

The following is a list of all attendees at the pre-Petition Review Board Public Meeting held on May 4, 2005 in room O-7B2, One White Flint North, 11555 Rockville Pike, Rockville Maryland 20852.

Name	Organization
Margaret Federline	NRC/NMSS
Tom Essig	NRC/NMSS
Joe DeCicco	NRC/NMSS
Don Stout	NRC/NMSS
Maria Schwartz	NRC/OE
Giovanna Longo	NRC/OGC
Cheryl Montgomery	NRC/OI
Paul Goldberg	NRC/NMSS
Richard Correia	NRC/NMSS
Robert O'Connell	NRC/NMSS
Tim Harris	NRC/NMSS
James Salsman	Petitioner
Terry Lodge	with the Petitioner
CAPT Ty Naquin, MSC, USN	Navy (Sea O4N)
LCDR Jerry SandersMSC, USN	Navy (N455C)
LCOL Kali Mathers, USAF	Air Force
Ram Bhat	Air Force
Greg Komp	Army

The transcript is unaltered as received except where corrections were felt to be necessary, for inadvertent incorrectness that affect the meaning of the text. Corrections made by the petition manager are noted between the words [CORR] at the beginning and the end of the correction.

The term "uranyl" is used frequently in the transcript, which is meant to be "uranyl".

**Official Transcript of Proceedings**  
**NUCLEAR REGULATORY COMMISSION**

Title: 2.206 Petition Review Board Meeting  
ITMO Operation Center Switchboard

Docket Number: (not applicable)

Location: Washington, D.C.

Date: Wednesday, May 4, 2005

Work Order No.: NRC-383

Pages 1-45

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UNITED STATES OF AMERICA  
NUCLEAR REGULATORY COMMISSION

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Pre-Petition Board meeting

via teleconference

via the Operation Center switchboard

+ + + + +

2.206 petition process

NMSS

+ + + + +

Wednesday, May 4, 2005

O-7B2

U.S. Nuclear Regulatory Commission

Washington, D.C. 20555

The above-entitled meeting was conducted  
at 1:00 p.m.

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

2 PARTICIPANT: Let's try to continue with  
3 introductions.

4 MR. CREER (Phonetic.): This is Rich Creer  
5 from the Material Safety and Inspection Branch of  
6 NMSS.

7 MS. MONTGOMERY: This is Cheryl  
8 Montgomery, Office of Investigations.

9 MR. DeCHICO (Phonetic.): This is Joe  
10 DeChico from NMSS, Nuclear Material Safety and  
11 Safeguards. I'm the division manager.

12 PARTICIPANT: Maria Schwartz (Phonetic.)  
13 just left the room for a minute. She's from the  
14 Office of the General Counsel --

15 PARTICIPANT: Office of Enforcement.

16 PARTICIPANT: Excuse me. Office of  
17 Enforcement. Sorry.

18 PARTICIPANT: Okay. Thank you very much.  
19 We are trying to get another device that will enhance  
20 the sound of this. Can everyone hear me?

21 PARTICIPANT: Yes. You're coming in  
22 great.

23 PARTICIPANT: Okay. Let me know at any  
24 time if you can't. The purpose of the phone call  
25 today is a 2.206 petition received from Mr. James

1 Saltzman (Phonetic.) dated April 3rd, 2005.

2 Since the initial petition, we have  
3 received a number of supplements to the petition from  
4 Mr. Saltzman, most dealing with the case with the  
5 Department of Labor.

6 Mr. Saltzman has chosen to participate in  
7 this meeting. We welcome you. He has also updated  
8 his petition with reporting information on the 26th of  
9 April. And all members of the Petition Review Board  
10 were given copies of update last week.

11 Now, our Division of Industrial and  
12 Medical Nuclear Safety is responsible for reviewing  
13 the petition. Joe DeChico is the petition manager.  
14 The 2206 process is a mechanism that we use here at  
15 NRC as part of our regulations for members of the  
16 public to request NRC action when there is an issue  
17 involving safety.

18 We have a management directive. It's  
19 management directive 8.11 that we follow in  
20 implementing this process.

21 The purpose of today's call is to allow  
22 the petitioner to address the Petition Review Board.  
23 This is an opportunity for the petitioners to provide  
24 additional explanation or support for the petition.

25 We can ask the representatives of the

1 subject of the petition if they have any questions  
2 concerning the process. I just want to emphasize that  
3 we will not be discussing the merits of the petition  
4 today or getting into debates about the facts of the  
5 issue.

6 After this phone call, the Petition Review  
7 Board will meet to determine whether NRC accepts the  
8 petition under the 2.206 process or whether it will be  
9 dealt with under another mechanism. The PRB's meeting  
10 today will not determine whether we agree or disagree  
11 with the petition. That will be decided in a later  
12 meeting.

13 The phone call's recording will be  
14 converted to a transcript. And it will be treated as  
15 a supplement to the petition. As I've said, we want  
16 to limit the questions to those of a clarifying  
17 nature. And we don't want to get into debates on the  
18 merits of the petition.

19 If the PRB decides that the petition will  
20 be considered under 2.206, then those criteria are  
21 included in management directive 8.11. Then what will  
22 follow is an acknowledgement letter indicating that.

23 Within 120 days following that  
24 acknowledgement letter, the NRC will issue a proposed  
25 director's decision for comment. Now, if we do not

1 accept the petition under the 2.206 process, we will  
2 also document that decision in a letter to the  
3 petitioner.

4 Petition manager will keep the petitioners  
5 and subjects periodically informed on the progress of  
6 the petition.

7 Let me just add, Mr. Saltzman, do you have  
8 any questions about the process?

9 MR. SALTZMAN: No, but I have one  
10 question. Earlier you said that I had been appending  
11 amendments pertaining to Department of Labor?

12 PARTICIPANT: Yes. My apologies. I meant  
13 to strike that out because I was thinking one thing  
14 and typing another. What I wanted to say was that the  
15 original allegation was submitted, has a date of April  
16 3rd, and that there were subsequent supplements or  
17 amendments to the petition. And the last one was  
18 received on the 26th of April, if I'm not mistaken.

19 MR. SALTZMAN: That's right. None of them  
20 pertain to the Department of Labor, but the most  
21 recent appendix submitted on the 26th is to be given  
22 priority over the rest of the -- originally towards  
23 the end of -- let's see -- the middle of March, I made  
24 an allegation. And then I realized that the  
25 allegation process didn't allow for license

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1 amendments, at least as far as I could tell.

2 So I included the allegation into 2.206  
3 petition. And after a while discussing that petition  
4 with some people who are much more experienced than I  
5 am, I realized that I had made a few mistakes. And I  
6 corrected those in the Appendix A that was submitted  
7 on the 26th of April.

