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

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ADVISORY BOARD ON RADIATION AND
WORKER HEALTH

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WORK GROUP ON CHAPMAN VALVE

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WEDNESDAY
FEBRUARY 9, 2011

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The Work Group convened via teleconference at 3:00 p.m., John W. Poston, Sr., Chairman, presiding.

PRESENT:

JOHN W. POSTON, SR., Chairman
BRADLEY P. CLAWSON, Member
MICHAEL H. GIBSON, Member
GENEVIEVE S. ROESSLER, Member

ALSO PRESENT:

TED KATZ, Designated Federal Official
NANCY ADAMS, NIOSH Contractor
JENNY LIN, HHS
JOHN MAURO, SC&A
JIM NETON, DCAS
MARK ROLFES, DCAS
LAVON RUTHERFORD, DCAS
WILLIAM THURBER, SC&A

P R O C E E D I N G S

(3:06 p.m.)

MR. KATZ: Let's begin with, first of all, this is the Advisory Board on Radiation and Worker Health. This is the Chapman Valve Work Group. And we will begin with roll call, since we're talking a site-specific. Please speak to conflict of interest, as well, and we'll begin with Board Members, with the Chair.

CHAIRMAN POSTON: John Poston, no conflict.

MEMBER CLAWSON: Brad Clawson, Work Group Member, no conflict.

MEMBER ROESSLER: Gen Roessler, Work Group Member, no conflict.

MEMBER GIBSON: Mike Gibson, Work Group Member, no conflict.

MR. KATZ: Okay, and no Mark Griffon at this time. Okay. How about NIOSH-ORAU Team?

DR. NETON: Yes, this is Jim Neton, NIOSH, no conflict.

MR. ROLFES: This is Mark Rolfes, NIOSH, no conflict of interest.

MR. KATZ: How about SC&A?

DR. MAURO: John Mauro, SC&A, no conflict.

MR. THURBER: Bill Thurber, SC&A, no conflict.

MR. KATZ: Federal, whether HHS or other agencies, federal officials, or contractors for the feds?

MS. ADAMS: Nancy Adams, NIOSH contractor. I haven't been able to reach Mark.

MR. KATZ: Thank you, Nancy.

MS. LIN: This is Jenny with HHS.

MR. KATZ: Jenny Lin. And this is Ted Katz. I'm the Designated Federal Official for the Advisory Board, no conflict.

Thank you everyone. How about members of the public? Any members of the public? Okay.

John, it's your agenda.

CHAIRMAN POSTON: Okay. I went

through the material that Ted sent out, just to make sure that I saw everything, and, basically, we have a short agenda. As I see it, there's four items, and two of them are ORAU, and I guess NIOSH, Jim.

First is the search of boxes done, which were identified to potentially contain more information on Chapman Valve. The second was the results of the manual search of the Nuclear Navy documents. The third would be, basically, a discussion of these results in terms of what -- whether NIOSH can reconstruct the dose or not. And the fourth would simply be to vote on the SEC status. If there are other things, I'd be happy to add them to the agenda, but I thought that was pretty much everything we needed to talk about today.

MR. KATZ: Okay. Let me just add to that John.

CHAIRMAN POSTON: I'm sorry?

MR. KATZ: Let me just add to that. Just a note in addition to what John just said, I distributed to all of you

excerpts of the transcript of the Board meeting, the last two Board meetings where Chapman Valve was thoroughly discussed with the new Board Members. So, that would have been in February and in May, so you all have those transcripts, if they're useful to you. And then just to remind you that this item remains tabled at the Board level.

Okay, John. Thanks.

CHAIRMAN POSTON: Ted, I'm a little confused, because that's what I said. I was reading the transcripts, and that's what I said, and then I was corrected by Dr. Melius who said it's not tabled at the Board level, so do we have -- it seems to me we need to understand what we're doing here.

