

The following is a list of all attendees at the Pre-Petition Review Board Meeting held on August 7, 2006 in room T-8C5, Two White Flint North, 11545 Rockville Pike, Rockville, Maryland 40852

Name	Organization
James Salsman	Petitioner (via phone)
Greg Komp	Army (via phone)
Margaret Federline	NMSS
Patricia Holahan	NMSS
Tim Harris	NMSS
William Borden	OI
Giovanna Longo	OGC
Don Cool	NMSS
Vincent Holahan	RES
Paul Goldberg	NMSS, Petition Coordinator
Joe DeCicco	NMSS, Petition Manager

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 term [CORR] at the beginning and the end of the correction.

The term “uranyl” is used frequently in the transcript; it denotes the term “uranyl.”

Official Transcript of Proceedings
NUCLEAR REGULATORY COMMISSION

Title: Petition Review Board

Docket Number: N/A

Location: (teleconference)

Date: Monday, August 7, 2006

Work Order No.: NRC-1207

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UNITED STATES OF AMERICA

NUCLEAR REGULATORY COMMISSION

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PRE-PETITION REVIEW BOARD (PRB)

CONFERENCE CALL

+ + + + +

MONDAY

AUGUST 7, 2006

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The conference call was held, Margaret Federline, Deputy Director, Office of Nuclear Materials Safety and Safeguards, presiding.

NRC HEADQUARTERS STAFF:

MARGARET FEDERLINE, Deputy Director,
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PETITIONER, JAMES SALSMAN

GREG KOMP, ARMY

1 [CORR] THE INFORMATION ON THIS PAGE IS NOT PART OF THE
2 PETITION REVIEW BOARD MEETING OF AUGUST 7, 2006 [CORR]

3

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

2 MR. DeCICCO: Oh, James Salsman, you're on
3 the line?

4 MR. SALSMAN: Yes. Hi Joe.

5 MR. DeCICCO: Hi. How are you doing?

6 MR. SALSMAN: Well, thanks.

7 MR. DeCICCO: I've got Greg Komp from the
8 U.S. Army and yourself are on the teleconference with
9 ourselves. If you want to wait just a minute or two
10 to see if anybody else wants to come on the line, and
11 then we'll start the meeting?

12 MR. SALSMAN: Sure. How are you, Greg?

13 MR. KOMP: I'm doing good. How are you?

14 MR. SALSMAN: Well, thanks. I have a
15 question for you.

16 MR. KOMP: Okay.

17 MR. SALSMAN: I've been listening to the
18 news recently, and some protesters have been
19 complaining about airplanes that have been going from
20 the United States to England to Israel.

21 MR. KOMP: I can barely hear you.

22 MR. SALSMAN: Greg?

23 MR. KOMP: Yes?

24 MR. SALSMAN: I've been reading in the
25 news that some protesters have been complaining about

1 airplanes that go from the United States to England to
2 Israel. And they apparently contain some kind of a
3 bunker buster weapon. And I've heard that people
4 think that there are actual explosive laden ordinance,
5 rather than nuclear weapons, that involve uranium.
6 But I don't think that's true.

7 Do you know of any explosive laden
8 ordinance that has uranium in it that isn't just a
9 bullet or a tank penetrator?

10 MR. KOMP: No, I sure don't.

11 MR. SALSMAN: I don't either. I know that
12 they made some in the '90s. I'm told that they
13 experimented with all kinds of things, but --

14 MR. DeCICCO: Excuse me for interrupting,
15 but I think what we want to do is we want to start.

16 MR. SALSMAN: Is everybody here?

17 MR. DeCICCO: I'm sorry?

18 MR. SALSMAN: Okay.

19 MR. DeCICCO: Yes, Mr. Salsman, speak up
20 as best you can. You seem to have a low volume on
21 this end.

22 MR. SALSMAN: Okay.

23 MR. DeCICCO: Thank you. Just to let
24 everybody know that this line is being recorded and
25 the recording will be transcribed and will be made

1 publicly available on our website; the ADAMS system.

2 Right now we have Greg Komp and James
3 Salsman on the telephone. And what I'd like to do is
4 just go around the table, real quick, just to let
5 everybody else -- or let the two people on the
6 telephone know who we are and who's here.

7 Again, I'm Joe DeCicco, and I'm the
8 Petition Manager.

9 MS. FEDERLINE: Margaret Federline, Deputy
10 Director of NMSS.

11 MS. LONGO: Jenny Longo, Office of General
12 Counsel.

13 MR. COOL: Donald Cool, NMSS.

14 MR. V. HOLAHAN: Vince Holahan, Office of
15 Research.

16 MR. HARRIS: Tim Harris, NMSS.

17 MS. T. HOLAHAN: Trish Holahan, NMSS.

18 MR. BORDEN: Bill Borden, OI

19 MR. GOLDBERG: Paul Goldberg, NMSS.

20 MR. DeCICCO: And I think that's everybody
21 around the table. Margaret, would you mind just
22 giving a few words as to why we're here and how we're
23 going to proceed?

24 MS. FEDERLINE: Yes. Thanks everyone for
25 joining us this afternoon. And Mr. Salsman, thank you

1 for your additional information. I believe it is
2 dated July 12th to Mr. Reyes, our Executive Director.

3 MR. SALSMAN: You're welcome.

4 MS. FEDERLINE: The reason for getting
5 together today is we want to offer an opportunity for
6 you to go through that information. You had expressed
7 interest in explaining some of this information to us.

8 At the end of this meeting, we'll have a
9 private meeting among the Petition Review Board and we
10 will get back to you to let you know whether or not
11 this is the right process for this information to be
12 in.

