15 remains the one that I stipulated earlier. We  
16 don't get these things unless they have been  
17 given to us by the Board. And if this is the  
18 way that we are going to handle it, then it is  
19 fairly clear to me that the Board needs to be  
20 made aware of what the issue is and, in the  
21 future, simply avoid selecting any site-  
22 specific procedure for which a work group of

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

1 any kind exists.

2 MEMBER GRIFFON: Right. I think it  
3 was sort of a mistake. But I think part of  
4 what we were was trying to do, if I remember  
5 right, was SC&A needed a workload and we were  
6 in the process of tasking and we assigned a  
7 lot of these procedures and nobody really,  
8 like John said, we didn't really look that  
9 closely at the facts or the implications down  
10 the line that they were -- DR. MAURO:  
11 Yes, Mark, it really was something that we  
12 thought would be, this was way before the  
13 workload, we had already done all of this  
14 review work, and we really -- it didn't really  
15 have a home other than white papers and as  
16 part of the work group meetings that were  
17 addressing site-specific issues. And we said,  
18 why not convert, in order to get a nice, clean  
19 complete record, let's turn these reviews into  
20 procedure reviews and package them and deliver  
21 them as official deliverables because it  
22 really didn't have much of a cost impact.

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

1 MEMBER GRIFFON: Right.

2 DR. MAURO: And it was really well-  
3 intended. But now we are here, and I think  
4 that whatever decision the subcommittee makes  
5 on how you would like to proceed, you know,  
6 that is fine. Please, go ahead.

7 MEMBER GRIFFON: I mean, Wanda, if  
8 you want to bring it back to the Board, that  
9 is fine. I am not sure, Paul, how you feel,  
10 if we need to vote as a board, I mean --

11 MEMBER ZIEMER: Well, I think  
12 Wanda's point is appropriate, --

13 MEMBER GRIFFON: Yes.

14 MEMBER ZIEMER: -- in a general  
15 sense. And in a sense we did that on TBD-6000  
16 because the Board established a new work group  
17 to specifically handle those.

18 CHAIR MUNN: Right.

19 MEMBER ZIEMER: And I think it  
20 would be fairly simple to mandate as we go  
21 forward, and then the transfer could be done  
22 but to mandate that site-specific procedures

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

1 for which there is a work group should be, as  
2 a matter of course, turned over to that group.

3 And it seems to me we can still  
4 track them here and show the transfer as  
5 having occurred, so that we are still tracking  
6 the procedures --

7 MEMBER GRIFFON: Right.

8 MEMBER ZIEMER: -- as a procedure  
9 work group and then just show it in the table  
10 as having been transferred. And that way we  
11 still have it in the starting database and  
12 then show where it is going.

13 So, I think we can do that in a  
14 formal way. I think that was Wanda's concern.

15 Otherwise, we are doing something that was  
16 not mandated by the Board to start with.

17 CHAIR MUNN: Correct.

18 MEMBER GRIFFON: That is fine.

19 MEMBER ZIEMER: And perhaps it  
20 would be appropriate for the chair of the  
21 subcommittee to make such a recommendation to  
22 the full Board as a method or a way of going

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

1 forward on these things. And if that passed,  
2 then I think what would happen here, is we  
3 would just revert to that as the policy and  
4 then we would show it as transferred.

5 MR. MARSCHKE: So right now  
6 basically we are --

7 MEMBER ZIEMER: And we wouldn't  
8 close it then.

9 MR. MARSCHKE: Yes, right.

10 MEMBER ZIEMER: It would be their  
11 job to close it. Because once we show it as  
12 transferred, in a sense, it is out of our  
13 hands.

14 CHAIR MUNN: Yes, correct.

15 MEMBER ZIEMER: It has the effect  
16 of closing it for further work by this work  
17 group.

18 MR. KATZ: Just for clarification,  
19 does that mean, will procedures subcommittee  
20 continue to track it until the work group  
21 closes it or does the work group have its own  
22 tracking then? What happens in tracking?

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

1                   MEMBER ZIEMER: Well one thing that  
2 we could ask for as part of your  
3 recommendation is that the appropriate work  
4 group inform us when they have closed it and  
5 then we could show it as having been closed by  
6 them. That is one way of handling it.

7                   MEMBER GRIFFON: Yes, that would  
8 work.

9                   MEMBER ZIEMER: If you want to  
10 close the loop here within the Procedures Work  
11 Group.

12                  MR. MARSCHKE: If you look at the  
13 one that we talked about there, this is the  
14 TBD.

15                  MEMBER ZIEMER: Right.

16                  MR. MARSCHKE: It is basically, it  
17 is still being tracked.

18                  MEMBER ZIEMER: Right.

19                  MR. MARSCHKE: But it is being  
20 tracked, and it is showing that all 13 of them  
21 have been transferred.

22                  MEMBER ZIEMER: Right.

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

1 MR. MARSCHKE: Now essentially,  
2 maybe the TBD work group will come back and  
3 say we have looked at these 13 and we have  
4 closed them all out and basically they can  
5 move over into this column.

6 MEMBER ZIEMER: Right, and if the  
7 Board so mandates that whenever a transfer  
8 occurs that the appropriate work group report  
9 back.

10 MR. MARSCHKE: Report back to the,  
11 yes, with an email saying that yes, we have  
12 closed these out. And so that would be, but  
13 to answer your question, Ted, right now, we  
14 are still carrying them on the books.

15 MEMBER ZIEMER: As a transfer.

16 MR. MARSCHKE: As a transfer.

17 MEMBER ZIEMER: They are tracked  
18 but only tracked out, right, and then that's -  
19 - right now we don't have a formal follow-up  
20 on these.

21 MR. MARSCHKE: That's right. Like  
22 I said, I mean, once it gets transferred, it

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

1 's more or less off the subcommittee's books.

2 CHAIR MUNN: It is off our books.

3 Right. We will not take further action on it.

4 And so, unless we are advised by the work  
5 group at a later time, it remains forever  
6 simply a transferred item for us.

7 MR. KATZ: Right, so we will want  
8 the work group to advise --

9 CHAIR MUNN: To advise.

10 MR. KATZ: -- to advise the  
11 subcommittee when it has closed the issue.

12 CHAIR MUNN: Yes. This is the --

13 MR. KATZ: That is the piece of  
14 instruction that is needed.

15 CHAIR MUNN: -- feedback loop that  
16 we have not even discussed in the past.

17 MR. HINNEFELD: This is Stu  
18 Hinnefeld. I have just one thing to offer on  
19 this. If we could have the transfers occur  
20 quickly rather than after a while because we  
21 would readily rather avoid going through a  
22 resolution process in one forum and having it

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701



1 transferred to another forum for another  
2 resolution process.

3 MEMBER ZIEMER: I think if we take  
4 this action, it becomes automatic. If it is a  
5 site-specific procedure for which a  
6 subcommittee or a work group exists, it goes.

7 CHAIR MUNN: It does directly to  
8 the work group.

9 MEMBER ZIEMER: Right. And that  
10 can show up immediately and --

11 MR. MARSCHKE: I can go through and  
12 make a list of the procedures which are site-  
13 specific that are currently in the database  
14 and --

15 MEMBER ZIEMER: That are site-  
16 specific for which we have work groups.

17 MR. MARSCHKE: Yes, site-specific.  
18 It would be, well, if you look at the list of  
19 procedures, you can go down, there is one with  
20 SRS in it here.

21 MEMBER ZIEMER: Right.

22 MR. MARSCHKE: A couple with SRS on

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

1 that screen. Y-12, but there doesn't seem to  
2 be a work group for Y-12; X-10; K-25; Rocky  
3 Flats, there is one Rocky which is the 27 that  
4 we are talking about; Hanford, Savannah River;  
5 Paducah.

6 I can go through this rather  
7 quickly and pull out the procedures that have  
8 a specific site in their title, and I can work  
9 with John or somebody who can tell me whether  
10 or not these are, there are work groups  
11 associated with these procedures and then let  
12 the subcommittee know via email that these are  
13 the ones that have work groups associated with  
14 them and do we want to transfer all the issues  
15 associated with these procedures to those work  
16 groups.

17 CHAIR MUNN: If you will provide me  
18 with that list when you have completed it, so  
19 that it identifies specifically work groups  
20 exist, work groups do not exist for those  
21 specific procedures, I will include that in my  
22 discussion to the full Board at Amarillo when

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

1 I am giving our report.

2 MEMBER ZIEMER: And that would be  
3 important for the Board to make the decision  
4 because it is shifting workload --

5 CHAIR MUNN: Yes.

6 MEMBER ZIEMER: -- to other work  
7 groups, too.

8 CHAIR MUNN: Yes, it is.

9 MEMBER ZIEMER: They need to know  
10 that in advance.

11 CHAIR MUNN: Yes.

12 MS. BRACKETT: In some cases, I am  
13 thinking particularly the internal dosimetry  
14 coworker study, since that is what I am most  
15 involved in, where there is multiple  
16 documents, several of the issues are not site-  
17 specific. They are related to how the  
18 coworker studies are done.

19 MEMBER ZIEMER: Across the complex.

20 MS. BRACKETT: And even within this  
21 group, we get conflicting comments because  
22 different people have reviewed them and they

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

1 give, you know, kind of opposite comments.  
2 And I am concerned that if they start going to  
3 different groups, they will be even more  
4 divergent than they are now. It is very  
5 difficult to answer questions when you have  
6 different opinions coming in.

7 MR. KATZ: That sort of relates to  
8 what Stu was saying earlier.

9 MR. HINNEFELD: Yes, she said it  
10 better than I did.

11 MR. KATZ: Yes, about recovering  
12 ground that one thought was resolved.

13 MR. HINNEFELD: Even more so  
14 though, I think, having heard her say it now  
15 is if these are very similar, the approach on  
16 these internal coworker studies, even though  
17 it says coworker for Y-12 or coworker for  
18 Paducah, the approach that is done to build  
19 that coworker model tends to be the same. And  
20 so when you have one review group look at it,  
21 now I think we would have the benefit of  
22 having SC&A be the constant, would be the

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

1 constant.