MR. KATZ: Okay. I mean, in either event what Dr. Melius had asked, and I guess -- I think you had all concurred on the Board, was that at this meeting you would follow-up on the final actions of DCAS related to these data searches related to the sample.

CHAIRMAN POSTON: I agree.

MR. KATZ: And then you would report back to the Board. And what the Board has yet to do is to have a definitive vote in terms of the SEC petition.

CHAIRMAN POSTON: Okay. All right. Well, then I guess I will turn it over to Jim Neton.

DR. NETON: Jim Neton. I defer to Mark Rolfes on this. I'm out of the office on a cell phone right now, and I don't have the material directly in front of me, so maybe if Mark could summarize what we found with those boxes.

CHAIRMAN POSTON: Sure. Sure.

DR. NETON: Mark?

MR. ROLFES: Yes, sure. Are you able to hear me okay?

CHAIRMAN POSTON: Yes.

MR. ROLFES: Okay. Good. Yes, I'll just give you a quick run through of what we've done. Back in May of 2010, we visited NARA to review a box that potentially contained Chapman Valve information. Within

that box of records, these were all in classified records, however, within that box there were six documents which pertain to Chapman Valve. None of those records shined any light on the single 2.16 percent enriched uranium sample that was collected from Building 23 at the Chapman Valve site.

After that, we had also received two pages pertaining to sending bottles for collection of urine samples. It was a communication between New York Operations Office and the Chapman Valve facility in 1948. These two documents came from Atlanta NARA. Once again, there's no new information there shining any new light on the 2.16 percent enriched uranium.

Throughout the summer, we had visited NARA also to look for any additional Chapman Valve records as part of this Oak Ridge series six collection, as well in July of 2010 we had identified Chapman Valve correspondence and records at the Hanford site. We reviewed those, and many of them

were specifications for valves, none of which would have produced any information relative to the Chapman Valve facility for processing enriched uranium.

Let's see. And then the most recent was the December 2010 trip to Oak Ridge to review documents in the RHTG collection, that's the Records Holding Task Group. We had identified several documents which we thought could contain some Chapman Valve information, and we went through those documents, found some documents on enriched uranium. However, none of it was associated with the Chapman Valve site.

So, we have certainly looked for information. I was not directly involved; however, we have previously contacted Department of Navy for any information regarding enriched uranium. We had received a listing of documents, none of which produced anything of use to us. And then in this most recent summary that we've done, DCAS has contacted over this past summer in 2010 an

individual who is the program manager for the Nuclear Test Personnel Review Program, and had specifically asked about some nuclear propulsion questions, and specific to the U.S.S. Nautilus because of some of the accounts that Chapman Valve and Crane had been involved in constructing components for portions of the U.S.S. Nautilus.

The individual that we had contacted had indicated that they had no records of enriched uranium in their possession that they knew of, and that the level of enrichment that was reported for the enriched uranium sample collected from Chapman Valve was much different than the level of enrichment which would be encountered in a typical Navy application.

I think that summarizes the data capture, and follow-up activities that we've conducted over the past several months. If you need more about specific information that we did receive, I'd certainly be happy to take you through any of that, if you'd like.

CHAIRMAN POSTON: Could I ask you a clarifying question. When you talked about the first search of -- data search, you said nothing to -- relative to 2.1 percent enrichment.

MR. ROLFES: Correct.

CHAIRMAN POSTON: Did you find anything about the operations at Dean Street, because I remember that in our interviews, the woman who had typed the paperwork for these had said that there was something, some manifolds or something that came in to the Chapman Valve facility, but they never came inside. They were loaded directly onto another rail car, or truck, I guess a truck, and were taken over to the Dean Street facility.

MR. ROLFES: We did review the documents keeping that portion of the Chapman Valve facility in mind during the document review; however, no information regarding the Dean Street activities were identified in any of the documents that we reviewed.

