

These notes are in the following order:

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5. Community Comment
6. Agenda Setting

## **1. Attendance**

### Members/Alternates Present:

See Attached Sheets.

### Others Present:

J. Carter, P. Chaudhari, F. Crescenzo, J. D'Ascoli, K. Geiger, G. Goode, S. Johnson, M. Lynch, A. McNerney, G. Penny, S. Robbins, A. Yuchatz

## **2. Correspondence and Handouts**

Items one through six were mailed with a cover letter dated November 30, 2005.

1. Draft agenda for December 8, 2005
2. Draft notes for November 10, 2005
3. Final notes for June, July, and October
4. Draft comments on the ATSDR Health Assessment
5. Copy of letter to U.S. Senator Hillary Clinton (same letter was sent Sen. Schumer)
6. Holiday dinner notice

## **3. Administrative**

The meeting began at 7:12 p.m. Reed Hodgkin went over the ground rules and the draft agenda. Time for Community Comment was added to the agenda. Those present introduced themselves.

Jeanne D'Ascoli said that Dr. Praveen Chaudhari and Mike Bebon both send their regrets about not being able to attend the dinner tonight. Dr. Chaudhari may arrive before the end of the meeting. There is no new information on the budget. Regarding last month's discussion on membership, Jane Corrarino, the health representative was called. She has expressed an interest in continuing to participate and is expected to attend future meetings. Adam Martin, who is the education representative, attended last month's meeting, so they are back in good standing.

Member Graves noted that the letter included in the member's packets also was sent to Senator Schumer.

Minutes from the November 10 meeting were approved with three abstentions pending changes to the wording of the last bullet from the flip charts and changing Nov. Agenda to December Agenda on page eight.

#### 4. CAC Discussion on ATSDR Public Health Assessment

Reed said that the CAC had the opportunity to craft the summary of their comments from the flip charts into final form for submittal as the CAC comments to the ATSDR. The comment period has been extended to December 22 so the comments developed tonight will be part of the formal period.

Member Mannhaupt said that those were comments from her and Member Esposito. The rest of the CAC may have comments to add or delete.

Reed said that comments around the table would be captured on the flip charts and any comments that look like they represent consensus could also be carried forward. The floor was opened for comments on the ATSDR Health Assessment.

Member Chaudhry offered pro and con comments on the report (see attached).

Member Mannhaupt asked that everyone remember that the ATSDR was called in by the community to review the data from the site for a Health Assessment. She said DOE then followed up with direct review of the groundwater. It wasn't that ATSDR had to do this by mandate, the community requested that they review the data. The product that they put out says there is no significant health problem and that follows with other documents. The content of their document leaves a lot to be desired. Their document of the health impacts from BNL should have been the be all and end all document for anyone in the future and that isn't what it turned out to be.

Member Conklin asked who the report was written for. He felt that if it was written for the general public, and not the scientific community or the CAC, that the CAC's knowledge was what was leading some of the attack. The CAC knows so much more about the issues; things that the CAC thought were important weren't included. But if the purpose of it is to meet the needs of the general public, and to reassure them one way or another, it makes excellent recommendations. He didn't find problems with the report.

Member Giacomaro asked for clarification, did the ATSDR use studies and other reports or didn't they?

Member Chaudhry said they did review other studies and talked with people and named the agencies from whom they collected data. How good they did the work, how good their models were - their critical analysis, who knows? Some of the conclusions are weak and simplistic and he specifically pointed that out just quoting from the report. He did not want to say that the CAC should reject this report. He'd rather advise the ATSDR to look at the weaknesses and strengthen the report and amend it.

Member Esposito said she has a very high opinion of the public and thinks that they are a lot more sophisticated than they are given credit for. She views this as a public document that is meant to guide the public or be of service or benefit to the public. That's why she views this as a failure. Whether it's a soccer Mom reading it or the woman scientist, or the doctor or the fire chief, who ever it is, this should be a document that helps them understand what has occurred here and tells them what they need to know. This isn't that document, it doesn't live up to the expectation that health assessments should live up to and should be held to. She expects more and expects better. She expects the culture to be one that gets out the reports. They didn't use the data. They did not use available reports, which is why she has a problem with it. "We're not attacking it. This is what we're supposed to do. It's open for public comment. We're reviewing, we're assessing, we're evaluating, and we're going to give them comments on what we feel are

gaps in the report. That's our role, that's our job. We should pursue that. We don't need to be sensitive, we should just lay it out."