8 And my only question is, does everyone in  
9 the Petition Review Board and all of the licensees  
10 have a copy of that now? Have they had the  
11 opportunity to read that?

12 PARTICIPANT: Yes. I believe that all of  
13 the heads around the table are shaking. Yes.

14 MR. SALTZMAN: Okay.

15 PARTICIPANT: Okay. Thank you very much.  
16 I appreciate that clarification. I'm sorry about the  
17 error on our part.

18 Do the licensees have any questions about  
19 the process?

20 MR. COMP: This is the Army. No  
21 questions.

22 PARTICIPANT: Thank you.

23 PARTICIPANT: The Air Force. No  
24 questions.

25 PARTICIPANT: Thank you.

1 PARTICIPANT: Navy. No questions.

2 PARTICIPANT: Okay. Very good. Okay.

3 Now let's move to the part of the process where we  
4 deal with the facts. We've now dealt with the  
5 process. Joe, would you like to take this at this  
6 point?

7 MR. DeCHICO: Okay. Basically, everyone  
8 around the table was given a copy of the petition.  
9 And the pre-petition review board is basically an  
10 opportunity to ask questions for clarity purposes of  
11 the petitioner on the petition. If there are any  
12 points that are unclear, this is the time to at least  
13 ask the questions and present it to the petitioner so  
14 that when the proceeding moves on, that we will have  
15 as much information as we can get to make that  
16 decision.

17 So, with that, can I open up to the  
18 members of the Petition Review Board any questions  
19 that they may have?

20 MS. LONGO (Phonetic.): Mr. Saltzman?

21 MR. DeCHICO: Your name?

22 MS. LONGO: This is Jenny Longo from the  
23 Office of General Counsel.

24 MR. SALTZMAN: Yes?

25 MS. LONGO: I have a question for you

1 about your April 26th additional information. You  
2 referenced a January 27th, 2005 letter to a Sandy  
3 Silver from General Myers.

4 MR. SALTZMAN: Yes.

5 MS. LONGO: Yes. Sandy Silver. You say  
6 the representative of an international open membership  
7 organization. Is that a private group?

8 MR. SALTZMAN: I can find that right away.  
9 I will have to check the name. I believe it's the  
10 International Women's Organization for Peace and  
11 Freedom, I think.

12 MS. LONGO: Okay.

13 MR. SALTZMAN: Let me -- I'll have that in  
14 just a moment.

15 MS. LONGO: Okay.

16 MR. SALTZMAN: That got transcribed by Ms.  
17 Silver and sent to -- Jack Cohen Jappa (Phonetic.)  
18 reported it to me. Yeah, she is the president of the  
19 Women's International League for Peace and Freedom.  
20 And she had written a letter to the Chairman of the  
21 Joint Chief's Staff last year, toward the end of last  
22 year. And he replied with a letter that enclosed an  
23 information paper, which, among other things, said  
24 that there was a scientific consensus that depleted  
25 uranium contamination was unnecessary or something to

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1 that effect to remediate the condemnation.

2 I don't have an original copy of that  
3 letter, but I do have the address for Sandy Silver.

4 MS. LONGO: I also wanted to ask, the  
5 letter to Ms. Silver enclosed an information paper,  
6 which the information paper is available on the Web  
7 site. Is that the organization?

8 MR. DeCHICO: Hi. This is Joe DeChico of  
9 the NRC. Who just came on the line?

10 MR. LODGE: This is Terry Lodge. I am  
11 working with Mr. Saltzman. I apologize for being late  
12 and for interrupting.

13 MR. DeCHICO: And that is spelled  
14 L-o-d-g-e?

15 MR. LODGE: Correct.

16 MR. DeCHICO: And you are with the  
17 petitioner?

18 MR. LODGE: In a way, yes. We're working  
19 together on this.

20 MR. DeCHICO: And would it be possible to  
21 get a phone number for you in case we need to contact  
22 you?

23 MR. LODGE: Absolutely. It's (419)  
24 255-7552.

25 MR. DeCHICO: All right. Thank you.

1 MR. LODGE: Thank you.

2 MR. SALTZMAN: Ms. Longo, you were asking  
3 about the information paper that the Chairman of the  
4 Joint Chiefs of Staff included in his letter of  
5 January 27th.

6 MS. LONGO: Yes. Was that paper something  
7 that was generated by Mr. Myers' staff or was that  
8 something that he used from outside?

9 MR. SALTZMAN: Well, that's unclear, but  
10 in his letter, he says, quote, "Enclosed is a detailed  
11 response to your organization's concerns." So as he  
12 refers to it in his letter and the information paper  
13 has a purpose that says, quote, "to provide  
14 information on depleted uranium to the Women's  
15 International League for Peace and Freedom," obviously  
16 it was made specifically for that letter.

17 MS. LONGO: Okay. Thank you.

18 MR. SALTZMAN: You're welcome.

19 PARTICIPANT: I've got a question of the  
20 licensees. To what extent is (Inaudible.) uranium  
21 emissions still in use?

22 MR. DeCHICO: I'm sorry. Could you try to  
23 speak up just a little louder?

24 MR. COMP (Phonetic.): Sure. Greg Comp  
25 from the Army.

1           Yeah. The depleted uranium emissions are  
2 still in our inventory and in use.

3           PARTICIPANT: I would say that is true for  
4 the Air Force as well. It's definitely in our  
5 inventory.

6           PARTICIPANT: And when you say in your  
7 inventory, that means it's stored?

8           MR. COMP: Primarily stored. They're only  
9 used in combat situations (Inaudible.) [CORR] AFTER  
10 THE WORD "SITUATIONS", IT SHOULD READ "AND TESTING"  
11 [CORR].

12           PARTICIPANT: Well, who else has any  
13 questions? Okay. There's one individual looking for  
14 a particular spot in the petition.

15           MR. ESSIG: Yes. Mr. Saltzman, Tom Essig  
16 from the NRC.

17           In your petition somewhere -- and I can't  
18 point to it exactly. I don't know if it's the April  
19 26th submittal, but the -- we have paraphrased it in  
20 a summary that we have here, wherein it says that "Due  
21 to the toxicity, solubility, dispersion, and slow  
22 settling of hexavalent uranium produced by pyropark  
23 uranium emission, its hazard is an exceptionally grave  
24 issue." Emphasize that last part, "exceptionally  
25 grave issue involving significant safety and

1 environmental issues."