2 MEMBER ZIEMER: Well both NIOSH and  
3 SC&A are a constant.

4 MR. HINNEFELD: Yes, so then you  
5 would have that as a constant, but now you  
6 have one body with comments and resolutions to  
7 resolve and then another body with a very  
8 similar document with comments and  
9 resolutions. And so the difficulty here will  
10 be will we get the same type of resolution on  
11 comments from these two different resolution  
12 bodies since it will be the work groups and  
13 not SC&A who actually determines the status  
14 and when a case is closed or not. So that is  
15 just going to be, you know, somewhat  
16 difficult. I mean, is that --

17 MEMBER ZIEMER: Well, it seems to  
18 me that that is the point at which both SC&A  
19 and NIOSH need to point out to whatever work  
20 groups are working on this to say this was the  
21 approach done at this particular facility and  
22 if some other approach is completely out of

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

1 whack with that, they need to know that those  
2 two things are not sort of in parallel.

3 Now I don't know the resolution to  
4 that, if we have strongly held views on one or  
5 the other, but it would seem to me it would be  
6 important for people to be involved who have a  
7 more detailed knowledge of a particular site  
8 who have been looking at all the related  
9 documents.

10 MEMBER GRIFFON: Can I ask Liz a  
11 question? Isn't there a, I mean, looking at  
12 many of these internal coworker models, I  
13 can't remember the procedure number but there  
14 is a procedure for, a generic procedure on how  
15 to develop these internal coworker models,  
16 isn't there?

17 MS. BRACKETT: There is OTIB-0019  
18 and there is procedure 95.

19 MEMBER GRIFFON: Yes, 19 is the one  
20 I was remembering.

21 MS. BRACKETT: That is not  
22 extremely detailed. It gives kind of the high

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

1 level view of how they are done. Well, and  
2 maybe -- you're right. Maybe the resolution  
3 is to move some of the comments that are on  
4 the individual coworker studies to that OTIB  
5 because some of them are more geared towards  
6 what would come from following OTIB-19. It is  
7 just that there are conflicting comments on  
8 some of the individual coworker OTIBs.

9 MEMBER GRIFFON: Yes.

10 DR. MAURO: I think we have, this  
11 is John, a dilemma on both sides. Namely, I  
12 could envision that you would have conflicting  
13 comments coming in from SC&A, if different  
14 groups of people are involved. We also  
15 noticed that the implementation of, I have  
16 noticed in being involved in many of these  
17 groups that on some occasions, one approach  
18 would be used and one application at a site,  
19 and another approach would be used at another  
20 application at a site. And it's not always  
21 immediately apparent why two different  
22 approaches were taken.

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

1           So I think we are all -- it is  
2 difficult to keep things in a very consistent  
3 manner, especially when we are talking many  
4 years of work, where there is a maturation  
5 process, where the approaches are evolving.  
6 So I think this is something that we have to  
7 deal with, and it is really a matter of cross-  
8 talk between the different groups of people  
9 involved, whether we keep them here or if  
10 everything is distributed to separate work  
11 groups dealing with site-specific, there is  
12 still the issue that each of those work groups  
13 must resolve their issues in a consistent  
14 manner, if there are site-specific work  
15 groups, separate ones.

16           So, I mean, this problem with  
17 consistency is going to always be a challenge.

18       And so I think the way in which this issue is  
19 handled, whatever you decide administratively,  
20 we are still going to have to struggle with  
21 the consistency issue because it will exist  
22 amongst different work groups dealing with

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701



1 different site profiles.

2 CHAIR MUNN: It is a shame we  
3 didn't have this thorny issue a little more  
4 completely fleshed out. We could have very  
5 easily spent that third day in Amarillo  
6 dealing with this.

7 MEMBER ZIEMER: Well, I think the  
8 third day is already --

9 MR. HINNEFELD: The third day in  
10 Amarillo has been spoken for.

11 CHAIR MUNN: Yes, yes, I know it  
12 has been gone. I am not suggesting that. I  
13 am just saying I do not see any simple way to  
14 work through these issues. It appears to me  
15 that it is going to take a significant meeting  
16 of the minds and a rather large group of  
17 people.

18 MEMBER GRIFFON: Well, I mean, one  
19 possibility for cutting through it, and this  
20 is difficult but we do have, you know, our  
21 procedures review, the one thing that we could  
22 look at is, just reflecting on what Liz said,

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

1 is we have the benefit of seeing all of these  
2 coworker internal models in front of us and we  
3 could say, you know, finding number 1.1, 2.1,  
4 2.4, are all sort of generic, you know,  
5 overriding issues. We are going to look into  
6 that on our Procedures Work Group because we  
7 want consistency on the generic policy going  
8 forward, you know, application of the coworker  
9 models. And then these other findings get  
10 more data-specific or site-specific and we are  
11 going to transfer those immediately. So we  
12 may discuss some of the more -- I don't know.

13 That gets complicated, too, I know.

14 As I am saying it, I realize that. But it  
15 may be a way to maintain sort of some level of  
16 consistency on the -- I can see that point. I  
17 mean, TIB-0019 is an overriding document but  
18 it is a little bit, you know -- so there could  
19 be some findings that come up that may benefit  
20 from you know, we want to have some  
21 consistency. But there is definitely a  
22 utility to transferring some of the

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

1 information to the site-specific work groups.

2 MEMBER ZIEMER: Here is another  
3 thought. If it becomes evident, let's say, to  
4 NIOSH or ORAU or to SC&A that a couple of work  
5 groups are quite divergent in addressing some  
6 sort of issues and maybe neutron related issue  
7 or whatever it may be, it would be quite in  
8 order to ask two work groups to get together  
9 to have a joint meeting to address how we  
10 approach this particular issue that in one  
11 sense is common to both sides. They will have  
12 some individuality but why not, and you know,  
13 ask the Designated Federal Official to ask  
14 both work groups to get together, and we have  
15 to work that out, in terms of --

16 MR. KATZ: We have a numbers issue.

17 MEMBER ZIEMER: Well often, it is  
18 the same people. We are making one  
19 recommendation here.

20 No, I mean, we would have to work  
21 that out and if it is a quorum, it is a public  
22 meeting. We can take care of that, too, I

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

1 suppose but --

2 MR. MARSCHKE: Or just have the  
3 chairmen of the work groups get together.

4 MEMBER ZIEMER: Or the chairmen or  
5 a couple of people from each work group.  
6 Maybe a work group of the work group.

7 MR. KATZ: Right. I mean, we could  
8 hold a Board meeting where not all Board  
9 members have to come to every Board meeting.  
10 You could --

11 MEMBER ZIEMER: I am just saying I  
12 think there are ways to address this if it  
13 becomes evident that we are going off on  
14 tangents. We can get the appropriate folks  
15 together.

16 MEMBER GRIFFON: I guess I will  
17 restate what I was saying, Paul, maybe and --

18 MEMBER ZIEMER: And I heard what  
19 you were saying, there are some issues very  
20 site-specific and some more generic anyway.

21 MEMBER GRIFFON: Yes, but I was  
22 thinking what we would do in the procedures

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

1 review, you know, maybe instead of, you know,  
2 you said going forward immediately  
3 transferring them to a work group. Maybe we  
4 can provide sort of a triage function on the  
5 procedures review process that we --

6 MEMBER ZIEMER: Once Steve  
7 identifies all the --

8 MEMBER GRIFFON: Right, well, we  
9 look through and we say, you know, procedures  
10 review looked at finding number one, three,  
11 and seven, because we felt they were generic  
12 and we don't trust many of the coworker type  
13 procedure.

14 Two, four, six and eight we didn't  
15 address at all. We will transfer them all to  
16 your work group for consideration but hear  
17 their input on one, three, and five, or  
18 whatever, you know. So we do sort of a triage  
19 approach where we defer the obviously site-  
20 specific issues and we discuss and try to  
21 resolve the more generic issues on the  
22 procedures review work group before we

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

1 transfer, if that makes any sense.

2 CHAIR MUNN: But then the work  
3 group chair, if they react as you just did and  
4 say I am not so sure I am enthusiastic about  
5 accepting your recommendation, then --

6 MEMBER GRIFFON: Well, yes at least  
7 we let it out for consideration and maybe we  
8 can, I don't know. Yes, I know what you mean,  
9 Wanda. It is more of, you know in an attempt  
10 to try to get some consistency, you know for  
11 some findings, we would just say, well, we  
12 look at this and you can tell right away that  
13 it belongs in said profile group. I am not  
14 even sure what I am saying. I'm not even sure  
15 what an example of that is.

16 CHAIR MUNN: Well, --

17 MEMBER GRIFFON: But then another  
18 finding clearly looks more generic and we try  
19 to at least say -- and then we give it to the  
20 other work group you know, here is -- we  
21 looked into this a bit. Here is what our  
22 subcommittee identified. And you can consider

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

1 this and agree or not agree with it, but here  
2 it is. So, we try to do some work ahead of  
3 time for you.

4 CHAIR MUNN: My concern continues  
5 to be how many times we reinvent which wheel.  
6 We have gotten into this early on in our  
7 program by, for example, going through the  
8 whole list of radionuclides. Have you  
9 considered this, have you considered, have you  
10 considered this, at each and every site that  
11 we encountered.

12 But there is, I don't have a  
13 recommendation and I certainly don't have a  
14 resolution. But if we are going to pursue the  
15 possibility of what you have referred to as a  
16 triage function, then there needs to be,  
17 seems to me, some sort of agreement by the  
18 full Board as to --

19 MEMBER ZIEMER: Well you might even  
20 work something into your recommendation Wanda  
21 but one concern I have, if you make the  
22 analogy with medical triage, medical triage,

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

1 those are very quick decisions. You can't  
2 spend a week trying to decide which patients  
3 are going to die and which aren't.

4 CHAIR MUNN: No.

5 MEMBER ZIEMER: And we don't want  
6 to end up in a situation where we are debating  
7 for days which ones to transfer. It has got  
8 to be very rapid.

9 MEMBER GRIFFON: That was part of  
10 my point, Paul.

11 MEMBER ZIEMER: If it is obvious  
12 from the title of the finding or the item, and  
13 we can make that decision rapidly, I would say  
14 great. Otherwise, it seems to me -- well, you  
15 understand what I am saying.

16 MEMBER GRIFFON: Yes, I mean, that  
17 was part of my point, using that term was if  
18 we look at the finding and say we just talked  
19 about this with whatever model and we knew,  
20 you know, this is what it is.

