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To: NIOCINDOCKET@CDC.GOV
Subject: Comments on proposed 42 CFR 82



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Attention: NIOSH Docket Officer,

**Please find attached my comments in WP-8 format. I can be reached at (206)
285-8390 for any questions.**

Tom H. Foulds

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COMMENTS ON 42 CFR 82- Methods for Radiation Dose Reconstruction,
published October 5th, 2001

These comments have been prepared by Tom H. Foulds, attorney at law and one of the lead counsel in the Hanford Nuclear Reservation Litigation. The basis of these comments are the writer's experience in researching evidence concerning Hanford operations and releases. Consequently these comments are limited to the subject of the amount of radiation exposure, which must be addressed in any dose reconstruction, rather than any comments concerning the scientific validity of methodologies to be utilized under 42 CFR 82 to calculate the dose resulting from a given amount of exposure.

The computer software program created for NIOSH named the Interactive Radio Epidemiological Program (NIOSH-IREP) is to be used to apply NCI risk models directly to data on individual employees, so as to calculate probability of causation.

These comments concern section 4 of the NIOSH-IREP program's **Operating Guide** (draft, October 15, 2001) on page 11 entitled "Entering Dosimetry Information (non-radon)". On pgs.11&12 is described an electronic input file "**intended for the Department of Labor to use in processing claims**".

But under subsection c. "Dose input using input file" on pages 13 & 14 is stated: "This feature is not yet available in NIOSH-IREP."

The writer understands that as of this date, this so-called "input file" is not yet developed. That when it is developed it may include various input values that would be common to site conditions at particular locations and time periods. For example, the value for the estimated particle air concentration in the 200 east area for 1952, or the values for estimated ingestion factors. Since dose is linear to source term exposure, independent of the methodologies used to calculate the resulting dose, to properly assess the adequacy of the NIOSH-IREP model it will be necessary to know the radiological activity sources and amounts used for the input data (such as air concentrations, particle ground concentrations, food ingestion) that will be incorporated as standard values into this input file.

Tom H. Foulds