2           Could you elaborate somewhat on what you  
3 mean by "exceptionally grave issue" because we  
4 normally look at uranium as being, first and foremost,  
5 a heavy metal concern? It's not the littlest, but we  
6 do recognize that it typically manifests itself in  
7 problems with -- once it's metabolized, problems with  
8 the kidney.

9           Is there something in the term  
10 "exceptionally grave" that you want to call to our  
11 attention that we haven't heretofore considered as far  
12 as you know?

13           MR. SALTZMAN: Well, the gravity of the  
14 issue derives from the toxicity, which I think is  
15 probably being experienced below the level of kidney  
16 damage. I remember reading in the *Gemlin* (Phonetic.)  
17 *Handbook of Inorganic Chemistry*, Volume U, A-7 on  
18 biology the amount of uranium that is required to  
19 incur kidney damage of a certain level. And below  
20 that level, uranium still accumulates.

21           And I think that that is one of the  
22 advantages the United Kingdom material safety data  
23 sheets has over our material safety data sheets here  
24 in the U.S. is that they specifically have a category  
25 for cumulative effects. And I don't think we do as

1 far as I've been able to tell.

2 But in the United Kingdom, material safety  
3 data sheet, all of the hexavalent uranium compounds  
4 are listed as very toxic, the highest category, by  
5 both inhalation and ingestion. And they're all listed  
6 as with cumulative effects.

7 So what I am gathering has occurred are  
8 inhalation exposures, which have individually been all  
9 beneath the level that would be likely to cause kidney  
10 damage, but those exposures can still lead to  
11 behavioral changes, central nervous system changes,  
12 and significant reproductive toxicity, which I don't  
13 think has been studied, at least been in humans. I  
14 think it's been studied in rats to give at a very  
15 introductory level.

16 But the safety issues have to do with the  
17 -- not only the toxicity, which at a certain level  
18 causes kidney damage. And there have, of course, been  
19 exposures in the battlefield during friendly fire  
20 which have led to kidney failure.

21 But the problems that really have come in  
22 under the radar, so to speak, are those that have to  
23 do with the long-term effects, including the  
24 reproductive toxicity. And I hope that the Commission  
25 considers the gravity of those issues at least as much

1 as they consider the gravity of the immediate kidney  
2 damage.

3 PARTICIPANT: Mr. Saltzman (Inaudible.).  
4 Speaking there in that section 5.8 that Mr. Essig just  
5 (Inaudible.) about only about chemical toxicity or are  
6 you including radiotoxicity in that?

7 MR. SALTZMAN: I don't think that there is  
8 any significant radiological toxicity involved for the  
9 depleted uranium exposure. Everything that I have  
10 been able to find has indicated that in order to get  
11 a significant radiological dose, a substantial  
12 radiological dose would require so much uranium that  
13 kidney failure would probably be immediate.

14 PARTICIPANT: Thank you.

15 MS. FEDERLINE (Phonetic.): Mr. Saltzman,  
16 this is Margaret Federline.

17 I wanted to better understand. Do you  
18 believe that the licensees are not in compliance with  
19 their licenses or NRC regulations or do you believe  
20 that NRC regulations are inappropriate?

21 MR. SALTZMAN: Well, unfortunately, I have  
22 not been able to learn the details of all of the  
23 different licenses. I understand that there are a  
24 very large number of licenses, including master and  
25 subordinate licenses for various locations and

1 situations.

2 And I have only seen the renewal package  
3 for the Army's licensed FUC-1380, I think it was. And  
4 I looked over that quite carefully, but the issue of  
5 compliance has to do with the Atomic Energy Act. And  
6 one of the primary functions of the Atomic Energy Act  
7 is to mandate the protection of public health and  
8 safety of the environment.

9 I think that the amount of uranium that  
10 people are being exposed to caused the licenses to the  
11 extent that they may not be protecting the public  
12 health and safety and the environment to become -- I  
13 think that if they are in compliance with those  
14 licenses, then those licenses aren't in compliance  
15 with the AEA.

16 What I am getting at here is that there  
17 are specific legislative measures, specific  
18 legislation within the Atomic Energy Act which  
19 recognizes that there might not always be a clause in  
20 a license that a licensee would be in violation of  
21 before the Commission could act. And those sections  
22 are pointed out in the "Authority" section in the  
23 amendment -- I'm sorry -- the appendix, Appendix A,  
24 April 26th.

25 There are a couple of them. If I remember

1 correctly, one of them allows the Commission to impose  
2 immediate measurements. I can't remember. I'm trying  
3 to find it here in my notes. The Commission is  
4 authorized to -- I'm trying to find it. There are two  
5 sections I want to reference here.

6 If you'll bear with me a moment?

7 PARTICIPANT: Yes. Take your time.

8 (Pause.)

9 MR. SALTZMAN: Okay. I'm sorry. Okay.

10 43 USC 2233 allows the Commission to impose any terms  
11 and conditions as necessary on the licenses. Now,  
12 it's unclear to me whether or not that this can happen  
13 at any time, but, of course, through the petition  
14 process gives you an opportunity to do so.

15 The other section that I want to mention  
16 -- okay. I found it. The other section is 43 USC  
17 2113(b), subsection 5. This -- that is a separate  
18 provision, which does not require a petition for  
19 another invitation of the license review process,  
20 where the Commission can direct any federal agency to  
21 undertake monitoring, maintenance, and any emergency  
22 measures that are necessary to protect public health  
23 and safety in order to protect the public health and  
24 safety.

25 So that first provision at the 43 USC 2233

1 allows you to modify the licenses to protect the  
2 public health and safety, including by imposing  
3 conditions to find. And the other 43 USC 2113(b)(5)  
4 allows you to go ahead and do that at any time, even  
5 if there was not a petition before you.

6 PARTICIPANT: Just one follow-up, if I  
7 may. Could you clarify? Do you believe that NRC  
8 regulations are not protective?

9 MR. SALTZMAN: Well, in the regulations,  
10 the regulations define the process by which licenses  
11 are applied for, granted, and modified. So to that  
12 extent, I believe that they are just fine.

13 But the licenses themselves I think are  
14 deficient in that they're based on safety studies that  
15 never consider the possibility of uranium trioxide as  
16 a potential environmental contaminant and safety  
17 hazard. And I think that this was a serious oversight  
18 on the part of the people who did the initial safety  
19 studies in the '70s and that it had been -- the fact  
20 that uranium trioxide at temperatures over 1,000  
21 degrees Centigrade evaporates as a monomolecular gas  
22 and, thus, cannot be filtered by any practical filter  
23 or -- and also takes years to precipitate out of the  
24 atmosphere.

25 Because these facts were overlooked back

1 in the early '70s, obviously all of these licenses are  
2 based on invalid safety studies. And because of that,  
3 the safety studies need to be redone.