The records that were collected at the College Park NARA back in May, I've got a summary of what we had looked at. My notes show that the documentation we reviewed in Box 2, File Folder 3 labeled "Chapman Valve" located at College Park, Maryland NARA contained no new information relevant to the issue of the single 2.16 percent enriched uranium debris sample collected in Building 23 of the Chapman Valve site during the FUSRAP remediation period. There was no indication of other contracts or work involving material other than natural uranium metal which was machined into slugs for Brookhaven reactor.

This folder labeled "Chapman" contained six individual pages of correspondence and documentation concerning the reporting of material balances, and the 18 shipments of slugs to Brookhaven National Laboratory from Chapman Valve. Although dates of each of the 18 shipments were not given in the text, the shipments of natural uranium slugs ranged from a low of 200 for the first

shipment, to approximately 9,000 in six different shipments. The total number of natural uranium slugs shipped from the Chapman Valve facility to Brookhaven National Laboratory was around 80,000, and all shipments had taken place during the year of 1948.

CHAIRMAN POSTON: Okay.

MR. ROLFES: There was some correspondence that also pertained to Chapman Valve no longer needing to produce material accountability reports until the source and fissionable material had been shipped from the Chapman Valve facility.

Let's see. There was a memo regarding the shipment of the natural uranium rods from Hanford to Chapman Valve dated late December of 1947. I also looked at some documentation from the ElectroMet facility to determine whether there might have been any information concerning scrapped uranium, or contaminated equipment that was used at the Chapman Valve facility. ElectroMet in our

H.K. Ferguson full report was said to have received some materials from the Chapman Valve facility in 1949, after the contract work had been completed. I did not find anything in the ElectroMet records pertaining to Chapman Valve there.

CHAIRMAN POSTON: Okay. Brad, I think I cut you off, but you had a question?

MEMBER CLAWSON: No, I was just wondering, I know he just mentioned that nothing pertaining to this, and I just wanted to understand what had been pulled from it, which he's done, so that's fine. Thank you.

MR. ROLFES: Okay.

CHAIRMAN POSTON: Any questions for Mark? Mark, I think you -- just to be clear, I think you covered both items in your short remarks.

MR. ROLFES: Okay.

CHAIRMAN POSTON: Did you?

MR. ROLFES: Well, you'll have to remind me what those --

CHAIRMAN POSTON: Well, the two

are data capture from those boxes, and then the manual search of the Navy documents.

MR. ROLFES: Yes. Let's see. There is some additional information. Since I wasn't involved firsthand on the contact with the individual from the Navy, let me take a look at the summary here, and make sure that I have reported everything that I can on that subject.

Let's see. We did ask -- I'll just go ahead and read this. DCAS further asked the individual who was the EEOICPA point of contact at the Navy if there might be any Navy record holding somewhere which describes the work that was done with thermal diffusion, because this is one of the other things that we thought maybe the Naval work involving thermal diffusion might have been somehow linked to the Chapman Valve facility.

Let's see. The individual thought that the thermal diffusion process might have produced levels of enrichment reported for the Chapman or Crane sample. The individual

replied that he had not seen any records of that sort, and said such records would have gone to the MED or AEC, not to Navy Holding. And this is one of the things that we've also kept in mind, to look for any information regarding potential involvement of Chapman Valve with like Phil Abelson and the thermal diffusion plant, S-50, or the Philadelphia Naval Research Lab, I believe, was also involved in that. And we found no information that shows that Chapman Valve was involved in that project. So, I think I've covered what you've asked.

CHAIRMAN POSTON: Okay. Any questions for Mark, Working Group Members?

MEMBER ROESSLER: John, this is Gen. I just unmuted, so I don't know if I missed something, but what I'm hearing is a lot of negative information. And I'm wondering if that type of information somebody maybe needs to interpret this a bit for me, supports our concern for this particular sample, or supports the fact that we should

not be concerned about it?

CHAIRMAN POSTON: Well, I guess that's for discussion.

MEMBER ROESSLER: Okay. Well, then I guess I opened it.