21 MEMBER ZIEMER: If we can decide  
22 very quickly, boom, boom, boom, --

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701



1 MEMBER GRIFFON: Yes.

2 MEMBER ZIEMER: -- then I think  
3 that is great.

4 DR. MAURO: This is John. I could  
5 offer a perspective. I see the process of  
6 the Board, the concept of the Board, the  
7 concept of the subcommittee and the concept of  
8 work groups as a hierarchy of organization  
9 where the subcommittee, the procedures  
10 subcommittee, maybe we should think about the  
11 procedure subcommittee as a vehicle to help  
12 ensure that all the work groups are consistent  
13 in the way in which they make their decisions  
14 regarding technical issues.

15 So, in other words, we never talked  
16 about this before but the very fact that there  
17 would be work groups working problems at  
18 particular sites, they are doing their job as  
19 best they can for that site. I see the  
20 Procedures Work Group as a higher level  
21 organization whose part of its mandate  
22 certainly should be to make sure that those

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

1 decisions and judgments that are being made  
2 amongst all the different work groups are  
3 consistent. So, I mean, it is a different way  
4 to think about what we are doing here in the  
5 Procedures Work Group. We never talked about  
6 it that way. So the very fact that we may,  
7 because of the way things unfolded on this  
8 subcommittee, let's say we do start to  
9 transfer, particular OTIBs over, I still  
10 believe the Procedures Work Group has a  
11 mandate to make sure that whatever is going on  
12 in the individual work groups, with the way  
13 they are dealing with a particular issue is in  
14 fact consistent and compatible, not only  
15 amongst the different sites, but also  
16 consistent and compatible with the generic  
17 procedures, the ones that Liz had mentioned  
18 before.

19 So in other words, I see us as an  
20 integrating function across the program. And  
21 that may help in terms of thinking through the  
22 best way to move forward.

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

1                   MR. MARSCHKE: Well I think also,  
2 John, along the same lines, if you look at,  
3 just looking at what I have got on the screen,  
4 we have half a dozen internal dosimetry  
5 coworker data procedures that are in the  
6 procedures database. And we can go through --  
7 the next step that we can take when we look at  
8 these is identify those as being site-specific  
9 procedures. But then we can go through and  
10 take an action item to look at the issues in  
11 each one of those and compare them. Like  
12 compare the issues that are in the Y-12  
13 associated with OTIB-0029 for Y-12 and compare  
14 those with the issues that we have raised in  
15 OTIB-0034 for X-10 and see whether or not  
16 there are similar issues or whether they are a  
17 completely different set of issues.

18                   Because if we find out that we look  
19 at all six of these internal dosimetry  
20 coworker procedures and we find out that nine  
21 out of ten of the issues that we raised in  
22 each one of these are the same, then we have,

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

1 basically we come back and we have generic  
2 issues that maybe need to be addressed by an  
3 overall body like the subcommittee. But if  
4 all of the issues that are in these individual  
5 site-specific procedures are more or less  
6 site-specific issues, then I think, you know,  
7 transferring them back to the site-specific  
8 work group would be the right thing to do.

9 Does that make any sense?

10 CHAIR MUNN: Yes, it does, to a  
11 degree. But like you, when I run my eye down  
12 that list and I see internal dosimetry  
13 coworker, external dosimetry coworker,  
14 internal, external, internal, external, the  
15 instinct is to make an assumption up front  
16 that a significant number of these issues is  
17 going to be duplicative.

18 MR. MARSCHKE: That is what we want  
19 to confirm.

20 CHAIR MUNN: Yes, and how we go  
21 about doing that without putting them all out  
22 on the table at the same time and looking at

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

1       them issue by issue, I don't know. Being a  
2       slacker by nature, it is the amount of work  
3       that might be involved in that seems rather  
4       large to me. I don't know how else to do it.  
5       I can't think of any other approach.

6                   MR. MARSCHKE: That is why I would  
7       suggest that, you know, we can, somebody here  
8       at SC&A, we can do that for the subcommittee.

9       At least take a first shot at doing that for  
10      the subcommittee. I don't know if we would  
11      have it ready for the, that portion of it  
12      ready for the Board meeting because like you  
13      say, it would be a rather large undertaking.

14                   CHAIR MUNN: That would be too much  
15      to ask, I believe. But maybe definitely by  
16      the time this subcommittee gets together again  
17      and I think it is in about a month or so, we  
18      might be able to have something that we would  
19      be able to put on the table and discuss.

20                   MEMBER ZIEMER: Well I think after  
21      we look at it, we will get a better feel for  
22      what direction we might have to go and a feel

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

1 for how much commonality there is from site-  
2 to-site, on these findings.

3 MR. MARSCHKE: If we do that, we  
4 can bring some examples and say, you know,  
5 these are from Y-12, X-10, K-25. We think,  
6 you know, these are three or four different,  
7 these are three or four issues from these, we  
8 think they are all basically the same issue,  
9 show them to the Board and say or show them to  
10 the subcommittee and the subcommittee says  
11 yes, we agree with you or no we disagree with  
12 you or what.

13 But we can get that piece of work  
14 for the subcommittee probably by the next time  
15 we get together in June.

16 CHAIR MUNN: This discussion just  
17 keeps moving into deeper and deeper water from  
18 my point of view. For example, when we  
19 started this discussion, it was my expectation  
20 that I was going to recommend to the full  
21 Board that anything, any procedure which was  
22 site-specific and had an existing work group

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

1 not be recommended to the subcommittee to  
2 begin with. Now, I look at this and I see up  
3 there are several items which have  
4 subcommittees, I mean which have work groups,  
5 several items which do not have work groups.  
6 The identifying title is the very same for  
7 them, except for the name of the site.

8           And if we are going to perform this  
9 function we were just discussing with respect  
10 to commonality, then I cannot make this  
11 recommendation to the Board because if we are  
12 going to address the commonality issue, then  
13 we must see each of these procedures as they  
14 come to us, whether there is a work group  
15 attached or not.

16           So, this becomes stickier and  
17 stickier.

18           MEMBER GIBSON: And then there is  
19 also the point that once we look at these  
20 similar documents from different sites, then  
21 we are going to have this, discuss some common  
22 issues, separate procedures, so it is, even at

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

1 that level, down in the weeds and it is --

2 CHAIR MUNN: Stickier and stickier.

3 Paul?

4 MEMBER ZIEMER: And it is going to  
5 turn out that for some sites, such as Y-12,  
6 the procedure defaults back here. So, we are  
7 going to have the same discussion as some of  
8 the other work groups, just not on their site-  
9 specific issue. So, it is almost hard to make  
10 the recommendation until we see what we have  
11 have.

12 CHAIR MUNN: It is.

13 DR. MAURO: I think this -- when we  
14 do get to OTIB-0029, item 3. We are going to  
15 find out something interesting that what is  
16 happening there, and it goes right to what you  
17 just said Paul, there is the implementation of  
18 the generic approach has taken a special form  
19 on Y-12. And there is reasons for it that  
20 need to be discussed and whether or not the  
21 judgments, the way in which OTIB-0029  
22 implements its coworker model, is especially

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701



1 designed for Y-12, for a variety of reasons.

2           So, you know, what I am getting at  
3 is that in the end, I think that, and this is  
4 something you know, I will say it again, I  
5 think that the procedures subcommittee does  
6 have a mandate to help ensure consistency  
7 across the Board. And I am not quite sure of  
8 the vehicle by which it will do, perform that  
9 service. And one of the things that is going  
10 to happen when we do get to OTIB-0029 is we  
11 will see it in action. But still, we really  
12 never discussed the role of the Procedures  
13 Work Group in ensuring consistency across the  
14 board and how it will do that.

15           I can't see any other place, except  
16 at the Board level, where there is the  
17 machinery in place to make sure that  
18 everything is being implemented in a  
19 consistent way.

20           CHAIR MUNN: But if it is tough  
21 here, it is impossible at the Board level.

22           DR. MAURO: Yes.

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

1                   CHAIR MUNN:       And if you are  
2 suggesting that there is something OTIB-0029  
3 item 3 that might lighten the load of this  
4 batch of albatrosses that we have around our  
5 neck, perhaps we should go directly there.

6                   DR. MAURO:   Well you will see very  
7 quickly what was done there and why, for that  
8 item 3 in particular.   There are other items  
9 that have different problems.   And I think  
10 that it goes right toward consistency and  
11 there will be a very nice example.   Whether  
12 you want to continue this or move on and try  
13 that out and see what happens but I just want  
14 to let you know that OTIB-0029 number 3 is  
15 going to be a very nice example of the very  
16 problem that we are talking about.

17                   CHAIR MUNN:       Thank you for the  
18 heads up.   Paul?

19                   MEMBER ZIEMER:   I have a suggestion  
20 for moving forward here.   And that is, why  
21 don't we take specific action on Rocky Flats.  
22       My suggestion would be that we simply change

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

1 that status to transfer to the Rocky Flats  
2 group and delay the other recommendation that  
3 we talked about that you described where you  
4 were going to recommend --

5 CHAIR MUNN: To the Board.

6 MEMBER ZIEMER: -- to the Board,  
7 until we see the outcome of what Steve  
8 prepares on kind of the breakdown of these.  
9 And then we can have that discussion in more  
10 detail. I don't think there is an urgency  
11 today to get that recommendation to the Board.

12 I think we can deal with the Rocky Flats  
13 issue for Mark if we have that right before  
14 us. We need to get the rest of the  
15 information as to what these look like in more  
16 detail.

17 And then in relation to that, we  
18 can discuss John's idea of our responsibility.

19 I don't like the idea that we are going to be  
20 the policemen for the other work groups but we  
21 do want to ensure consistency in the review of  
22 the procedures not on how they do their work

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

1 but on how they evaluate their procedures.

2 So my suggestion is that we only  
3 take an action on the Rocky Flats thing and  
4 defer action on this Board recommendation  
5 until we have a chance to look at more detail  
6 on these other items.

7 CHAIR MUNN: If we are seriously  
8 going to consider performing an integrating  
9 function then clearly we have to --

10 MEMBER ZIEMER: I don't feel like  
11 we are ready to go to the Board with the big  
12 picture yet until we see this.

13 CHAIR MUNN: No. I have no idea  
14 where the frame is, much less the picture.  
15 And we don't even know how big it is. So, we  
16 really can't do that.

17 Mark, do you have any problem at  
18 all with our just simply showing 27 as  
19 transferred and sending you -- you have all of  
20 the information with respect to what the  
21 recommendation of this group was regarding the  
22 respective items.