4 I'm sure when they are redone, they will  
5 explain the 36 percent elevation of uranium levels in  
6 the urine of people who -- soldiers who are exposed to  
7 depleted uranium but have no shrapnel embedded in  
8 their bodies.

9 As far as I know, the ceramic uranium  
10 trioxide -- I'm sorry -- uranium oxide,  $UO_2$  and  $U_3O_8$ ,  
11 the only combustion products that have been recognized  
12 by the people who performed the safety studies which  
13 have over the years been reaffirmed as valid but I  
14 believe are not valid, those two oxides, are  
15 relatively insoluble and don't explain the levels of  
16 urine observed in the exposed populations.

17 So to answer your question, I believe that  
18 the regulations are fine. The legislation is fine.  
19 But the licenses are in need of revision. And the  
20 safety studies on which they are based need to be  
21 obviously done correctly.

22 MR. ESSIG: Mr. Saltzman, this is Tom  
23 Essig again.

24 When you are talking about the regulations  
25 being fine, have you made a review of part 20 of our

1 regulations, 10 CFR part 20, where we specify uranium  
2 concentrations for both occupational exposure and  
3 members of the public?

4 MR. SALTZMAN: I remember looking at that  
5 section. And I have notes to that effect. If you'll  
6 bear with me a moment?

7 MR. ESSIG: Okay.

8 MR. SALTZMAN: I remember seeing those  
9 tables.

10 MR. ESSIG: Appendix B, for example.

11 MR. SALTZMAN: Yeah. My understanding is  
12 that these tables, at least in the title of Appendix  
13 G, are referred to as radionuclides.

14 MR. ESSIG: Yes, they are. And I believe  
15 in our reg guide, our regulatory guide, -- I don't  
16 recall the number off the top of my head -- we talk  
17 about the uranium bioassay. And we mention in there  
18 the concern for the uranium or delimiting case for  
19 uranium being what I mentioned earlier about the  
20 toxicity to the kidney and all.

21 So the fact that it's radioactive in this  
22 case helps us measure it, but it is sort of  
23 incidental. There really is a concern that there's a  
24 heavy metal.

25 But our concentration value is

1 independent. We do take into account the  
2 recommendations of the International Commission on  
3 Radiological Protection, which recognized that the  
4 uranium as a heavy metal was the actual amount that  
5 could be taken in by a worker or based on the intake  
6 of the material as a heavy metal.

7 And then that was converted into an amount  
8 of radioactive material present in the atmosphere.

9 MR. SALTZMAN: All right. Well, I am glad  
10 you asked that question because I do have a problem  
11 with the way that those -- at least the inhalation  
12 portion of that table is done. For example, under  
13 Atomic Number 92, uranium nuclide 238, it's listed as  
14 being in three different classes: D, W, and Y.

15 And the inhalation limits are given in two  
16 categories. Column 2 is inhalation ALI, and column 3  
17 is inhalation DAC. ALI is given in units of  
18 microcuries.

19 MR. ESSIG: Yes.

20 MR. SALTZMAN: And there is no distinction  
21 made between the oxidation state of the uranium. So,  
22 for example, a uranium atom in oxidation state 4 would  
23 be insoluble and unlikely to be absorbed by the lungs.  
24 And when it is absorbed by the lungs, my understanding  
25 is it's cleared through the kidneys relatively

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1 quickly, as soon as it gets into the bloodstream.

2 But a hexavalent atom of uranium in  
3 oxidation state 6, such as uranium trioxide, will be  
4 absorbed much more quickly and will -- the hexavalent  
5 uranium ion is considered to be biomobile. And it  
6 does accumulate in testicles and bone. And there is  
7 no distinction made between those two oxidation states  
8 in the Appendix B table.

9 MR. ESSIG: Okay. The way it is handled  
10 is the D, W, and Y to which you referred reflect the  
11 rate at which it is cleared from the body. So if it  
12 is a class D aerosol, meaning that it's fairly  
13 soluble, it's cleared from the body fairly rapidly and  
14 W on the order of weeks and Y on the order of years.

15 So if we had an insoluble form of uranium,  
16 the uranium 4, as you mentioned, that it would likely  
17 if it was inhalation exposure, it would have a long  
18 residence time in the lung.

19 MR. SALTZMAN: I see that now. I see  
20 that.

21 MR. ESSIG: It's slowly --

22 MR. SALTZMAN: I went over to uranium 230,  
23 and I see that those classes include the formula. For  
24 example, class D includes uranyl nitrate and uranyl  
25 hexachloride, uranium hexachloride. [CORR] THE

1 PREVIOUS TERMS "URANAL HEXACHLORIDE, URANIUM  
2 HEXACHLORIDE" SHOULD READ "URANYL HEXAFLORIDE, URANIUM  
3 HEXAFLORIDE" [CORR], Class W includes the  $UO_3$ , uranium  
4 trioxide.

5 Now, I have found an article I have cited  
6 from 1972, *Health Physics*, where I think you might  
7 find that they have evidence that the  $UO_3$ , uranium  
8 trioxide, might more properly be in class D. And that  
9 could be the root of this problem here.

10 MR. ESSIG: Okay.

11 MR. SALTZMAN: I will find quickly that  
12 classification. Yeah. Okay. Here it is. *Health*  
13 *Physics*, Volume 23, from 1972, starting on page 273 is  
14 -- the title of the article is "Inhalation Studies of  
15 Uranium Trioxide." From that abstract, quote,  
16 "Inhalation studies of uranium trioxide indicated that  
17 the material was more similar to soluble uranal salts  
18 than to the so-called insoluble oxide.  $UO_3$  is rapidly  
19 removed from the lungs with most following the 4.7 day  
20 biological half-time."

21 So that would indicate to me that uranium  
22 trioxide should be more properly in class D than class  
23 W in Appendix B of part 20, but, again, the problem  
24 here is that the people who have been looking for  
25 uranium trioxide have never found any.

1           Even though if you go to the state  
2 diagrams, the phase diagrams in the uranium oxygen  
3 system portion of the *Gemlin Handbook* you will see  
4 that about a fifth of the oxidation of uranium results  
5 in uranium trioxide, the real -- what was missed was  
6 that when that oxidation takes place above 1,000  
7 degrees Centigrade, such as in a fire, the uranium  
8 trioxide is in monomolecular gas or monomer gas. And  
9 that gas is not going to be captured by any of the  
10 filters or mechanical dust separators that they have  
11 ever used to study the combustion products from the  
12 munitions.