CHAIRMAN POSTON: Yes. Well, the -- I guess the next -- my next step was to sort of have a discussion as to what do we think this might mean in terms of going forward with the either supporting or rejecting the NIOSH recommendation. Their recommendation was that they could -- they felt like they could not reconstruct, but bound, as I recall, is the word they used, to bound the doses that these workers got. So, the question is, how do we use this negative data to make a decision on how we should proceed? Any opinions from the Working Group?

Brad, I know that you were concerned about this, so maybe you have an opinion.

MEMBER CLAWSON: Well, of course I always have an opinion, doesn't mean that it's

a right one, or anything else like that.

My whole issue is, and John, we've discussed this numerous times, is we, basically, have two samples. One was slightly enriched, one wasn't. The thing that bothers me more than anything is that I want to make sure that we have exhausted our efforts, because as we have found at numerous sites, we thought we had a handle on what went on there, and it only pertained to this. And then after uncovering certain things, we've opened up whole new areas that we didn't even know existed. I'm thinking of areas that we've even opened up up to Hanford that was a small thing, and we didn't think that it was all that much, but now all of sudden it is quite a big issue.

My main thing was that we -- you know, what are we going to do with the sample? It bothers me that we've got one enriched. And, yes, there was only two samples taken, one shows the natural, and I understand that. I just want to make sure that we have done

everything we can to exhaust our research to be able to understand what went on in these facilities. That's even why we've separated out the Dean Street facility, is because we have not been able to understand what went on there.

And that's my whole issue. We're trying to redo something from back in the `40s, and the information is not readily available out there. But we've got people that have been telling us of things going on, and I just want to make sure that we've done due diligence with this.

CHAIRMAN POSTON: Understand.

MEMBER ROESSLER: John, this is Gen. Again, and I looked at the transcript from another one of our meetings. I objected to the use of the words "one sample was slightly enriched." I think the analysis of it indicated that it might be slightly enriched, but I don't think there's conclusive evidence that it was. And that's why we're going through all this evaluation, could it be

possible that it was. And, so far, I've seen just negative information, nothing to indicate that there would have been something going on there that would have -- that we could support the fact that it was enriched.

CHAIRMAN POSTON: Well, I'll have to call on Jim, because my recollection was he talked with the folks at Oak Ridge, and I think several of us had the same thoughts, Gen. But I think Jim came away convinced that the results were valid. Is that correct, Jim?

DR. NETON: Well, we talked to the -- we hired a person who worked on -- was the lead on those projects, that they found the enriched sample, and they could not find any records. But to the best of their recollection the sample would have been processed at that time period either through alpha spec or mass spectroscopy, spectrometry, which they felt would have been able to discern a 2 percent enrichment. But, again, we found no paperwork, no analytical information.

I will add that we did find nine

additional samples that were taken during the closure of the plant during the FUSRAP cleanup, and those nine samples that were taken and were analyzed isotopically for alpha were all consistent with natural uranium. So, there's only this one sample out there that looks anomalous to us.

CHAIRMAN POSTON: Yes. So, I guess I'm trying to understand, do we feel comfortable saying it's an outlier, or do we -- I'm just not sure what to do with --

DR. NETON: Dr. Poston, this is Jim Neton. Even if it were a real sample, which it may well be, we have nothing in the information from the processing of the slugs that indicates that the activities that we've reconstructed had anything but natural uranium. So that enriched uranium sample, if it were real, could have been there any time after that AEC project was over up until the point at which it was discovered, in what, the 1970s. So, we believe that we have addressed the petitioner's request that during this time

period when the slugs were being processed, can we reconstruct doses, and we believe the answer is yes. Notwithstanding the presence or existence of this sample, which no one knows what time period, even if it were real, was deposited there.

CHAIRMAN POSTON: Okay.

MEMBER GIBSON: John, this is Mike.

CHAIRMAN POSTON: Go ahead.