She would also like to see the CAC stress that the ATSDR has dramatically different conclusions than the Peconic River Health and Environmental Assessment released by the Suffolk County Health Department in June of 2004. Two of the conclusions from that assessment that are contradicted by the ATSDR study are - there is an increased risk to humans due to fish consumption because of PCB's and mercury. The ATSDR study says there's no problem, stick to the NYS health advisory. And the second is that the study from Suffolk County says there's an increased risk due to consumption of groundwater while the ATSDR report says there's no increased risk.

The CAC members continued with their discussion mentioning deficiencies in the report such as the failure to use existing data, to fully explain how conclusions were reached, to include a background section listing the project team and schedule, and why the report was prepared and for whom. The CAC also discussed the timeliness of the report, the scope of work, whether or not there was agreement with the comment that there was no health impact from BNL, and that the report should have included something on the corrective actions and management controls the Lab has instituted.

Member Shea said that she hasn't seen the full report, but in looking at the summary on page 8 it mentions the Long Island Breast Cancer Study Project and she strongly disagreed with the statement that said that study is one of the largest and most comprehensive environmental epidemiological studies ever done for breast cancer. Member Shea said that's completely wrong. There were many problems with the Long Island Breast Cancer Study Project and one of things they never even looked at was the impact from radionuclides in the air and water. That wasn't even part of it. She said it was not a comprehensive study, it had nothing at all to do with any kind of health impact from BNL. She thought the study was completely irrelevant concerning health effects from BNL. Member Shea said there were so many problems with that study that she would write her own comments in detail. The breast cancer survivors, other people who were involved with the study, and some other scientists who reviewed the study, were very disappointed with it - it was very narrow. The cases and controls were taken from the same exposed group instead of different areas where they didn't have the same exposures and it was very limited. On that alone I would say this is just very poorly done.

Member Esposito asked if it was true that the results for the study indicated no increased rate of breast cancer among women who have been exposed to organochlorine compounds or PCB's? Was that one of the conclusions?

Member Shea said that Marilie Gammon came to that conclusion in her report. There didn't seem to be a correlation between slightly higher levels of these compounds or PCBs and breast cancer incidence. Member Shea doesn't think that even the way the samples were taken was correct. She said that only some of the soil and other samples taken correlated with the blood and urine specimens taken from the same women.

There was some discussion as to whether the ATSDR report should be rejected or whether constructive comments should be submitted in an attempt to make the document better, that because the conclusions weren't justified didn't mean the conclusions were wrong, that ATSDR should have had someone come out to explain the report, and that it shouldn't be entered into the Administrative Record.

Sy Robbins of the Suffolk County Department of Health Services said the County is still struggling to get through the report. It's very uneven and confusing even for them. A lot of the data in it comes from the Health Department and he has to keep checking back. He is reviewing the groundwater section of the report. The best material is buried in Appendix E. Somebody actually sat down and read through all the OU III reports and what was offsite and

that's a pretty good summary of the data. Whoever wrote the text of the report evidently never read Appendix E because there's no reference to any of that data. They reference the Precisions Concept report, which is irrelevant. It just confuses the whole thing, it should not even be in there. He has a lot of the concerns that the CAC has expressed. Old data was used which is why he thinks some of the conclusions about the river are at odds with what has actually been concluded. They looked at data that's six or seven years old. The County expects to get comments in by December 22. They're trying to express their criticisms constructively. He said it's been his experience in the past that generally reports are not revised on the basis of the comments.

Discussion continued with Members Mannhaupt, Garber, Proios, Giacomaro, Jordan-Sweet, Shea, Campbell, Esposito, and Chaudhry providing input and suggestions on how to approach the ATSDR with their concerns, comments, and criticisms.

Member Mannhaupt suggested taking all the comments from the CAC and working with Member Esposito to come up with something that could be emailed to the members of the CAC to see where they want to cut and paste, interject and change. That was based on whether or not John Carter, DOE, could get a further extension of the Public Comment Period to January 20.

Reed put together several of the CAC's comments that he thought represented a sense of what he had heard around the table and suggested that the resulting statement serve to lead into the CAC's comments and that the rest of the comments be listed underneath as individual bullet points. The suggested statement was:

*The report does not help community members evaluate and understand public health impacts from BNL. The conclusions of the report are not supported in the document and this is not comment on the conclusions themselves. Therefore the report is not useful or acceptable in its current form and must be excluded from the Administrative Record. However, the study can be made comprehensive, complete, and useful if the specific deficiencies and limitations are corrected.*

Mary Joan said that she had a problem with the words it can be made "comprehensive, complete, and useful." She thought the report could be made better, but to say that it can be made comprehensive is very strong based on all the deficiencies. She suggested softening the statement.