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

1                   MEMBER GRIFFON:       That is fine,  
2                   Wanda.

3                   CHAIR MUNN:     All right. I will in  
4                   fact --

5                   MEMBER GRIFFON:     I opened up this  
6                   can of worms but --

7                   CHAIR MUNN:     Well yes, it is, --

8                   MEMBER GRIFFON:     -- we had to deal  
9                   with it. You know?

10                  CHAIR MUNN:     It is a can of worms.  
11                  Yes, Mike?

12                  MEMBER GIBSON:    We could also think  
13                  about possibly continuing to operate as we do  
14                  currently. And if the work group, chair sees  
15                  a particular procedure that he feels should be  
16                  in their domain rather than this one, to make  
17                  that request, to give his reasons why, just  
18                  like Mark just did. And then that way, it  
19                  might put some of the worms back in the can.

20                  MEMBER ZIEMER:     In the meantime,  
21                  yes, sure. Or if we see something that should  
22                  be transferred.

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

1 MEMBER GIBSON: It is obvious.

2 MR. KATZ: I was thinking along the  
3 same lines, Mike. I mean this is a natural  
4 place because of the consistency issue for  
5 these things to have a home base, in effect,  
6 but that in every case where there are  
7 particulars that might matter to the work  
8 group, where there is a work group, that there  
9 is that opportunity to send it to them, for  
10 them to address their issues. It can still  
11 come back here for consistency manner, if  
12 there is any final closure.

13 MEMBER GIBSON: Or for the work  
14 chair to request the procedure.

15 MR. KATZ: Right. Absolutely.  
16 Either way, whether this group sees that it  
17 needs to go there or the work group chair  
18 requests it. I think that makes a lot of  
19 sense in sort of simplifying it away about  
20 having to do all of this analysis.

21 CHAIR MUNN: And probably it doesn't  
22 have to be formalized, as long as all of the

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

1 parties involved understand what the general  
2 process would be.

3           Nevertheless, it requires a full  
4 Board discussion, so that all involved will  
5 have some understanding of what the general  
6 consensus appears to be.

7           And I am still going to need the  
8 list from you, Steve, definitely.

9           MR. MARSCHKE: Are we talking just  
10 about the one list where we identify the  
11 procedures or the detailed list?

12           CHAIR MUNN: Yes.

13           MR. MARSCHKE: Okay.

14           CHAIR MUNN: Yes. My, I didn't  
15 expect that to happen. Do we need to plow on  
16 here or do we need a five minute break?

17           MR. HINNEFELD: A break would be  
18 helpful to me because I have a phone call I  
19 need to make.

20           CHAIR MUNN: Okay, let's do five  
21 minutes.

22           MR. KATZ: Is five minutes enough,

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

1 Stu?

2 CHAIR MUNN: Well let's be  
3 realistic, ten minutes.

4 (Whereupon, the above-entitled matter went off  
5 the record at 3:18 p.m. and resumed  
6 at 3:32 p.m.)

7 MR. KATZ: Okay, folks on the  
8 phone, we are back, or most of us are back.  
9 Mark, do we have you?

10 MEMBER GRIFFON: Yes, I am here.

11 MR. KATZ: Okay, great.

12 CHAIR MUNN: We are going to take a  
13 look at new OCAS-IG-004, review findings.

14 So, Steve, would you like to do  
15 that for us?

16 MR. MARSCHKE: Okay. I will start  
17 anyways. And John and Hans, I think are both  
18 on the phone and they were the ones who  
19 actually did the review so if they want to  
20 jump in, they can jump in.

21 Back on March 30th, we sent to  
22 NIOSH our review of OCAS-IG-004 in the draft

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701



1 report. And there were, if you look in the  
2 executive summary, there were seven findings  
3 that we identified and they have been entered  
4 into the database. Actually, when I looked at  
5 it, I found there were six findings and one  
6 really observation which was, basically, SC&A  
7 was in agreement. We put it in based upon  
8 previous items, similar type items, I did  
9 enter that into the database as well.

10 If we want to look at the -- if we  
11 want to walk through all seven of these items,  
12 we can do it here on the database or we can do  
13 it in the report itself. I'm not sure it  
14 might be easier to read in the report because  
15 we can get more on the screen at one time.

16 CHAIR MUNN: It probably is, yes.

17 MR. MARSCHKE: The first one is  
18 Part 82 has no explicit language permitting  
19 the use of data from other sites for the  
20 purpose of performing dose reconstructions.  
21 And I don't know if you want to read the whole  
22 thing or if we just want to --

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

1 CHAIR MUNN: No, just the gist of  
2 it. Just the sense of what the finding is.

3 MR. MARSCHKE: We believe that this  
4 ambiguity in Part 82 should be brought to the  
5 attention of the Board because the manner in  
6 which Part 82 is interpreted with respect to  
7 this matter has profound implications with  
8 respect to SEC petitions, evaluation of the  
9 Board site profiles, dose reconstructions.

10 So that is really, I guess this  
11 issue is, was brought forward so that the  
12 Board would be aware that there is no explicit  
13 language in Part 82 about permitting the use  
14 of other site data.

15 And John or Hans, you want to  
16 expand on that at all?

17 MR. KATZ: Let me just suggest  
18 first, --

19 MR. MARSCHKE: Okay.

20 MR. KATZ: -- I think, because I am  
21 not even sure this is properly characterized  
22 as a finding if findings are actionable items.

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

1 I mean, the Office of General  
2 Counsel has already given a legal  
3 interpretation that surrogate data is  
4 allowable under Part 82 and has informed the  
5 Board of that. I mean, it notified the Board  
6 that it has made that finding. And really, to  
7 me, it is sort of out of scope.

8 The Board, of course, already was  
9 engaged on that issue but it out of scope for  
10 SC&A to be questioning this as an ambiguity  
11 because it is not ambiguous anymore. It is a  
12 matter of HHS interpretation which governs all  
13 legal interpretations of EEOICPA, as far as  
14 the OCAS work is concerned and the Secretary's  
15 work, under the Secretary's responsibilities  
16 is concerned.

17 CHAIR MUNN: That being the case,  
18 there really is not anything that this body  
19 can do with respect to that finding, other  
20 than to make a notation, which seems  
21 appropriate, that the content of this finding  
22 has been covered by a legal interpretation.

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

1                   MEMBER ZIEMER: Yes, and I think we  
2 should maybe even identify that the Designated  
3 Federal Official has informed the work group  
4 or reminded the work group --

5                   CHAIR MUNN: Sure.

6                   MEMBER ZIEMER: -- of what you  
7 said.

8                   CHAIR MUNN: Of what he said.

9                   MR. KATZ: That the Office of  
10 General Counsel of HHS has rendered a legal  
11 guidance on this matter, which is that  
12 surrogate data--

13                   MEMBER ZIEMER: My 004 isn't  
14 matching up with his 004.

15                   MR. KATZ: -- is allowable under  
16 Part 82.

17                   MEMBER ZIEMER: His shows 0011, IG.

18                   CHAIR MUNN: IG-004.

19                   MEMBER ZIEMER: I got the wrong  
20 one. It is the wrong one, I guess. It's task  
21 three, it says that.

22                   MR. MARSCHKE: The Designated

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

1 Federal Official has stated that the HHS IG  
2 has rendered his opinion.

3 MR. KATZ: Office of General  
4 Counsel.

5 MR. MARSCHKE: The Office of  
6 General Counsel.

7 MR. KATZ: The OGC is the acronym.

8 MR. MARSCHKE: OGC.

9 MR. KATZ: -- has rendered its  
10 opinion.

11 MR. MARSCHKE: Its opinion. Its  
12 opinion that Part --

13 MR. KATZ: -- 82.

14 MR. MARSCHKE: -- 82 --

15 MR. KATZ: -- allows --

16 MR. MARSCHKE: -- allows for the --

17 MR. KATZ: -- the use of surrogate  
18 data.

19 MR. MARSCHKE: -- the use of data.

20 CHAIR MUNN: From other sites,  
21 right?

22 MR. KATZ: Yes, which is by

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

1 definition from other sites.

2 MR. MARSCHKE: Do we need to add  
3 that or is that just understood with  
4 surrogate?

5 MR. KATZ: I think it -- well, you  
6 can. Either way. You can be redundant if you  
7 want to be, for clarity.

8 CHAIR MUNN: Yes, redundancy is  
9 sometimes a good thing.

10 MR. MARSCHKE: Therefore, this is  
11 a non-issue and closed.

12 MR. KATZ: Not an issue.

13 MR. MARSCHKE: Not an issue and is  
14 closed. And today's date is 5/1/2009.

15 CHAIR MUNN: That is very good.  
16 Can we do as well for two, three, four, five,  
17 and six?

18 Item 2.

19 MR. MARSCHKE: Item 2 is, you know,  
20 if we go back and read from the --

21 DR. MAURO: Maybe I can help out on  
22 Item 2. Because the finding on Item 1 and its

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

1 closure basically makes Item 2 moot. I will  
2 explain why.

3 Item 2 simply states that the  
4 arguments made in OCAS-004, whereby the  
5 statements are made that precedent regarding  
6 surrogate data that they draw upon, basically  
7 this is a section of IG-004 that describes the  
8 reason they feel it is appropriate to use  
9 surrogate data is by drawing from experience  
10 in other venues, mainly, the use in  
11 epidemiological studies.

12 We find the arguments made in 004  
13 not to be convincing. Mainly, the use of  
14 surrogate data in epidemiological studies for  
15 the reasons discussed at length in our report  
16 really are not applicable to the use of  
17 surrogate data in dose reconstructions.

18 So but nevertheless, the issue,  
19 number 2, only goes toward one, namely, we do  
20 not find the arguments made related to  
21 epidemiological studies and the use of  
22 surrogate data to be convincing.

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

1           So it really is not important any  
2 longer in terms of the judgment that the  
3 interpretation of the regulations of 82 are in  
4 fact embracing and provide for the use of  
5 surrogate data.

6           MR. MARSCHKE:       So John, as I  
7 understand what you are saying, basically we  
8 are going to retract or withdraw issue number  
9 two, in view of --

10           MEMBER GRIFFON:   Well let me -- can  
11 I weigh in? Can we slow down on that one?

12           DR. BEHLING:       The reason I  
13 obviously went through a lengthy discussion  
14 regarding the use of surrogate data that is  
15 defined under epidemiologic studies, radiation  
16 compensation program, and general exposure  
17 modeling, those are the three areas that I  
18 discussed at length because it was really  
19 those three areas that were used to justify  
20 the use of surrogate data in 29 or in  
21 implementation guide 004.