MEMBER GIBSON: You know, I guess my concern is, I don't doubt that DCAS can reconstruct doses based on the information they have from that one sample, but I still have the concern that no one has been able to give any information as to why that sample is there. And that still leaves some doubt in my mind as to what may have went on at the facility. And, therefore, there could, potentially, be other actions that took place where folks might have got an exposure that won't be addressed in dose reconstructions that are done.

CHAIRMAN POSTON: Would you think that that would be -- I can see that there might have been something outside of the covered period, but we haven't found any evidence that anything was going on during the covered period. Is that correct?

MR. ROLFES: This is Mark --

MEMBER GIBSON: Well, we really haven't found any evidence. I mean, if you can't -- if there's no information on why that sample, or why that material may have been there, then I don't think there's really any evidence as to when it may have gone on, regardless of when it was found.

CHAIRMAN POSTON: I guess we're in a conundrum here where we're trying to prove a negative.

MR. RUTHERFORD: Dr. Poston, this is LaVon Rutherford. I didn't chime in earlier, because I missed the roll call, but I want to point out that right now the only covered activity we have identified is the work that we've already discussed, and we can

do dose reconstruction. If a new activity, or an activity is determined, ultimately, DOL will have to weigh in on whether it's covered or not.

CHAIRMAN POSTON: Okay. Thank you.

DR. MAURO: This is John Mauro. One other factor that plays in onto your judgment is, there was a report, a fairly detailed report called the Ferguson report.

CHAIRMAN POSTON: Yes, I remember.

DR. MAURO: Yes, that gave very detailed descriptions of the activities at the place during the grinding and milling of the uranium, the natural uranium that was handled at that time. And when you look at that report, of course, you evaluate how you would go about dealing with dose reconstruction. There was nothing in there that would indicate anything other than this natural uranium was handled at that time, and the manner in which it was handled. That doesn't say that maybe the report was written just focused in on that

particular activity, but it was extremely detailed description of that time period, and the activities that took place. That's another piece of the puzzle that might help.

CHAIRMAN POSTON: Yes. And I remember that, and to be personal about it for a moment, it gave me a fair amount of confidence that we knew what went on. But that is a very detailed report, and we were lucky to find it.

Well, where do we go from here, folks? We seem to not be able to come down on one side of the issue, or the other. And we really can't bring anything to the Board unless we have some sort of motion, I would think. I don't know. Ted, is it possible for us to go to the Board and say that, like we're a jury, we're deadlocked?

MR. KATZ: I mean, you certainly can report to Board whatever the outcome is, so I guess it wouldn't be a bad idea to just ask for a clear point of view from each of your Board Members. But, in the end, and I'm

not sure that it makes an enormous difference one way or the other, because you'll report out at this next Board meeting whatever those results are, and the new -- I mean, the Board wanted to hear about, in particular, about these final efforts of DCAS to obtain additional information, and you have that information to report to the Board. I think that's the most important.

CHAIRMAN POSTON: Okay.

MS. LIN: Dr. Poston, this is Jenny with HHS.

CHAIRMAN POSTON: Yes, ma'am.

MS. LIN: I want to clarify our earlier concern, that there is no motion on the table for the Advisory Board to consider. At the Niagra Falls meeting, there was a motion to accept NIOSH's recommendations, which is to deny adding an SEC Class, and that resulted in a tie vote, so the motion failed. And now there's no motions for the Board to consider, so at the next meeting, or whichever Advisory Board meeting, a new motion would

have to be put forward.

CHAIRMAN POSTON: Okay. So, I could at least report out to the Board that we had this meeting, and what the situation is. Is that correct?

MR. KATZ: Exactly.

CHAIRMAN POSTON: Yes, okay. Why don't we try to at least understand each other's positions, and maybe, Gen, would you like to go first, ladies first on this, and tell us what you think. And if we can --

MEMBER ROESSLER: It's always nice to be first.

(Laughter.)