13           PARTICIPANT: Mr. Saltzman, my interest is  
14 in making sure that we address the issues that you're  
15 raising in the most expeditious way. And it sounds to  
16 me as if the issue that you raised is a question with  
17 the underlying science in our regulatory tables. Do  
18 you agree or is that consistent with your thinking?

19           MR. SALTZMAN: Not only in your tables,  
20 where I would move uranium trioxide from class W to  
21 class D based on that 1972 article that I cited, also  
22 with the safety studies upon which all of the uranium  
23 emissions licenses are based.

24           PARTICIPANT: Right, right, right. That's  
25 what I understood. Well, our process here, I just

1 wanted to make sure that we were clear on what the  
2 issue was so we could address it in the most direct  
3 way.

4 Our licenses don't cover these matters.  
5 In other words, our licenses implement our  
6 regulations. So if the question is what's the  
7 underlying science, it's more directed at the  
8 regulation than the underlying science that underlies  
9 the system.

10 MR. SALTZMAN: Well, if the licenses are  
11 based on assumptions that have missed one of the major  
12 combustion products that just happens to be one of the  
13 most toxic of all the combustion products, then, you  
14 know, even if the uranium trioxide was not in the  
15 correct class, it's not even recognized as a  
16 combustion product on all of the safety studies that  
17 I have been able to identify. And I think that that  
18 is a much more significant problem than the  
19 misclassification of uranium trioxide in the  
20 solubility class in the Commission part 20 tables.

21 PARTICIPANT: Right. I think we hear the  
22 issue that you are raising.

23 MS. LONGO: I was going to say  
24 (Inaudible.). Mr. Saltzman, this is Jenny Longo.

25 As I understand it, what you are saying is

1 that, even if the licensees are not violating the  
2 terms and conditions of the license or as the  
3 regulations, their conduct of license activities,  
4 including things like testing of these devices,  
5 creates a safety problem that we have been unaware of.  
6 Is that correct?

7 MR. SALTZMAN: Yes. I am certain that  
8 that is correct because the assumption that the  
9 combustion products could be cleared out on a firing  
10 range, even when you -- the earliest firing ranges  
11 that were used were open air.

12 Later on, toward the end of the '70s and  
13 throughout the '80s, the firing ranges to test these  
14 munitions were built underneath enclosed structures  
15 that were airtight. But the assumption was that all  
16 of the combustion products would be filterable.

17 So any uranium trioxide gas that might  
18 have been produced at that point was pumped through  
19 the filters. And I don't know. I can't tell from the  
20 limited unclassified materials that I have access to  
21 whether or not that ends up in the open air, but I  
22 know for a fact that it ended up near where workers at  
23 the time were working.

24 It's evident from the diagram and the  
25 description how the filters were changed and how the

1 collections were done whether or not the air after  
2 going through the filters was released into the  
3 environment. It was certainly released into the work  
4 area.

5 And yes, I know that those issues have not  
6 been at the -- those issues have not been in front of  
7 the Commission ever as far as I know.

8 And also you mentioned the conduct of the  
9 licensees. I have -- in the eight or nine months that  
10 I have been sorting through all of the information  
11 that I can find on the topic, I have to say that I  
12 have not been encouraged by either the licensees or  
13 their most strident opponents in terms of being able  
14 to truthfully represent the toxicity of uranium, for  
15 example.

16 I mean, it just seems like on both sides  
17 there is a lot of very inaccurate information that is  
18 being presented as absolute truth. And it's extremely  
19 difficult, especially for someone such as myself who  
20 has a background in chemistry but not a background in  
21 the details of heavy metal toxicity, to understand.  
22 I mean, it really was quite a chore.

23 I really had to start from source  
24 materials and just ignore, for example, the -- well,  
25 since it's not in my allegation or my petition, I

1 don't want to get into the details of some of the  
2 mistakes that I think had been made, but I think it's  
3 important that the Commission establish a standard of  
4 accuracy because one of the cases that have -- where  
5 the courts have interpreted the Commission's statutory  
6 authority has made it clear that the tense of the verb  
7 under which you are allowed to review licenses is  
8 significant in that it's not just a statement that a  
9 licensee might make that would have caused the license  
10 upon original application to have been -- to have not  
11 been granted under the context where it was granted,  
12 but it's a continuing process where you're vested with  
13 the police authority over all of your licensees for  
14 these substances, which we really are only beginning  
15 to understand.

16           You know, obviously there have not ever  
17 been toxicity studies dealing with uranium trioxide  
18 gas. And I hope that there are soon, but the fact  
19 that there have not been means that we really don't  
20 understand these substances, which is why the  
21 Commission has been invested with this police  
22 authority, which allows you to review these licenses  
23 and review the statements that licensees make. And  
24 when they're found to be inaccurate, you are given the  
25 authority to take corrective measures.

1 PARTICIPANT: Mr. Saltzman, your concern  
2 about the statements that the licensees have been  
3 making, that is with regard to whether or not there is  
4 a safety issue associated with the uranium -- I'm  
5 sorry. Which form? Uranium trioxide?

6 MR. SALTZMAN: Well, whether or not there  
7 is a safety issue with the combustion products, --

8 PARTICIPANT: Okay.

9 MR. SALTZMAN: -- which, heretofore, have  
10 not been recognized as including uranium trioxide.

11 PARTICIPANT: And could I summarize your  
12 concern about the accuracy and inaccuracy of the  
13 statement as being that you feel that the licensees  
14 have made statements, either expressly or impliedly,  
15 that there is no safety issue with these combustion  
16 products where you believe there is a safety --

17 MR. SALTZMAN: I would not say that they  
18 have not said that there was no safety issue with the  
19 combustion products. Obviously they have measured the  
20 ceramic oxide, the  $UO_2$  and  $U_3O_8$  oxide, that they have  
21 been able to detect because these oxides clump  
22 together into relatively large particles of anywhere  
23 from a 20th of a micron on up to larger than a micron  
24 in diameter. So they have been able to detect the  
25 ceramic uranium. And these are also toxic compounds

1 that fall out of the air relatively quickly. I mean,  
2 these large particles will fall to the ground.

3 And so I'm not saying that they have not  
4 said that there were any safety studies. I'm just  
5 saying that the finance behind their safety studies  
6 has been seriously flawed because of the mistake  
7 having to do with uranium trioxide and, therefore,  
8 that the safety is -- the safety of the munitions is  
9 not as safe as it has been represented to the  
10 Commission during license applications and renewals.

11 PARTICIPANT: Okay. Mr. Saltzman, what I  
12 am trying to get at is, are you saying that the  
13 licensees have in some way misrepresented the science  
14 or that they simply are ignorant?

