

TRANSCRIPT OF ADDRESS BY MARY R. GIRARDO TO:

THE ADVISORY BOARD FOR THE ATOMIC WORKERS

SCHEDULED FOR WEDNESDAY, DECEMBER 7, 2011

LOCATION: TAMPA, FLORIDA (TELECONFERENCE)

ITEM ONE:

Before the Board makes any decision regarding Hooker Electrochemical Corp., the petitioners request an extension of time since a request to FOIA has not been answered. This extension would include time to receive and time to digest the material.

Even though the petitioners were contacted by the federal advocate inquiring into this request, they are not throwing in the towel and feel justified in needing this extension. They also question whether anyone besides an FOIA officer has the right to call the petitioner.

The petitioners further add that they object to being contacted and cross examined.

ITEM TWO:

On the matter of the Ordinance Works in Lewiston, NY, would the Board reconsider these points. The Hooker workers went to the "dump" location on orders from their employer. Therefore, they were not Ordinance Works employees, but Hooker's since their salaries were supplied by Hooker. They should not be treated as outside contractors since they themselves did not receive any pay directly from another employer. Therefore, since Hooker sent them there and they were working for Hooker, the Lewiston site becomes a Hooker location and since this SEC includes all locations, then it should be retroactively approved to the date of the SEC in Lewiston. The Board might also want to ponder the fact that nowhere in the U.S. could a comparable "dump" site be found. That is amazing!

ITEM THREE:

Keeping in mind, that Mallinckrodt does not fit the description of a company that is near, would the Board give serious consideration to this question? If the documents for Mallinckrodt were found to be spurious in regard to thorium, then can the Board be sure, beyond a shadow of a doubt, that the Mallinckrodt documents on uranium can validly and justifiably be used in judging Hooker Electrochemical Corp.?

ITEM FOUR

Would the Board also consider that three companies have been mentioned throughout this decision making process regarding Hooker Electrochemical Corp. Namely, Electromet, Fernald and Mallinckrodt. However, the Work Group seems to have focused only on Mallinckrodt and the other two companies were still being debated when the Work Group made their decision. This does not serve the petitioners of Hooker Electrochemical Corp. in a just manner.

This also does, in fact, invalidate the Work Group's recommendation for denial of the SEC because a judgment was made before all the evidence was in.

According to the history of "surrogate data", a minimum of three companies was chosen to strengthen the validity of the comparison. Now, if you eliminate two of those companies and just use one, you have invalidated the "surrogate data". So as a further illustration, using a company that could not be trusted in one regard only opens the door to suspicion of any comparison if you insist on using that same company, namely Mallinckrodt. You also must remember that Fernald was questionable in its practices. Ethics must play a role in the selection of candidates for "surrogate data". In the case of Hooker Electrochemical Corp., the use of these three companies as "surrogate data" is certainly suspect.

ITEM FIVE:

When asked for an explanation during the last Work Group teleconference of SC&A about their report on the 95% ile, the answer given was that although their figure differed from those of NIOSH, they conceded to NIOSH since SC&A believed it to be more favorable to the claimant. The petitioner asked, "In what way was it more favorable, SEC or dose reconstruction?" The answer was dose reconstruction. The petitioner balked at that and left the conference knowing that the SEC is more favorable to the claimant not dose reconstruction.

ITEM SIX:

The petitioners have been made to know that they are dealing with scientists who cannot fathom anything beyond formulas, statistics, or in a word anything that is not quantitative.

In addition, the petitioners remind the Board that the author of the Ten Year Review for NIOSH points out how to the petitioners, NIOSH is looked at as an enemy. To the reader of the Ten Year Review, only one statement sums up the whole study and it is this. NIOSH, you have done some things okay, but all in all, you could have done a better job.

What has also sadly come to the attention of the petitioners is that there is the distinct possibility that Hooker Electrochemical Corp. is being set up as a test case for all future companies coming under review for this program and that is probably the “real” reason for the obvious rush to close by the Work Group and the Board not the loss of “freshness” to the memory of the Work Group as defined by the federal advocate regarding the FOIA inquiry.

Now we, the petitioners, hope that you are all better than all of that and we leave you with these words entitled:

“THE RULE OF THREE”

If one is good, why look for three?
This is the current baffling mystery!

Who says “surrogate data” is the way to go?
Not those who are really in the know!

Compensatory programs must be free
Of this numerical “Rule of Three”.

These scientists, as great as they are,
From simple math have gone too far.

Three locations minus two
An equation of one, can’t be true!

The example given was very clear.
Surrogates’ locality must be reasonably near.

Searching the country is a ploy
Leading to what can only annoy.

Surrogate data must have very clear specifics,
Not the generality of mathematical hieroglyphics.

Can’t all of truthfully see
Surrogate data isn’t what it used to be?

What is needed is a clear recipe,
Listing steps as one, two, three.

Surrogate data’s original true design
Did not have compensatory programs in mind.

This has been made very clear.
Seeing an injustice leads to fear.

Realistically, the Surrogate Data use
Has resulted in a sad abuse.

The question is why the need was seen
Especially when “no records” was the theme?

What is the real truth behind this obstruction?
Is it only to satisfy the “lovers” of dose reconstruction!

I want to thank all of you for your attention this afternoon, and even though we are still in the season of Advent, on behalf of the petitioners, I sincerely want to extend to all of you a Christmas wish that God will grant all of you the promises that the birth of Christ holds remembering that they are solely for men of “good will”.

Mary R. Girardo
Representative for the Petitioners of:
Hooker Electrochemical Corporation