MEMBER ROESSLER: Well, I haven't changed my mind. The information that was given to us today really makes me feel stronger that that sample is not an issue in this determination. And everything else that we've discussed with regard to constructing the dose that I feel that can be done in the bounding and claimant-friendly way. And I think there's so many things that I think

perhaps, John, as Chair, you should summarize when you go back to the Board, the strong points, this very detailed Ferguson report, the uranalysis, everything that gives strength to our supporting the fact that dose reconstruction can be done.

CHAIRMAN POSTON: Brad.

MEMBER CLAWSON: Well, you know, I've already said my piece earlier. You know, the whole thing is, and I understand. You know, the question, you know, NIOSH can reconstruct dose bounding. I just want to make sure that we've uncovered everything that we could, because we have -- this is a different site. This is metal manufacturing -- but I know that in the earlier years we used a lot of these contractors to do a lot of different things, and I just wanted to be able to -- if discussed by the petitioners and so forth like that, that we've done due diligence to be able to exhaust resources, to be able to see what we needed to be able to see, and prove that there were no other operations. I feel that

we've gone to a pretty lengthy -- I think we've gone quite a ways with this, so I just want to make sure that we've done the best that we can, and that we can go from there. That's my most -- my biggest concern.

CHAIRMAN POSTON: Well, then I'm going to ask you a personal question. Does that mean that you would support NIOSH's position?

MEMBER CLAWSON: Well, I've always had a problem with a little bit of this, but I have a heartache with -- in my interpretation of what an SEC is and that is when we don't have the data and so forth. And I think that we, as NIOSH -- they bounded it, but that's because there wasn't any information there. And that's my heartache. I think that they've done a good job and stuff like that, but that, to me, is just a personal opinion with me.

CHAIRMAN POSTON: Do you think we haven't done due diligence? I mean, I don't know what due diligence is any more past what we've done.

MEMBER CLAWSON: Well, to look at the information and so forth, yes. I feel that we've exhausted about everything. Matter of fact, I even helped with the Hanford boxes of pulling Chapman Valve's information out of those, and I don't think there's any more that we can -- unless we had some kind of paperwork or something else, I don't think there's much more than we can really do.

CHAIRMAN POSTON: Okay. How about you, Mike?

MEMBER GIBSON: Well, you know, I think I voiced my concerns earlier, and I still stand by those. And I will say, just like Brad, I don't blame DCAS for their lack of effort. I think they've done a good search, but there, again, I mean, part of the problem for this program is sloppy records, and sometimes records that were destroyed or absent. And I'm not suggesting that in this case, or absence of records. So, has DCAS tried? Yes. But I don't believe that that means that something may not have went on

there. And I'm just looking at it from the side of the whole process through the years at many sites. There was just sloppy processes, sloppy records, and in some cases contractors that didn't document things. So, I just don't know that it's -- I'm just not completely satisfied no.

CHAIRMAN POSTON: Okay. Well, I have to -- I'm not trying to be a snob here, but I've been at this a long time, and I have to look at it as a scientist. And in almost everything people do, chemists, physicists, it makes no difference, bounding techniques are something that's used widely to understand, or try to understand particular situations. And the way that NIOSH is -- I mean, let me remind you that the external dose is not a question, because we have the film badges, so it's never been a question. The two questions have been can they bound the internal dose, and what about this one sample? So, I have to look at it sort of as a scientist and say I believe that the approach that NIOSH is using sets an

upper bound, a very high upper bound, actually, for the potential exposures of the workers, the internal exposure. And the position that I believe is appropriate to take is, if the Probability of Causation under those conditions is less than 50 percent, there's, essentially, no piece of record, or anything that we might turn up that's going to put it above 50 percent. I believe that NIOSH has done due diligence. I believe we've done due diligence in terms of trying to wrestle with this problem. I don't know what else to say.

MEMBER GIBSON: John, this is Mike. Could I respond to that?

CHAIRMAN POSTON: Sure. Of course.

MEMBER GIBSON: And I think that was the wisdom, when they put this compensation program together, is the legislation called for the Board to be made up of scientists, health physicists, and workers. So, I'd like to give my perspective as a

worker.