15 MR. SALTZMAN: I have come to the  
16 understanding -- I have very ambivalent feelings about  
17 that. And I am not sure that I am in any position to  
18 make a final decision on that.

19 I find it hard to believe that the  
20 chemists involved were unable to determine that the --  
21 what really strikes me as odd is that every single  
22 actinide chemistry reference I came across showed a  
23 phase diagram indicating that if you burn uranium  
24 there, you get at least a tenth of it as uranium  
25 trioxide.

1           And I know since the early '70s, the  
2 scientists studying the combustion products have  
3 claimed to have not found any uranium trioxide. So I  
4 think that that is extremely odd. And I would have  
5 thought that they would have looked for it or tried to  
6 figure out why they weren't finding it or, you know,  
7 looked up some of the properties of uranium trioxide.  
8 And I'm sure if they had, it would not have been  
9 difficult for them to determine that it might have  
10 been a monomer gas.

11           So, you know, now, as to the licensees who  
12 have inherited these safety studies, I have a problem  
13 with the accuracy of their statements in a much  
14 different way. I mean, they are going on these  
15 scientific research reports that they believe are  
16 accurate. And that's fine, but they're also saying  
17 things such as the letter to Sandy Silver that I cited  
18 in the Appendix A that when these pieces of uranium  
19 fall on the ground, there is a scientific consensus  
20 that they don't have to be cleaned up.

21           And that's absurd, and it's obviously --  
22 you know, I found out two things happened shortly  
23 after I filed the petition on April 3rd. I found out  
24 that the NRC was involved in negotiation with the Army  
25 about Jefferson Proving Ground in Indiana, where there

1 has evidently been a long-running dispute about the  
2 amount of environmental remediation that needs to  
3 occur.

4 And then I found out that this letter from  
5 the Joint Chiefs of Staff, the Chairman of the Joint  
6 Chiefs of Staff, to this organization interested in  
7 the toxicity of these weapons claimed that there was  
8 a consensus that these didn't need to be cleaned up.

9 And that's -- you know, a consensus means  
10 no dissent. And to -- any time I hear the phrase  
11 "scientific consensus" I'm skeptical right away, but  
12 for something like this, I think there is actually --  
13 you know, if you actually poll 100 scientists, I think  
14 you're probably going to get 99 opinions that uranium  
15 that falls on the ground needs to be cleaned up.

16 So not only was it a misrepresentation of  
17 a consensus. I think it was a representation of the  
18 opposite of what actually might be a consensus.

19 And I believe that this was done during a  
20 time that the licensees were involved in another  
21 allegation concerning the Jefferson Proving Ground.  
22 And I think it might have been done in order to limit  
23 the exposure of the licensees. I'm sure it was done  
24 to limit the exposure of the licensees. I mean,  
25 there's really no other way -- no other reason that

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1 anybody would make such a statement.

2 You know, so I not only have a problem  
3 with the safety studies, but I have a problem with the  
4 way -- you know, the way that the licensees are  
5 representing not just the science but the -- not just  
6 the health and safety issues but also the  
7 environmental issues.

8 PARTICIPANT: Mr. Saltzman, let me  
9 clarify. The NRC does have requirements for cleanup  
10 of these materials in 10 CFR part 20. And our  
11 licensees are required to clean up these materials.  
12 So my question, for clarification, is, are the  
13 statements that you're referring to being made to the  
14 NRC because, you know, it's our regulations that they  
15 need to satisfy?

16 MR. SALTZMAN: Right. No. These are  
17 statements that have -- the particular statement that  
18 I have complained about, in particular, was not made  
19 to the NRC. It was made to a member of the public.

20 But there is -- if you will bear with me,  
21 there is actually authority having to do with that.  
22 And I'm sure I can find it in less than 15 seconds.

23 PARTICIPANT: Take your time.

24 MR. SALTZMAN: Okay. In -- I found in the  
25 enforcement manual that there are references to

1 fraudulent assertions and willful misconduct. And  
2 then I also found a case, which is the *Virginia*  
3 *Electric and Power Company versus U.S. Nuclear*  
4 *Regulatory Commission*, from 1978. That's volume 571  
5 of the Federal 2d Supplement, page 1289, at page 1291.  
6 Well, let's see. I saw that particular authority in  
7 a different location.

8 Okay. So the courts have held that the  
9 Commission has the power to revoke any type of license  
10 it has issued when there is a violation for failure to  
11 observe any of the terms or provision of the AEA.  
12 And, of course, the AEA starts out talking about  
13 health and safety in the environment.

14 So okay. The Virginia Electric and Power  
15 Company case asserts that the courts have held that  
16 the Commission's stringent interpretation made in that  
17 case (Inaudible.) is not necessary for liability for  
18 making material false statements. That means even if  
19 they -- even if all the licensees depended on  
20 contractors to do the science and they got their  
21 reports and assumed that the reports were correct,  
22 that does not absolve them from liability for making  
23 material false statements to the Commission.

24 The court also held that materiality  
25 should be judged on whether a reasonable staff member

1 should consider the information in question in doing  
2 his job. So, again, you know, anyone who opens any  
3 actinide chemistry text and finds a phase diagram for  
4 the oxidation of uranium is going to see that there is  
5 uranium trioxide, a large amount of uranium trioxide,  
6 produced. And I don't see how the Commission could  
7 possibly find that a reasonable staff member would not  
8 be under the impression that this combustion product  
9 did not exist.

10 And, finally, the court in that case held  
11 that a material false statement may appropriately be  
12 read to ensure that the Commission has access to true  
13 and full information. So all of that was done to be  
14 consistent with the legislative history and with the  
15 Commission's statutory mandate to ensure that the  
16 utilization of nuclear material will provide adequate  
17 protection to the health and safety of the public.

18 So I think that all three of those three  
19 prongs in that finding by the court are serious  
20 questions here. I've mentioned the problem with the  
21 first two. And the third, you know, when a licensee  
22 puts on a Web site information about the toxicity of  
23 uranium and they mention only the kidneys and not the  
24 reproductive effects, I think that that is an omission  
25 that could be considered a material false statement.

1           And I think that the Commission needs to  
2           have access to true and full information. You know,  
3           not only does the Commission need to have access to  
4           true and full information but the licensees.  
5           Obviously material -- I'm sorry -- military conduct,  
6           the conduct of military activities is beyond the scope  
7           of the NRC's jurisdiction in the petition, but you  
8           have to ask the licensees, how are they going to  
9           determine the long-term strategic disadvantages of  
10          exposure to uranium and what is the short-term  
11          tactical advantage unless they know the safety, you  
12          know, the true safety, properties of these weapons.