22           And as a result of that, I

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701



1 basically went through each of those and said  
2 I can't buy in on the justification but as has  
3 already been said on behalf of finding number  
4 one, if the Office of General Counsel has  
5 decreed that surrogate data are okay, you  
6 don't need to justify on the basis of the use  
7 of epidemiologic studies, radiation  
8 compensation programs, or general exposure  
9 modeling.

10 And so it doesn't go away. It just  
11 simply has no value left in terms of its own  
12 justification for being binding.

13 MEMBER GRIFFON: Can I weigh in on  
14 this one? I think it does have some value,  
15 Hans and John.

16 I think that the first item is a  
17 legal question. Ted answered that correctly  
18 that the regulation, I mean interpretation  
19 from counsel was that it is allowed. Allowed  
20 doesn't necessarily mean that we believe it is  
21 -- I mean, we can still question the basis  
22 for it. It is allowed. I think that is what

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

1 our surrogate work in the subcommittee is  
2 looking at actually, surrogate work or work  
3 group, whatever, that you know, we don't  
4 dispute the fact that NIOSH has that  
5 interpretation but we are questioning what  
6 kind and what circumstances would allow for or  
7 should we have some ground rules on this when  
8 a surrogate worker can and cannot be used or  
9 at least in terms of our recommendation. I  
10 mean, NIOSH can or cannot accept those.

11 So I think this is still relevant,  
12 a relevant discussion. I don't think it  
13 necessarily goes away because it gets to the  
14 sort of background of when do we think it is  
15 prudent to use surrogate workers and when do  
16 we think it is not so scientifically  
17 defensible. And I would like to hear more  
18 discussion on this, quite frankly, because I  
19 think it is important.

20 MR. KATZ: Thanks, Mark. And I  
21 just want to confirm completely that your  
22 interpretation, that is exactly right. The

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

1 SC&A certainly is charged with helping the  
2 Board think through when it is scientifically  
3 and technically defensible to use surrogate  
4 data. That is absolutely intended to be sort  
5 of the subject for discussion. And HHS' legal  
6 interpretation is limited just to that, as to  
7 whether it can be used, not how it is to be  
8 used.

9 CHAIR MUNN: That certainly is  
10 under discussion by the surrogate data work  
11 group. And Dr. Melius has already presented  
12 the group with his hierarchy of data and  
13 plenty of thought-provoking information is  
14 available to that work group, which has been  
15 unable to meet. Unfortunately, there has been  
16 too many conflicts among the members but for  
17 whom we do have a scheduled teleconference  
18 coming up prior to the upcoming Amarillo  
19 meeting.

20 So that group will be meeting by  
21 telephone and I am quite sure that this issue  
22 will be part of that discussion.

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

1 MR. KATZ: Well, let me just update  
2 you on that surrogate data. Jim is convening  
3 the meeting next Friday but that meeting is  
4 not going to take up this issue of looking at  
5 this IG and the surrogate data in general.

6 CHAIR MUNN: Oh, it isn't.

7 MR. KATZ: It is limited to  
8 addressing one site where he wants to get some  
9 resolution as to what technically needs to be  
10 done to go forward with one of [Identifying  
11 Information Redacted] sites.

12 MR. HINNEFELD: Texas City.

13 MR. KATZ: Texas City, thank you.  
14 That is the limit, the scope of it. It is  
15 just going to be a several hour meeting, I  
16 believe.

17 CHAIR MUNN: All right. I didn't  
18 realize that. Thank you, Ted.

19 MEMBER ZIEMER: But Texas City is  
20 kind of a test case on the draft criteria for  
21 which the surrogate data can be applied.

22 MR. KATZ: That is correct.

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

1                   MEMBER ZIEMER:    Because there are  
2                   currently four criteria that are being looked  
3                   at.

4                   But this one, Hans, your argument  
5                   is that it is inappropriate to base surrogate  
6                   data on epi studies.  Is that --

7                   DR. BEHLING:  No, no, no.

8                   MEMBER ZIEMER:  No.

9                   DR.     BEHLING:            It    is    not  
10                  inappropriate.  What I was, the central theme  
11                  here is to say that the reasons for surrogate  
12                  data,  just  because  they  are  used  in  
13                  epidemiologic  studies  or  in  the  other  
14                  radiation  compensation  programs,  do  not  
15                  necessarily, they are not transportable to the  
16                  Energy employee issue.

17                  And as I have mentioned before, the  
18                  exact write-up that I had written, and I  
19                  elaborate  extensively  as  to  why.     In  
20                  epidemiologic studies oftentimes there is no  
21                  alternative because you really start out with  
22                  a premise that there is a correlation or that

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

1 there may be a correlation between a given  
2 agent, whether the physical, chemical, or  
3 radiological agent and a certain health impact  
4 that we are looking to study. But the intent  
5 is never to reconstruct an individual dose.  
6 It is just to show a dose-response  
7 relationship so that if you have a positive  
8 dose-response relationship, you can reasonably  
9 conclude that there must be a causal effect  
10 between an agent and what it is that you are  
11 looking at.

12 And as I mentioned in my final  
13 statement with regard to epidemiologic  
14 studies, which is if there is any of the three  
15 categories, this is still the one that has the  
16 largest or highest level of credence. But  
17 even in the case of epidemiologic studies, we  
18 know that there was very early indication that  
19 as you increase the dose, so you increase the  
20 cancer risk. But it never really mattered  
21 whether or not the early leukemia risk  
22 coefficients were off by a factor of two or

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

1 three, as long as you showed a positive trend.

2 So my argument here was that the  
3 epidemiologic studies don't have it as their  
4 principal incentive or objective to do a  
5 reconstruction of individual doses other than  
6 to show a positive correlation between a given  
7 agent and a studied health effect. And as I  
8 said, this is the best of it.

9 The worst of it is obviously the  
10 last one, which is the general exposure  
11 modeling. And in the case of the RESRAD  
12 building, you are looking at facilities that  
13 essentially have been completely or an attempt  
14 was made to completely clean these up. And so  
15 when you use some of these surrogate numbers  
16 or data, this has very little to do with the  
17 reconstruction of doses on behalf of Energy  
18 employees.

19 So I found all three categories to  
20 be of limited value in convincing me that this  
21 can serve as a justification.

22 DR. MAURO: So in a way, it goes

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

1 back to the statement I was saying before.  
2 This doesn't go toward the implementation of  
3 surrogate data and how to go about when it is  
4 being used properly and when it is not. I  
5 think other findings go toward that.

6 This particular Item 2 went more  
7 toward the use, the arguments being made that  
8 it is okay to use surrogate data --

9 MEMBER GRIFFON: Exactly.

10 DR. MAURO: -- because we did  
11 elsewhere. And felt that that argument, that  
12 it is okay to use surrogate data because of  
13 these other places where it is used because it  
14 was an inappropriate justification.

15 So you see the distinction between  
16 Item 2 being an item that goes toward when you  
17 use surrogate data and when you don't within  
18 the context of this program and the use of  
19 Item 2 as being more of a critique of using  
20 those examples as a rationale for why you can  
21 use surrogate data.

22 So that is why I think Item 2 goes

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701



1 away.

2 CHAIR MUNN: Okay, folks, I am  
3 going to interject something here. And that  
4 is, I don't know what the intent of the other  
5 members of the subcommittee was, but my intent  
6 in putting this item on the agenda was to have  
7 us take a quick look at what those specific  
8 findings were, so that we would know they were  
9 out there. Bear in mind that NIOSH has had no  
10 opportunity to respond to any of these.

11 It was not my expectation that we  
12 would attempt to resolve them here today. I  
13 simply wanted them to be covered so that we  
14 would be aware of what NIOSH is looking at,  
15 with respect to this particular procedure.

16 So rather than discuss this at  
17 length, although we appreciate your rationale,  
18 my personal feeling is that we need to move  
19 quickly through these items because we aren't  
20 prepared to discuss them today and until NIOSH  
21 provides some response to them, it is probably  
22 inappropriate for us to discuss them at too

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

1 great a length.

2 Does anybody find any fault with  
3 that reasoning?

4 MR. HINNEFELD: We won't be able to  
5 provide a detailed response. Some things come  
6 to mind but I would rather really get a  
7 response from the organization.

8 I think I should tell you, though,  
9 that today I was getting, I had some update  
10 done to my computer and an automatic restart.  
11 And since it restarted, I can't get back onto  
12 my account. I can get back onto the internet  
13 but I can't get back onto the CITGO and get  
14 back to my stuff.

15 So I will be able to speak from  
16 what I can recall but I can't look up any  
17 references that I submitted. Sorry.

18 CHAIR MUNN: Well it is not  
19 expected that we would do so for 004.

20 MEMBER GRIFFON: Wanda, I don't  
21 have a problem with what you said, I just  
22 would say just in response to what John said,

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

1 I mean, I see that last one as more of an  
2 observation. I don't think it should go away  
3 because it is good information on how SC&A  
4 views the IG. But maybe an observation.

5 CHAIR MUNN: We will have NIOSH  
6 make a response to it at a later time.

7 MEMBER GRIFFON: Okay.

8 CHAIR MUNN: Let's move on to take  
9 a look at Items 3, 4, 5, 6, and 7.

10 DR. MAURO: I'm going to be very  
11 brief. Three simply says it is going to be  
12 very difficult to implement. That is, in  
13 order to implement the protocols, procedures,  
14 requires a great deal of judgment to know when  
15 you can and when you can't apply the criteria.

16 So I mean, it is really not -- if  
17 anything it is really an implementation issue  
18 that will not come to life until we try to  
19 apply it. And that is why I think the Texas  
20 City example is interesting and other places,  
21 where surrogate data are applied. Bethlehem  
22 Steel and the list goes on.

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

1           So I don't know, you know, just to  
2 alert you that all really number 3 says is  
3 that it is going to be a challenge for the  
4 reasons given there.

5           MEMBER ZIEMER: It is more of an  
6 observation, then.

7           DR. MAURO: It is more of an  
8 observation, yes.

9           The next item, number 4 is  
10 interesting. Our sense is that when you read  
11 OCAS-IG-004, it appears that it really was  
12 written for AWE facilities. In other words,  
13 when you get into the more technical substance  
14 of it, it is clear that it goes toward the  
15 application of surrogate data to AWE  
16 facilities.