I understand your opinion is based on your science background, and I believe it's valid, or a lot of studies, maybe morbidity studies, and mortality studies, things like that, but this is a compensation program. And I look at it as a worker that's been at a site, and there were incidents that went on these sites that were not documented. And that leaves workers out there that may have been exposed, may have harmful health effects, and just because there is no bioassay data, just because perhaps the incident was not recorded in history, doesn't mean that there's not people out there that are still suffering with cancers and things. And I just, for the type of Board we are, and the type of program, I just -- I don't think we can just completely rest on scientific data.

I think that's why the Board was set up like this, so that people from various backgrounds can state their -- can have their beliefs of what went on. And we can't just

always fall back on science, in my opinion.

MEMBER ROESSLER: John, I'd like to make a comment.

CHAIRMAN POSTON: Go right ahead.

MEMBER ROESSLER: This is Gen. I guess this happens a lot during our discussions, but -- and this is really in response to Mike. I understand what you're saying, but the way I feel about this is, the legislation was set the way it was. The legislation set it up so that science could be used, and I think that's what those of us who are scientists are doing. And I would hope that everybody on the Board would look at it in the same way.

And I also think that, it really disturbs me when you talk in a very general way about a lot of sites, and there were sloppy records. And I think that's true in some cases, but in this particular case, we need to talk about Chapman Valve, what happened there, and what records are available. And, actually, I'm impressed with

the amount of data that was available, that is available for doing dose reconstruction. I'm impressed with -- that one report said that the -- to me, it says there was good management, there was good records for the time. So, I think we need to concentrate on the particular site that we're evaluating here, and not use generalities about what might have happened at other sites and apply them here.

CHAIRMAN POSTON: Well, Mike, I respect your opinion. I wasn't, in any way, trying to put you down, or so forth. I was simply trying to state my piece in the record, or my opinion in the record, as you did. And I just want you to understand that that wasn't a personal attack of any sort. It's just stating my opinion, as I saw the facts of this case.

MEMBER GIBSON: John, this is Mike.

CHAIRMAN POSTON: What's the -- what are the wishes of the Working Group?

Shall we report back to this discussion, and tell them that we're sort of deadlocked? I don't see any way to resolve this. I think Gen, I am speaking for her, Gen, you can correct me. I think Gen and I believe that doses can be reconstructed. And, therefore, the SEC should be denied. I think Brad and Mike think that because of some factors that are perhaps unknown, that we should grant an SEC. So, is that a fair summary of the situation?

MEMBER CLAWSON: This is Brad. Yes, that would be a fair summary of it.

MEMBER ROESSLER: This is Gen. Yes, I believe doses can be reconstructed, and following the legislation.

MEMBER GIBSON: This is Mike. I think you've summed it up fairly, John. And I just want to add for the record, I wasn't taking it as you were attacking my opinion, or anything else. I merely wanted to get my opinion on the record, just as you did. So, I didn't take any offense at all.

CHAIRMAN POSTON: Thank you for that. Okay. Is there any other business that we need to discuss? My marching orders are to try to summarize this discussion. As Gen indicated, I should summarize the work that NIOSH has been doing in the data capture attempts since the last time this was discussed, and then indicate to the Board that, basically, we haven't been able to arrive at a conclusion that we can bring to them. Is that it?

MR. KATZ: Yes. John, and I think we can summarize the different point of views specifically. I think that will be helpful to the rest of the Board.

CHAIRMAN POSTON: Okay. I can -- I think I can do that. Anything else that we need to discuss before we adjourn? Well hearing nothing, then I thank everybody for their participation, and look forward to seeing you in Augusta pretty soon.

MEMBER CLAWSON: Enjoy the sunshine. I hope you get home safe, Gen.

MEMBER ROESSLER: Thank you, Brad.

MEMBER CLAWSON: We'll see you later.

CHAIRMAN POSTON: Thank you.

(Whereupon, the above-entitled matter went off the record at 3:48: p.m.)