13                    PARTICIPANT: Okay. Let me ask if we have  
14                    any other questions here. And then I'll go to anybody  
15                    on the phone.

16                    MR. ESSIG: Yes. Mr. Saltzman, this is  
17                    Tom Essig again.

18                    I was looking through part 20 as we were  
19                    talking, and I found a more pointed reference to what  
20                    I was trying to recall earlier. Because uranium is  
21                    handled in a special way in our regulations, now, this  
22                    would be -- these regulations I'm referring to are  
23                    those that we implement to ensure the health and  
24                    safety of the public and the workers.

25                    And so what this says -- and I'm reading

1 from 20.1201, paragraph E, wherein it says, "In  
2 addition to the annual dose limits, the licensee shall  
3 limit the soluble uranium intake by an individual to  
4 ten milligrams in a week in consideration of the  
5 chemical toxicity."

6 And then it refers to footnote 3 of  
7 Appendix B, wherein it discusses mixtures of U-238,  
8 34, and 235 and gives some guidance as to how to  
9 derive the air concentration for the appropriate  
10 depending on whether you're talking about normal  
11 uranium, depleted uranium, and enriched uranium. And  
12 for the depleted case, it appears that the air  
13 concentration recommended in that footnote is 0.2  
14 milligrams per cubic meter.

15 And so what I would ask you is, is there  
16 anything that you have discovered in your search of  
17 the literature or any of the reviews that you have  
18 done that suggests that either the ten-milligram  
19 intake in a week or the two-tenths milligram per cubic  
20 meter air concentration, derived air concentration, or  
21 DAC as we refer to it -- is there anything you found  
22 that suggests that those are not adequately protective  
23 of the public health and safety?

24 MR. SALTZMAN: I think so because, if I  
25 remember correctly, based on backward extrapolation

1 from urine content, people were assuming that some of  
2 the symptomatic patients had exposures of something  
3 like 23 milligrams.

4 I might have that wrong. Can I get your  
5 e-mail address and send a follow-up?

6 MR. ESSIG: Sure, particularly if you have  
7 a journal article that you are trying to refer to.

8 MR. SALTZMAN: Yeah.

9 MR. ESSIG: Yes.

10 MR. SALTZMAN: I reviewed all of these  
11 things this morning. And I can think of a couple, but  
12 I know it's going to take me way too long --

13 MR. ESSIG: Okay.

14 MR. SALTZMAN: -- to find those now.

15 MR. ESSIG: I'll give you my e-mail  
16 address. It's my initials are the. That would be my  
17 e-mail address at nrc.gov.

18 MR. SALTZMAN: Got it. And your name  
19 again?

20 MR. ESSIG: Tom Essig, E-s-s-i-g.

21 MR. SALTZMAN: Thank you. Okay. I'll  
22 send that today if I can.

23 MR. ESSIG: Okay.

24 MR. SALTZMAN: Thanks.

25 PARTICIPANT: Okay. Is there anything

1 that the licensees would like to either comment or ask  
2 questions?

3 MR. COMP: This is the Army. And we are  
4 pretty clear on his statements. We have no questions  
5 at this time.

6 PARTICIPANT: Okay. The Army has no  
7 questions. Thank you.

8 PARTICIPANT: This is the Air Force  
9 (Inaudible.).

10 I was just wondering. Mr. Saltzman, you  
11 made a statement that there was a case of toxicity  
12 that led to kidney failure from use of depleted  
13 uranium. And I was wondering if you had a cite for  
14 that. I'm not familiar with that case.

15 MR. SALTZMAN: Well in February 1991,  
16 there were about 100 exposures in (Inaudible.). And  
17 some of those led to immediate death. Some of them  
18 were -- involved kidney failure.

19 I know that Melissa McDermott [CORR]  
20 "MCDERMOTT" SHOULD READ "MCDIARMID" [CORR] at the  
21 University of Maryland has all of those records. She  
22 has the original copies of the autopsies.

23 Well, let me ask you. What information do  
24 you have so far on the friendly fire incidents from  
25 February '91?

1 PARTICIPANT: I will check with Dr.  
2 McDermott [CORR] "MCDERMOTT" SHOULD READ "MCDIARMID"  
3 [CORR] on your reference. Thank you.

4 MR. SALTZMAN: Okay.

5 PARTICIPANT: (Inaudible.) from Bolling  
6 Air Force Base, U.S. Air Force.

7 PARTICIPANT: Yes?

8 PARTICIPANT: This is a question for Mr.  
9 Saltzman.

10 MR. SALTZMAN: Yes?

11 PARTICIPANT: In your letter, you are  
12 telling that (Inaudible.) [CORR] "INAUDIBLE" SHOULD  
13 READ "URANYL NITRATE FUMES" [CORR] have not been --  
14 are coming out and there has not been a test. But, to  
15 the best of my knowledge (Inaudible.) [CORR]  
16 "INAUDIBLE" SHOULD READ "URANYL NITRATE IS A STEP"  
17 [CORR] to get (Inaudible.) [CORR] "INAUDIBLE" SHOULD  
18 READ "URANIUM OXIDE. AND IF YOU WANT TO REMOVE THE"  
19 [CORR] reaction to take [CORR] THE WORDS "TO TAKE"  
20 SHOULD READ "IT TAKES" [CORR] a tremendous amount of  
21 energy. And when you are not (Inaudible.) nitrate.

22 MR. SALTZMAN: Yes.

23 PARTICIPANT: (Inaudible.)

24 MR. SALTZMAN: I apologize. In my  
25 petition of April 3rd, in my original allegations, I

1 was assuming that the culprit that was causing these  
2 exposures was uranal nitrate. And I think that that  
3 is completely wrong now.

4 I did not recognize on the 3rd of April  
5 that uranal nitrate decomposes at temperatures above  
6 about 250 degrees Celsius. However, having said that,  
7 I know that the residue found in the interior of gun  
8 barrels include significant quantities of nitric acid.

9 So any kind of contamination of the oxide  
10 that is in the deposit from the gun barrel might go  
11 into solutions somehow. And I believe that it is  
12 likely that in very trace quantities uranal nitrate  
13 will probably be found in the gun barrel  
14 contamination.

15 But I have withdrawn my assertion that  
16 uranal nitrate is the hexavalent form of uranium  
17 responsible. And, you know, I thought originally  
18 because one of the things that the scientist who had  
19 been responsible for some of these safety studies  
20 since the early '70s, Dr. Joe Fermishima (Phonetic.)  
21 [CORR] "FERMISHIMA" SHOULD READ "MISHIMA" [CORR], who  
22 I corresponded with since February of this year, over  
23 the course of about a dozen e-mails, one of the things  
24 he said to me that I thought was quite striking when  
25 I told him that I found that uranium reacts with

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1 nitrogen gas at 800 degrees Celsius, he said he didn't  
2 know that. And I was shocked.