17           And number 4 simply says if that is  
18 the case, then do you really need OCAS-IG-004?

19           Because you have got TBD-6000 and TBD-6001,  
20 which does a much better job in terms of  
21 building a matrix of surrogate data from a  
22 perform range, a vast amount of information

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

1 that is out there and a construct for applying  
2 that data from other uranium handling and  
3 processing facilities to other facilities of  
4 the same nature.

5 So in a funny sort of way, what we  
6 have here is an IG-004 that is written as if  
7 it were generically to be used across the  
8 board to all types of facilities when in fact,  
9 when you look closely at it, it clearly seems  
10 to be more applicable to AWE facilities. And  
11 then given that, you don't really need it  
12 because you have got TBD-6000 and TBD-6001 and  
13 its associated appendices.

14 So perhaps that is an observation  
15 also. I will move on.

16 Five, we are in agreement. I think  
17 six we are in agreement.

18 There is a little qualifier there,  
19 where we just make a suggestion with respect  
20 to the discussion of using other site film  
21 badge data. It is one thing to use models as  
22 a surrogate in Item 6 for external exposure.

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

1 We believe it is a lot easier to use surrogate  
2 data and models for external than it is for  
3 internal. But we also recommend that if you  
4 are going to use, and here it goes toward an  
5 example, the examples of when using film badge  
6 data is appropriate and perhaps when it is  
7 not.

8 So that will get you a little bit  
9 more into the granularity of the use of  
10 surrogate data. There are certain conditions  
11 under which film badge data might work well  
12 for you and certain conditions where it won't.

13 And that is the point that we are making in  
14 number 6.

15 Finally, what we did in number 7 is  
16 prepare a table comparing the four draft  
17 criteria prepared by the surrogate work group  
18 against the criteria prepared in OCAS-004.  
19 And we found them to be entirely consistent,  
20 with the exception of one that has to do with  
21 the time frame.

22 In OCAS-004, the statement is made

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

1 that it is okay to use data from one facility  
2 to another, even if they are in different time  
3 frames. That is, the data may have been  
4 gathered much earlier here, much later here,  
5 but it is being applied to another facility  
6 for an earlier date. And the point is made  
7 that we have to do that very carefully and of  
8 course we agree with that.

9           However, our interpretation of  
10 reading the guidance provided by the surrogate  
11 work group is that you really can't do that.  
12 That is, you have got to make sure that the  
13 data set from the surrogate site comes from a  
14 time that is about the same time as the time  
15 period for the facility that you are going to  
16 apply it to.

17           So there is a bit of, I guess,  
18 incompatibility between that criteria. Just  
19 to alert the work group to that.

20           And finally, there is the issue of  
21 plausibility. OCAS-004 has adopted the  
22 concept of plausibility. However, the four

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

1 criteria by the surrogate data work group does  
2 not explicitly include plausibility.

3 Plausibility is going to become an  
4 important subject when we talk about Texas  
5 City and when we talk about a number of other  
6 sites where surrogate data is used in the  
7 various capacities and they are used in a way  
8 where one could argue that they are bounding.

9 And the surrogate data is clearly bounding.  
10 But in some cases it is bounding to the point  
11 where it is really not a plausible exposure  
12 scenario.

13 In other words, the doses that you  
14 would get from the surrogate data as applied  
15 to the site of interest overestimates by  
16 orders of magnitude. You know, not by two or  
17 three but by orders of magnitude.

18 So there is some point, and  
19 plausibility is a word that is actually used  
20 in the regulations, Item 3. And so we believe  
21 it is important that the Surrogate Data Work  
22 Group and this, the Procedures Work Group

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701



1 engage the issue of plausibility when  
2 discussing surrogate data.

3 And that really covers the scope of  
4 what we have to say on OCAS-IG-004.

5 CHAIR MUNN: Thank you very much  
6 John and Hans, we appreciate that. Now we  
7 know better what to expect and NIOSH knows  
8 what needs to be responded to, I think. And  
9 we will move forward from IG-004 to our next  
10 item. But before we do that, even, I  
11 understand Mark is going to be leaving us here  
12 very quickly.

13 MEMBER GRIFFON: Yes, I am sorry.  
14 I planned around the adjourn time of 4:00 p.m.  
15 for another call.

16 CHAIR MUNN: Well --

17 MEMBER GRIFFON: Oh, I know, things  
18 run over. I understand that.

19 CHAIR MUNN: Yes, and I tried to  
20 get that across in my preliminary statement  
21 before the draft agenda.

22 MEMBER GRIFFON: I mean, I just

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

1 wanted to stay on if we were going to try to  
2 get some summary statement for the CATI. Or I  
3 just didn't know how you were going to handle  
4 that in terms of having something to say at  
5 the upcoming meeting.

6 CHAIR MUNN: I am going to provide  
7 you with some notes. I am going to provide  
8 the entire subcommittee with notes from what  
9 I understand we can and cannot bring to the  
10 Board in my report. And you will have an  
11 opportunity to comment on that.

12 But I am not going to try to do it  
13 tonight.

14 MEMBER GRIFFON: Okay.

15 CHAIR MUNN: It takes too much  
16 wordsmithing. There is too much involved in  
17 what we have discussed today.

18 The other issue that I wanted to  
19 make sure to touch base with you about, Mark,  
20 is your availability for Procedures meeting on  
21 June 9th. You are okay with that. Right?

22 MEMBER GRIFFON: June 9th?

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

1 CHAIR MUNN: Yes, we had set aside  
2 June 10th and 11th -- I mean 9th, 10th and  
3 11th as possible dates. And the LANL Work  
4 Group has taken the 10th. The 9th is my  
5 preferred date.

6 MEMBER GRIFFON: June 9th I have  
7 the Procedures on my calendar already.

8 CHAIR MUNN: Very good. So  
9 hopefully you can plan to be in Cincinnati on  
10 the 9th.

11 MEMBER GRIFFON: Yes, I will try to  
12 actually make it out there. I am sorry I  
13 didn't make it out there this time.

14 CHAIR MUNN: Okay, very good.

15 MR. KATZ: The last thing before  
16 you go, Mark, is just, if he is leaving right  
17 now, is we will need an agenda for that June  
18 meeting because I am going to need to do a  
19 Federal Register notice. So Mark, if you have  
20 any particulars you want to contribute towards  
21 that agenda, this would be a good time for me  
22 to know that.

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

1                   MEMBER GRIFFON: I will email them  
2 to Wanda and let her --

3                   MR. KATZ: That's good.

4                   CHAIR MUNN: Very good. Thank you.

5                   MEMBER GRIFFON: Thank you.

6                   CHAIR MUNN: All right.

7                   MR. HINNEFELD: Okay, I have got  
8 the internet up.

9                   MR. KATZ: Bye, Mark.

10                  CHAIR MUNN: Bye, bye. And now we  
11 are going to look at 0029-03.

12                  MR. MARSCHKE: 0029-03 -- do you  
13 want --

14                  CHAIR MUNN: Yes, please, Steve.

15                  MR. MARSCHKE: 0029-03 was one that  
16 we discussed again back in March, the last  
17 time we got together and it was one item which  
18 SC&A and NIOSH have kind of come to an  
19 agreement to disagree at this point. And the  
20 subcommittee instructed us to get together and  
21 have a technical teleconference to resolve the  
22 issue.

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

1           That teleconference has not  
2 occurred due to a number of reasons. It  
3 hasn't occurred but as I understand it, there  
4 was a meeting of the Fernald Work Group that  
5 occurred back on April 22nd. And at that  
6 meeting, I guess John Mauro and Jim Neton both  
7 attended that work group meeting. And many of  
8 the same issues that are being discussed in  
9 OTIB-0029-03 were discussed at the Fernald  
10 Work Group meeting.

11           And I think John, if you want to  
12 help me out here a little bit?

13           DR. MAURO: Yes, I would be glad to  
14 and now I am going to ask Hans to help me out.

15           So I will introduce it in the broadest of  
16 terms.

17           On Y-12, the fourth model for  
18 internal exposure basically says we have all  
19 this data for, bioassay data for  
20 reconstructing internal dose and to build a  
21 coworker model. And for those workers who do  
22 not have any bioassay data and want to

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

1 reconstruct their internal dose, we will  
2 simply use that distribution.

3 Our position is well, there is more  
4 to the story. We argue that there are times  
5 when the whole distribution doesn't really,  
6 isn't necessarily claimant favorable. In  
7 fact, we would argue it is claimant neutral.  
8 And there are times when it may be more  
9 appropriate to use the upper end distribution.

10 And Jim and I agree on that philosophy. So  
11 in that regard we agree.

12 And then it comes down to, and here  
13 is where it becomes -- remember earlier I said  
14 here is where the application of this  
15 particular concept is where we differ as it  
16 applies to Y-12. It is Jim's position that  
17 because of the extensive nature of the  
18 bioassay program, one can argue generically,  
19 one can argue that those workers who would not  
20 monitor, were not part of the bioassay program  
21 at Y-12, by definition means they probably had  
22 a low potential for exposure. And as a

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

1 result, universally, we will apply a full  
2 distribution.

3 And Jim's argument is, and it is  
4 understandable, given that is the case, given  
5 you accept yes, the people who were not part  
6 of the bioassay program, you accept that as  
7 correct, probably add little potential for  
8 internal exposure, then using the full  
9 distribution is certainly claimant favorable.

10 And for a variety of reasons, we believe that  
11 that may not be the case.

12 And Hans, here is where I pass the  
13 baton off to you, where you have a couple of  
14 examples of where that may not really be  
15 appropriate.

16 DR. BEHLING: Yes, I will start out  
17 with actually the section one purpose in the  
18 implementation guide 29, which states the  
19 following. There are instances of Energy  
20 employees who, for a variety of reasons, were  
21 not monitored for internal exposures due to  
22 the course of their employment at the U.S.

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

1 Department of Energy facility or whose records  
2 of such monitoring are incomplete or  
3 unavailable. And those three words, either  
4 they were not monitored or whose records are  
5 incomplete or unavailable, those are not  
6 necessarily identical.