There was a great deal of discussion on what the path forward should be and how the comments would be formatted for submittal to the ATSDR, whether there should be consensus on all the comments, on just the lead statement, or no consensus at all and just a bulleted list of comments as a poll of the CAC members be submitted.

The CAC agreed that the lead statement and the comments on the flip charts be transcribed and sent out to them for comment.

Jean Mannhaupt offered to then take the statement and the comments that the CAC members send back and draft a product of the CAC. Members Esposito and Proios agreed to assist her.

Reed outlined the process forward stating that Jean's offer is to craft this for the CAC in a way that takes the feedback and, with Adrienne and George, crafts all of the responses into a final product. That's what the offer is. It was noted that this process depended on ATSDR extending the public comment period.

John Carter of the Department of Energy reiterated that he would contact ATSDR.

After more discussion it was agreed that the amended process was to send out the flip chart notes, the CAC will make comments back, and the small team will absorb those comments, craft a final statement based on what they heard from the CAC and send it out. And that will be done with the extended comment period.

Reed asked for a final check in, and if anyone had a problem operating that way?

No one had a problem.

## **5. Community Comment**

Amy Yuchatz, SCDHS, said that she believes that even if the public hadn't requested this Health Assessment it would have had to have been done anyway because she believes that under CERCLA the ATSDR is obligated to do public health assessments for all Superfund sites. If it's a federal facility it's done by the ATSDR staff, as opposed to state health staff, unless they have a cooperative agreement to do that. With regard to the scope of work, the ATSDR has volumes of protocols on how to do a health assessment. In the late 80's or early 90's she attended one of their training sessions because she was with a state that had a cooperative agreement with the ATSDR. They have all they need as far as scope of work. If it were a health consultation, it'd be more important what the public really wanted to know, what they were asking ATSDR to evaluate, but this has set guidelines on what the health assessment is supposed to be. In regard to the comparison to the Suffolk County Report that was done. That report was specific to the Peconic River. The whole BNL site was not included, which this Health Assessment was supposed to do. The ATSDR is supposed to look at things a little differently than the County does. Where the County was doing more of a risk assessment, the ATSDR is supposed to take a different approach from EPA and that's really to look at the health status and the health impacts on the community. With the risk assessment the approach that the County took was more to look at the river to see what impacts there could be even if they aren't occurring right now. To look at what the future holds and what kind of cleanup might need to be done. It was more a prediction of risk in the future. Where this report is really looking at it as it is now. So though it may sound at times as if there was a contradiction, it wasn't necessarily so because they were evaluating it all based on the fact that the river was cleaned up. It wasn't really as much a contradiction as it seemed.

## **6. Agenda Setting**

### **January 06 Agenda**

HFBR (regulators are still working on alternatives)

g-2

Science Education Proposal from Ken White

New construction update

Budget

Antiterrorism Research

Jeanne D'Ascoli indicated that with the holidays she may not know until shortly before the meeting exactly what will be on the agenda.

There was some discussion on whether or not the CAC members really liked the South Room better than Berkner Hall.

Giacomaro asked if BNL was doing any research on new devices that New York City and the military have been using to detect explosives. Dr. Chaudhari said the Lab was not working on those devices but one of the national Lab's is working on detection devices.

The meeting adjourned at 9:24 p.m.