3 But it's quite clear to me now that uranal  
4 nitrate does not form at the temperatures involved in  
5 fires. And I regret that I mentioned uranal nitrate.  
6 It might be a trace quantity. And I kept it in there  
7 under the -- (Tape ends in mid-sentence.)

8 (End of Tape 1, Side A.)

9 (Beginning of Tape 1, Side B.)

10 MR. SALTZMAN: You know, I just don't want  
11 to rule out the possibility.

12 PARTICIPANT: That's fine. Okay. Thank  
13 you. You have corrected a misstated (Inaudible.).  
14 Thanks.

15 MR. SALTZMAN: Thank you.

16 PARTICIPANT: That's it. I don't have any  
17 other questions.

18 PARTICIPANT: Thank you from the Air  
19 Force.

20 Navy?

21 PARTICIPANT: No questions. The Navy.

22 PARTICIPANT: Thank you.

23 MS. LONGO (Phonetic.): Hi, Mr. Saltzman.  
24 This is Jenny Longo. One more question for you.

25 Your petition states the licensees have

1       been -- the safety studies say they have not tested  
2       uranium trioxide and that they cannot detect it. Are  
3       you saying that these were studios [CORR] "STUDIOS"  
4       SHOULD READ "STUDIES" [CORR] that the licensee  
5       submitted to the NRC or these are public statements?

6               MR. SALTZMAN: Well, I know that they have  
7       been submitted to the NRC in the -- at least they have  
8       been cited as studies. When I looked over the replies  
9       from the Army on the 2.206 petition of Doug Rocky  
10      (Phonetic.) [CORR] "ROCKY" SHOULD READ "ROKKE" [CORR]  
11      from 2000, the studies that I referred to in the  
12      evidence section of Appendix A is the same one that  
13      was submitted as an authoritative -- well, the same  
14      two but as one from 1979, which has to do with  
15      combustion products. And then there's another one  
16      from 1995 that says all the studies that they have  
17      ever done are inaccurate [CORR] "INACCURATE" SHOULD  
18      READ "ACCURATE" [CORR].

19              So, taken together, those two as of 1995  
20      assert that there was no uranium trioxide in the  
21      combustion products.

22              MS. LONGO: I'm asking you I think a  
23      different question than you're answering. What I am  
24      asking you is the studies in which the licensees when  
25      [CORR] THE WORD "WHEN" SHOULD READ "CLAIM" [CORR] they

1 could not detect and did not detect uranium trioxide,  
2 are you saying that the licensees gave those studies  
3 to the NRC or are those studies -- statements that the  
4 licensees make to the general public?

5 MR. SALTZMAN: Well, I don't know. All I  
6 know for sure is that they have cited them in support  
7 of their rebuttal to Doug Rocky's [CORR] "ROCKY'S"  
8 SHOULD READ "ROKKE'S" [CORR] petition in 2000.

9 And, by the way, they have never said that  
10 they could no detect uranium trioxide. They have said  
11 that they did not.

12 MS. LONGO: Did not?

13 MR. SALTZMAN: Right, that they -- I'm  
14 sure that they could not detect a monomolecular form  
15 because their filters only go down to a 20th of an  
16 angstrom. Any particle smaller -- their filters only  
17 go down to a 20th of a micron. I'm sorry about that.

18 Any particle smaller in diameter than a  
19 20th of a micron -- and a monomolecular uranium  
20 trioxide gas is much smaller than that -- would pass  
21 through the filters that they use to collect the  
22 smallest of the particles. They use larger mechanical  
23 separators to collect the coarser dust, but they have  
24 only implied that they could not detect it. They've  
25 never, as far as I know, said that they could not.

1 MS. LONGO: Mr. Saltzman, these statements  
2 you said were made in response to a petition by Mr.  
3 Rocky?

4 MR. SALTZMAN: Yeah. Doug Rocky filed a  
5 2.206 petition in 2000.

6 MS. LONGO: Okay.

7 MR. SALTZMAN: And, as far as I know, that  
8 was the most recent petition other than mine.

9 MS. LONGO: I was just trying to establish  
10 the context of the statements.

11 MR. SALTZMAN: Yeah. And, of course, if  
12 you -- I'm sure that -- well, I'm not sure. I don't  
13 know whether the initial application for these  
14 licenses -- whether or not those studies were included  
15 or referenced or what. I have a feeling that they  
16 were probably referenced based on what I have seen in  
17 the renewal package.

18 PARTICIPANT: Okay. We are drawing to the  
19 end of our conference time. I just want to make sure.  
20 If anyone has any last summary remarks, we have about  
21 30 seconds to do that. So, Mr. Saltzman, would you  
22 like to make any summary last remarks?

23 MR. SALTZMAN: I would just like to thank  
24 the Petition Review Board and the Commission and the  
25 licensees for their help with this issue. I know it

1 comes as a surprise to most people. And I thank the  
2 Commission for the opportunity to have this  
3 presentation today and to file the petition. Thank  
4 you all very much.

5 PARTICIPANT: Mr. Lodge?

6 MR. LODGE: I've been listening. I think  
7 Mr. Saltzman has stated a pretty effective case.  
8 Thank you. I don't have anything further to add.

9 PARTICIPANT: Thank you.

10 The Navy or the Army or the Air Force,  
11 anything in summary?

12 MR. COMP: This is the Army. No.

13 PARTICIPANT: This is the Air Force. No.

14 PARTICIPANT: No thank you from Navy.

15 PARTICIPANT: Okay. (Inaudible.)

16 MR. DeCHICO: Yes. This is the petition  
17 manager, Joe DeChico. Just for informational  
18 purposes, this teleconference has been recorded and  
19 will be transcribed and will be made publicly  
20 available on ADAMS so that everyone will have an  
21 opportunity to at least have access to the information  
22 that was discussed today.

23 PARTICIPANT: Okay. Let me just  
24 (Inaudible.) thank everyone, Mr. Saltzman, Mr. Lodge,  
25 and everyone from the Army, the Navy, and the Air

1 Force. We always appreciate issues being brought  
2 forth to the Commission. Thank you very much for your  
3 involvement. We will be getting in touch with you.  
4 Thanks again.

5 PARTICIPANT: Thank you.

6 MR. SALTZMAN: You're welcome.

7 PARTICIPANT: Thank you.

8 PARTICIPANT: Thank you.

9 (Whereupon, the foregoing matter was  
10 adjourned.)  
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