7 And for instance, as John already  
8 pointed out, you have a situation where there  
9 was a conscious decision to say let's focus on  
10 people who have a reasonable chance of being  
11 exposed to uranium and we will monitor  
12 everyone who has a reasonable chance. And  
13 forget, for instance, office workers, or  
14 someone who carries a document through a  
15 facility on occasion and we will not monitor  
16 them. I will be the first to say let's use  
17 the 50th percentile as a full distribution and  
18 assign that and consider that a very claimant  
19 favorable assumption.

20 On the other hand, the potential  
21 exists, and I will give you an example because  
22 I am also reviewing the Harshaw TBD, where

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701



1 especially for early years, the people who may  
2 not have been monitored do not necessarily  
3 fall in the category of an office worker or a  
4 secretary or something like that but may very  
5 well have been process workers who were simply  
6 not part of the sampling program. Much like  
7 the practice in the early days was to cohort  
8 badging of people where you have ten people  
9 going into the same location with the  
10 potential for almost identical exposures but  
11 you would only assign one person a badge and  
12 assume that that particular value would be  
13 applied to everyone who was not badged.

14 And I will give you an example of  
15 this because I am reading and I will give you  
16 the actual section in the Harshaw TBD. It  
17 occurs in section five for internal dosimetry  
18 and in section 5.3.1.2 and it is under the  
19 heading of routine urine program.

20 And I will read to you just a  
21 couple of sections that basically points to  
22 that issue. In the first paragraph under that

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

1 section, it says Sergeant, an attorney,  
2 somebody who worked for the NRC, 1950 he gives  
3 a sample. And it is a reference that says  
4 while it referred to a previous line of  
5 sampling program as of late of December 1949,  
6 Sergeant -- no, I'm sorry. I misread the  
7 line. While it referred to a previous line of  
8 urine samples, also requested that Harshaw  
9 institute a urine sampling program on a  
10 running basis to sample about 100 workers per  
11 month, including occupations that the AEC  
12 specified. Thus, the January 1950 time point  
13 could represent an acceleration of urine  
14 sampling rather than its start. And then it  
15 goes on to say it starts in 1958, another  
16 reference, stated that 200 workers were  
17 subject to urinalysis which appears to have  
18 included workers in all three major areas of  
19 Plant C. While there was no tally kept by  
20 Harshaw, the number of people exposed to  
21 uranium who had left their employment in  
22 November 1951, Harshaw provided an AEC

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

(202) 234-4433

[www.nealrgross.com](http://www.nealrgross.com)

1 estimate of several hundred of such people who  
2 had been exposed for more than a year.

3 What it means, how I interpret that  
4 to mean, is that the initial phase in 1950 at  
5 Harshaw was obviously looking to sample people  
6 who were exposed to uranium. But it was not a  
7 comprehensive sampling program.

8 And so you have people who may all  
9 have been process workers and out of that pool  
10 of several hundred, a hundred people were  
11 sampled; which means that if you are now a  
12 member of that group who was not sampled, and  
13 you have no particular information on your  
14 bioassay available to you to be judged as a  
15 50th percentile value using a full  
16 distribution, will clearly not be a claimant  
17 favorable assumption because you could have  
18 also been a member at the 95th percentile but  
19 you were just not part of that sample who was  
20 in fact monitored during that time.

21 I think that the whole issue  
22 centers around who was not monitored as

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

1       opposed to people whose data are perhaps  
2       incomplete or there was only a sampling  
3       protocol in place where other people who were  
4       equally exposed to the high level were simply  
5       not monitored. And I think the collective  
6       argument that John had started to talk about  
7       is that the 50th percentile in full  
8       distribution may not be claimant favorable to  
9       those people under that condition.

10               MR. MARSCHKE: Hans, just listening  
11       to what you said, it seems to me like the  
12       issue is still open and the teleconference is  
13       still necessary and we have got to get  
14       basically the right people involved. And I  
15       don't think we have the right people involved  
16       at this particular point in time because Jim  
17       is not here. So I think --

18               MR. HINNEFELD: Well Jim and I did  
19       talk about this. I can comment a little bit  
20       here. First of all our conversation, our  
21       finding moved from Y-12 to Harshaw during the  
22       course of the discussion. And I don't know

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

1 that you should judge the sampling practices  
2 at Y-12 by the sampling practices at Harshaw.

3 There is evidence that there were  
4 cohort sampling done early at Y-12 and in  
5 fact, this storage database of data doesn't  
6 include what appears to be a comprehensive  
7 sampling but is in fact a cohort sampling,  
8 then I think that would call into question the  
9 use of the 50th percentile for those years  
10 when cohort sampling was done.

11 Now, as far as I know, that is not  
12 the case. And if in fact the Harshaw site  
13 profile describes a coworker approach that  
14 uses the full distribution, I think there is  
15 probably evidence that there should be some  
16 changes made to the Harshaw site profile. But  
17 with respect to the Y-12 site profile, I don't  
18 see any particular evidence in here of that.

19 DR. BEHLING: Well, I am not  
20 saying. I was using that strictly, Stu, as an  
21 example. And of course, we are talking a few  
22 minutes ago about surrogate data. And it is

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

1 possible that somebody may make reference to  
2 that. But it does occur in the same time  
3 frames. We are talking about 1950, 51 and  
4 that is also the time frame that this OTIB  
5 provides surrogate or coworker data for.

6 But there are a host of other  
7 questions. In fact, just to jump the gun, we  
8 did try to establish a technical discussion  
9 between SC&A and NIOSH that would include Jim  
10 Neton, you, and Liz Brackett. And we made  
11 that request back on March 30th and we never  
12 got a firm date for doing so. So, we may be  
13 jumping the gun here in discussing things that  
14 should be best left for a reduced technical  
15 discussion among SC&A people, and the NIOSH,  
16 and ORAU people. And perhaps include people  
17 like members of the work group because we did  
18 in fact contact Wanda and others so that if  
19 they chose to participate in that luminary  
20 technical discussion, they would be more than  
21 welcome to do so.

22 DR. MAURO: One more thing, Stu, I

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

1 think that we are not that far apart. I think  
2 that in fact we may not be far apart at all.

3 Our main concern is that if you are  
4 going to use a full distribution, I think you  
5 have to make an affirmative argument why it  
6 applies to a worker when you can't. Then I  
7 think you have go with a more conservative  
8 approach. Your argument is that you could  
9 make the universal affirmative statement for  
10 all workers. I don't know if you are saying  
11 this but that is how we are interpreting it.

12 MR. HINNEFELD: That is not how I  
13 tried to make the argument.

14 DR. MAURO: Okay and let me say, I  
15 will be the first to say if it is the intent  
16 of 0029 to implement the full distribution  
17 only when it appears to be appropriate to a  
18 given worker at a given time, that is exactly,  
19 we are in full agreement and I think that has  
20 been the intent of NIOSH all along.

21 But I didn't read it that way. But  
22 when we reviewed Y-12, it looked as it was

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

1 going to be a universal. And if the  
2 appropriate qualifiers are in the OTIB of the  
3 nature that for example Hans just pointed out,  
4 I think we are in agreement.

5 MR. HINNEFELD: Yes, I think Jim's  
6 point was, I talked to Jim about that, and his  
7 point was the judgment almost has to be made  
8 on a dose reconstruction-specific basis and  
9 the information, and do you have sufficient  
10 information about this person who has no data,  
11 has no bioassay data, to understand that while  
12 there is a reason why they had no bioassay  
13 data, he wasn't probably heavily exposed. Or  
14 if there is not that evidence or if there is  
15 evidence that they were in fact a heavily  
16 exposed person, a chemical operator, at  
17 Fernald it would be a chemical operator,  
18 someone who would be in one of the higher  
19 exposed categories, then what you are saying  
20 is that there should be a statement to that  
21 effect in the TIB that in that situation you  
22 just can't go ahead and apply this coworker as

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701



1 it is described. You would have to have some  
2 other application to provide that.

3 I think that is what you said. And  
4 I think Jim is onboard with that.

5 MEMBER ZIEMER: I thought Jim said  
6 that at the last meeting.

7 DR. MAURO: Yes. Now of course now  
8 the question becomes -- so we agree in  
9 principle on all levels here. The only  
10 question becomes when it comes to Y-12, it has  
11 a universal position to take it there. You  
12 know, we really don't have to go through that  
13 step. That is, if we are going to reconstruct  
14 a person's dose at Y-12, we are automatically  
15 going to use the full distribution. That is  
16 the way in which I interpreted it.

17 MR. HINNEFELD: Okay if we were to  
18 say, for instance, if we were to come back and  
19 say this is valid that we should point this  
20 out in the OTIB so that someone just didn't  
21 pick it up and use it regardless of the  
22 situation of the dose reconstruction, then

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

1 that would essentially resolve this without  
2 the technical conversation?

3 DR. MAURO: Yes.

4 MR. HINNEFELD: Okay.

5 DR. BEHLING: Well, I think there  
6 are a couple of other issues, John.

7 MR. HINNEFELD: Okay, well maybe we  
8 better have a technical conversation but not  
9 today.

10 DR. MAURO: Well we are only to  
11 Item 3 here now. I mean it is important that  
12 there are other items here that still need  
13 some discussion.

14 But anyway, Hans, was there any  
15 other --

16 DR. BEHLING: Yes, I mean, the real  
17 second issue and maybe even a much more  
18 important one and that is the issue of the  
19 Monday morning versus Friday afternoon  
20 samples.

21 DR. MAURO: I just want to point  
22 out, now we are leaving Item 3.

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

1 MR. HINNEFELD: Okay, so this is a  
2 different finding.

3 DR. MAURO: Yes.

4 MR. HINNEFELD: Okay. So I could  
5 still resolve 3.

6 DR. MAURO: I believe we have  
7 agreement that Item 3 is in abeyance.

8 MR. HINNEFELD: Well, I will send  
9 you something -- until I send the subcommittee  
10 something promising that we are going to make  
11 some sort of change to the TIB, I wouldn't put  
12 it in abeyance.

13 DR. MAURO: Okay, then we will keep  
14 it in process. But I think we both understand  
15 each other and I think we are in agreement in  
16 concept that that kind of language would  
17 resolve our concern on Item 3.

18 CHAIR MUNN: Right.

19 DR. MAURO: Okay.

20 CHAIR MUNN: That is good. We are  
21 -- Steve, can you capture that? That we are  
22 not -- the ball is --

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

1 MEMBER ZIEMER: Or it just stays.

2 MR. MARSCHKE: Basically it just  
3 states that, well okay, the one to capture  
4 here, what did we talk about and I will see if  
5 I can go to it.