2005	Affiliation		First Name	Last Name	JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP	OCT	NOV	DEC
<b>Chart Key - P = Present</b>																
ABCO (Garber added on 4/10/02)	Member	Don	Garber		P	P	P	P	P	P					P	P
ABCO	Alternate	Doug	Dittko													
Brookhaven Retired Employees Association	Member	Graham	Campbell	P		P	P	P	P	P				P	P	P
Brookhaven Retired Employees Association (L. Jacobson new alternate as of 4/99)(A. Peskin 5/04)	Alternate	Arnie	Peskin		P		P	P								
CHEC (Community Health & Environment Coalition (added 10/04)	Member	Sarah	Anker	P	P		P	P	P	P				P	P	
	Member	Adrienne	Esposito	P							P			P	P	P
Citizens Campaign for the Environment (Ottney added 4/02-takenoff 1/05 Mahoney put on)	Alternate	Brendan	Mahoney		P		P	P	P	P				P		P
E. Yaphank Civic Association	Member	Michael	Giacomaro	P	P		P	P	P	P						P
E. Yaphank Civic Association (J. Minasi new alternate as of 3/99) (M. Triber 11/05)	Alternate	Matthew	Triber												P	
Educator	Member	Audrey	Capozzi			P										
Educator (B. Martin - 9/01)	Alternate	Bruce	Martin													
Educator (A. Martin new alternate 2/00) (Adam to college 8/01)(add. alternate 9/02)	Alternate	Adam	Martin				P								P	
Environmental Economic Roundtable (Berger resigned, Proios became member 1/01)	Member	George	Proios	P											P	P
Environmental Economic Roundtable (3/99, L. Snead changed to be alternate for EDF)	Alternate	None	None													
Fire Rescue and Emergency Services	Member	Joe	Williams													
Fire Rescue and Emergency Services	Alternate	Don	Lynch											P	P	P
Fire Rescue and Emergency Services	Alternate	James	McLoughlin	P	P	P		P	P							
Friends of Brookhaven (E.Kaplan changed to become member 7/1/01)	Member	Ed	Kaplan	P	P			P	P	P					P	
Friends of Brookhaven (E.Kaplan changed to become member 7/1/01)(schwartz added 11/18/02)	Alternate	Steve	Schwartz													
Health Care	Member	Jane	Corrarino													
Health Care (as of 10/02 per JD)	Alternate	Mina	Barrett													
Huntington Breast Cancer Coalition	Member	Mary Joan	Shea	P		P	P			P				P		P

2005	Affiliation		First Name	Last Name	JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP	OCT	NOV	DEC
	Huntington Breast Cancer Coalition	Alternate	Scott	Carlin												
	Intl. Brotherhood of Electrical Workers/Local 2230	Member	Mark	Walker	P	P	P	P	P	P				P	P	
	IBEW/Local 2230	Alternate	Philip	Pizzo												
	L.I. Pine Barrens Society	Member	Richard	Amper	P											P
	L.I. Pine Barrens Society (added P. Loris 6/05)	Alternates	Phoebe	Loris			P	P	P	P	P					
	L.I. Progressive Coalition	Member	David	Sprintzen	P	P	P	P	P	P	P			P	P	P
	L.I. Progressive Coalition	Alternate	None	None												
	Lake Panamoka Civic Association (Biss as of 4/02)	Member	Rita	Biss	P	P	P	P	P	P	P			P	P	P
	Lake Panamoka Civic Association (Rita Biss new alternate as of 3/99)	Alternate	Joe	Gibbons												
	Long Island Association (Groneman replace 10/05)	Member	Lauren	Hill										P		
	Long Island Association	Alternate	William	Evanzia				P								
	Longwood Alliance	Member	Tom	Talbot	P			P		P					P	P
	Longwood Alliance	Alternate	Kevin	Crowley												
	Longwood Central School Dist. (switched 11/02)	Member	Barbara	Henigin	P	P	P			P	P			P	P	P
	Longwood Central School Dist.	Alternate	Allan	Gerstenlauer												
	NEAR	Member	Jean	Mannhaupt	P		P	P						P	P	P
	NEAR (prospect taken off ¾)(blumer added 10/04)	Alternate	Karen	Blumer												
	NSLS User	Member	Jean	Jordan-Sweet	P	P		P	P	P					P	P
	NSLS User	Alternate	Peter	Stephens												
	Peconic River Sportsmen's Club (added 4/8/04)	Member	John	Hall	P	P		P		P	P					P
	Peconic River Sportsmen's Club	Alternate	Jeff	Schneider		P										
	Science & Technology (added 1/13/05)	Member	Iqbal	Chaudhry	P	P	P	P		P						P
	Town of Brookhaven	Member	John	Turner												
	Town of Brookhaven	Alternate	Anthony	Graves	P	P		P	P	P	P			P	P	P
	Town of Brookhaven, Senior Citizens	Member	James	Heil		P	P		P						P	P
	Town of Brookhaven, Senior Citizens (open slot as of 4/99)	Alternate	None	None												
	Town of Riverhead	Member	Robert	Conklin	P	P	P	P	P	P	P				P	P
	Town of Riverhead (K. Skinner alternate as of 4/99)	Alternate	Kim	Skinner												
	Wading River Civic Association	Member	Helga	Guthy	P	P		P	P					P		P
	Wading River Civic Association	Alternate	Sid	Bail												