6 CHAIR MUNN: No, I just wanted to  
7 point out that it was discussed at this  
8 meeting but still awaiting technical  
9 discussion and resolution.

10 DR. MAURO: Confirmation. I guess  
11 that is the word.

12 CHAIR MUNN: Technical confirmation  
13 from NIOSH.

14 MR. KATZ: OCAS is going to provide  
15 some qualifying language --

16 MR. HINNEFELD: I think we are.

17 MR. KATZ: Yes, thanks. We think  
18 you are.

19 MR. HINNEFELD: I don't want to  
20 promise to do that yet, is what I said.

21 MR. KATZ: That's right. Okay.  
22 Okay.

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

1 (Pause.)

2 CHAIR MUNN: We are typing. Just a  
3 moment. So NIOSH is going to pursue and  
4 respond.

5 All right, that is the only action  
6 we are going to take on OTIB-29. Now it is  
7 time for lunch.

8 MR. HINNEFELD: I'm really not  
9 hungry.

10 MEMBER ZIEMER: Let's waive lunch  
11 and go ahead.

12 CHAIR MUNN: Let's see if we can  
13 press through that.

14 I was going to discuss, get some  
15 feelings from this subcommittee with respect  
16 to when we might be reporting next to the  
17 Secretary and the scope of that report but I  
18 think that can wait until our June meeting so  
19 that we will take that up then.

20 We verified our next meeting date  
21 for June 9th but we have not identified  
22 anything any further than that.

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

1 MR. KATZ: Agenda items.

2 CHAIR MUNN: Agenda items for our  
3 June 9th. Yes. Anyone who has agenda items  
4 for June 9th, please let me know. I will be  
5 compiling --

6 MEMBER ZIEMER: You mean other than  
7 what -- we already know the CATI stuff is  
8 going to be there.

9 CHAIR MUNN: We know the CATI stuff  
10 will be there.

11 MEMBER ZIEMER: We already know  
12 that --

13 MR. MARSCHKE: My stuff, whatever  
14 you want to call that stuff will be there.

15 CHAIR MUNN: Yes.

16 MR. KATZ: I will need to send out  
17 a Federal Register notice Monday.

18 CHAIR MUNN: Monday?

19 MR. KATZ: Yes. So, I can make it  
20 up? So the CATI will happen --

21 MR. MARSCHKE: Site-specific  
22 procedures, disposition or something like that

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

1 creative word.

2 CHAIR MUNN: And --

3 MEMBER ZIEMER: I assume we will  
4 come back to this item. Right, or will we by  
5 then?

6 MR. HINNEFELD: Well, it could be.  
7 I mean, it kind of fits in a broader category  
8 of discussion of additional responses.

9 CHAIR MUNN: We would hope that  
10 that would have gotten over with.

11 MEMBER ZIEMER: How about responses  
12 on the surrogate data stuff? Will that be  
13 ready by then?

14 MR. HINNEFELD: I don't know. I  
15 don't know. That is kind of surrogate data  
16 stuff. I mean, unless we are going to just  
17 transfer everything to certain date.

18 CHAIR MUNN: We are not going to do  
19 that yet.

20 MEMBER ZIEMER: No, no, these ones  
21 that just went through, the OTIB -- oh, no  
22 what was it? No, OCAS-IG-004.

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

1 CHAIR MUNN: Yes, we will, whether  
2 there will be any responses from NIOSH by  
3 then? It is June.

4 MR. HINNEFELD: Well, I mean how  
5 about fitting in the general category of  
6 discussion of new responses? Because  
7 responses haven't been discussed yet.

8 CHAIR MUNN: Yes.

9 MR. HINNEFELD: Because I did  
10 submit some just this past, in the last couple  
11 of days that are essentially our second back  
12 and forth on some findings.

13 CHAIR MUNN: Yes. Actually we did  
14 get those.

15 MR. HINNEFELD: So those are out  
16 there. Those will be with Steven -- I think  
17 we can actually load those now. So I will  
18 have to do some of that stuff.

19 And then there may be other things  
20 out there where we have written like an  
21 initial response or SC&A has written a  
22 reaction to our response. I don't know if

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701



1 there are or not --

2 MR. MARSCHKE: There are some.

3 MR. HINNEFELD: -- that we haven't  
4 had sorted through.

5 MR. MARSCHKE: We basically, at the  
6 end of last March, we didn't make it all the  
7 way through the third set.

8 CHAIR MUNN: No, we didn't.

9 MR. MARSCHKE: So that is the item  
10 that you have here that was supposed to start  
11 at 1:30 this afternoon.

12 CHAIR MUNN: Correct.

13 MR. HINNEFELD: Yes, that item can  
14 go on there.

15 Yes, I mean, that essentially  
16 covers everything, everything I just described  
17 kind of falls into that, including the IG-004  
18 falls into that.

19 Yes, IG-004 is in the database so  
20 IG-004 falls into that, too.

21 CHAIR MUNN: Okay. So essentially  
22 three.

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

1 MR. KATZ: So we have three items,  
2 then.

3 CHAIR MUNN: Three items and  
4 anything else that happens between now and  
5 then.

6 So do you need anything from me or  
7 will you just --

8 MR. KATZ: No. So I am square.  
9 And we will start at 10:00.

10 CHAIR MUNN: Excellent.

11 MR. KATZ: And we will go to 8:00  
12 at night.

13 CHAIR MUNN: We will start at 10:00  
14 and we will go until at least 5:00. We will  
15 use the 10:00 to 5:00.

16 MR. HINNEFELD: I do have to catch  
17 a plane the day after that.

18 MR. KATZ: There is another work  
19 group the next day.

20 MR. HINNEFELD: I can just drive by  
21 the airport, just work overnight and I will  
22 just driver over there and catch it the next

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

1 morning.

2 CHAIR MUNN: You might just as well  
3 stay. It will be much more convenient if you  
4 do that.

5 MR. HINNEFELD: My wife is going.  
6 I have a date night.

7 CHAIR MUNN: Anyone, although that  
8 satisfies the need for the public record  
9 notice, that doesn't change my need for any  
10 additional items that any other subcommittee  
11 members may wish to see for sure on the  
12 agenda. Please get those to me so that I will  
13 know that.

14 My item with respect to the impact  
15 and timing of the new security measures, we  
16 may not have enough information to even know  
17 how that is going to affect us. I don't think  
18 we have enough people with a system up and  
19 running yet to even talk about what the new  
20 computer security system is going to mean for  
21 us.

22 MEMBER ZIEMER: Well, I don't

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

1 think, the Agency is not ready either.

2 CHAIR MUNN: No.

3 MR. KATZ: So what I said is I  
4 would poll the Board members in Amarillo to  
5 see if everybody is set up in terms of having  
6 the wherewithal. I think everybody should  
7 have their computers but for example, Mike  
8 notified me that he doesn't have his key fob  
9 yet. So that I will pull. And I will also be  
10 consulting with Stu to see what stage OCAS is  
11 in getting the website ready for paperwork.

12 CHAIR MUNN: Yes, the most recent  
13 communication that I had was essentially hold.

14 I had my computer. I had my key fob. But it  
15 runs but I don't know what anybody wants me to  
16 do with it.

17 MR. KATZ: Well you have  
18 instructions for how to -- did you receive --

19 CHAIR MUNN: No.

20 MR. KATZ: Paul, you said you  
21 received instructions for how to get to CDC?

22 MEMBER ZIEMER: No. No, they told

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

1 us they would let us know. They are not  
2 ready.

3 MR. KATZ: Okay.

4 MEMBER ZIEMER: I talked to the  
5 girl yesterday.

6 MR. KATZ: They are not ready to  
7 have you.

8 MEMBER ZIEMER: They are not ready.  
9 I have my PIN number now. You have to have a  
10 PIN number.

11 MR. KATZ: Right.

12 MR. HINNEFELD: With your old  
13 flashing, yes. You have your own four-digit  
14 PIN number that you enter into the same --

15 MEMBER ZIEMER: Right. You have to  
16 call them by phone to get that.

17 CHAIR MUNN: I called them but I  
18 don't recall having received a PIN number but  
19 that is all right.

20 MR. KATZ: Right, everybody will  
21 need a PIN number.

22 MR. HINNEFELD: Yes, that is your

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

1 only need it does not change it goes in front  
2 of the digits that go on here.

3 CHAIR MUNN: Yes, well --

4 MEMBER ZIEMER: In any event, she  
5 told me that they are not ready yet, that we  
6 will hear from them with instructions at some  
7 point. I got the feeling it may be several  
8 weeks or more.

9 MR. KATZ: Do you know who you  
10 spoke with?

11 MEMBER ZIEMER: Yes. Her name is  
12 on the -- I think I brought the sheet.

13 MR. KATZ: We can do that offline.

14 CHAIR MUNN: Yes, we can do that  
15 offline.

16 MR. KATZ: But that would be helpful  
17 for me to know.

18 CHAIR MUNN: I had the impression  
19 that Amarillo was going to be too soon for us  
20 to put that in full motion. So we probably  
21 will have that as another item on our --

22 MEMBER ZIEMER: Until they are up

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

1 and running, we are to operate as we are. I  
2 mean, we have access to the O: drive --

3 CHAIR MUNN: Yes.

4 MEMBER ZIEMER: -- as normal.

5 CHAIR MUNN: Yes, we do.

6 DR. MAURO: By the way, this is  
7 John, it is my understanding that the current  
8 system and the new system will be running in  
9 parallel for some time, so that the transition  
10 going from what we are doing now and what we  
11 would be doing in the future by using the  
12 computer will be online at the same time, to  
13 ease the transition.

14 CHAIR MUNN: Well, I got that  
15 impression but I wasn't quite sure exactly how  
16 that was going to work.

17 So we will just have to put our  
18 faith in the electronic gurus that surround us  
19 and hope that they have a better understanding  
20 of what they are doing than I do.

21 Is there any other item that we  
22 must bring before us before we adjourn? If

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

1 not, I declare this meeting adjourned. Thank  
2 you, folks. We appreciate your having been  
3 here. And thank you to you folks on the  
4 telephone. We can't get along without you.

5 (Whereupon, the above-entitled matter was  
6 adjourned at 4:28 p.m.)

7

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701