13 MR. SALSMAN: Okay. I do. Hello?

14 MR. DeCICCO: Yes. If you'd like to
15 proceed?

16 MR. SALSMAN: Okay. I have one
17 announcement and four concerns. The announcement is
18 I recently spoke with Dr. Alexander by telephone. Dr.
19 Carl Alexander has more than 45 years of experience
20 publishing information about uranium tracks, I guess,
21 in the peer group scientific literature.

22 His telephone number -- is anybody not
23 ready?

24 MR. DeCICCO: I'm ready.

25 MR. SALSMAN: (614) 424-5233. And Dr.

1 Alexander has offered to take any kinds of questions
2 by phone or e-mail. His e-mail is -- Joe, would you
3 distribute Dr. Alexander's e-mail if I e-mail it to
4 you soon? Because I'm not sure about the spelling.
5 I know it's got two t's and two l's and it's missing
6 part of his last name, but I forget exactly where it
7 ends in his last name. It's something like --

8 MR. DeCICCO: Well, if you send it to me
9 via e-mail, I'd be glad to distribute it. That's no
10 problem.

11 MR. SALSMAN: Thank you. Also, I have
12 four concerns. And many of them center around the book
13 of Dr. Han Tang, (phonetic) [CORR] HAN KANG [CORR] who
14 is an epidemiologist there in I believe Washington,
15 D.C. His phone number is (202) 254-0370.

16 Dr. Tang has been publishing some
17 information which has been misrepresented by current
18 officers in the Navy; Dr. Margaret Ryan, as well as a
19 retired Army officer. So this presents an interesting
20 issue that I want to make sure you all are aware of.
21 Because the victims are not just people who are
22 getting the birth defects. The victims are people
23 like you, in Washington, that are having problems with
24 their jobs because of this myth that there's some kind
25 of long-term strategic advantage to these weapons.

1 Until we know what the long-term effects
2 are, we cannot say anything about the strategic
3 advantage or lack thereof.

4 So, my concerns about Dr. Tang, in
5 addition to Captain Margaret Ryan of the Naval Health
6 Research Center in San Diego, who managed to subvert
7 the infant health registry and has refused to issue
8 any of the statistics on the birth defects since 2000,
9 for the children of Gulf War veterans.

10 I also have concerns about the Army's
11 response to Dr. Tang's work. In particular, a
12 retiring officer who, I guess, is no longer obligated
13 to his own protection and safety. Well, actually that
14 -- I'm not sure. I mean, I have no idea whether such
15 obligations survive retirement.

16 But, a question for Dr. Komp. Do you know
17 if anybody in the Army has measured the gap (phonetic)
18 products of uranium combustion yet?

19 MR. KOMP: I think we replied to some of
20 that in our last year's petition.

21 MR. SALSMAN: And I think the answer's
22 still no?

23 MR. KOMP: We -- for the licenses, we
24 don't have any conditions in which it applies.

25 MR. SALSMAN: That wasn't my question. It

1 was whether you've measured the gap products of the
2 uranium combustion reaction.

3 MR. KOMP: I'm not involved in the
4 technical side of things.

5 MR. SALSMAN: Do you know?

6 MR. KOMP: No, I don't.

7 MR. SALSMAN: Okay. All right. I think
8 the answer's still no. And I think that that's
9 inexcusable. I mean, the toxicological profile
10 clearly depends on the gap products. And, you know,
11 obviously, if we don't have a military that cares
12 about its soldiers, then what's the point of being a
13 citizen?

14 So, whatever concerns with the work of Dr.
15 Tang have to do with -- when we ran this petition
16 process, the Army claimed that they have no
17 information. I would like to know whether the Army or
18 any other federal agencies subscribe to the peer
19 viewed scientific literature. And, if so, may I
20 reasonably conclude that, for the purposes of the
21 United States Code, officers of the federal government
22 are expected to read the publications in the peer
23 review scientific literature? And I'd like Jenny to
24 address this question, please.

25 MS. LONGO: I cannot answer what

1 regulations or employee requirements the Army has.

2 MR. SALSMAN: Is it reasonable for an
3 ordinary person to assume that a federal agent will
4 read the peer review scientific literature?

5 MS. LONGO: Well, when you say peer
6 reviewed scientific literature, you are not talking
7 about exact bodies of literature.

8 MR. SALSMAN: I'm talking about journals
9 published, usually stored in university libraries.

10 MS. LONGO: Well, nobody can read an
11 entire library. So, I think that, you know, that
12 you're question -- your statement is so broad, I think
13 it is virtually impossible that anybody would have
14 such a requirement. I just -- it is -- it makes no
15 sense.

16 MR. SALSMAN: If you were going to
17 quantify the likelihood that a federal agent
18 researching a particular topic would read the peer
19 review scientific literature on that topic. Would you
20 say that likelihood is more than -- more or less than
21 50 percent.

22 MS. LONGO: At this point, I cannot speak
23 to others. My only issue, and like I said, peer
24 review literature's a huge body of literature. And
25 so, your question, based --

1 MR. SALSMAN: Okay. In terms of the
2 statute --

3 MS. LONGO: -- is something that can't be
4 answered. It's not a legal question.

5 MR. SALSMAN: In terms of the statutes,
6 which forbid --

7 MS. FEDERLINE: Excuse me a minute, but
8 I'm going to have to ask you to focus. We've
9 assembled today because we understood that you had
10 some information that beared on the safety of some of
11 --

12 MR. SALSMAN: I certainly do. And this --
13 this bears directly into it because I would like to
14 know whether, in addition to the problems with birth
15 defects, we've also got a criminal problem within the
16 United States Navy.

17 MS. FEDERLINE: Well, we would appreciate
18 it if you would get to the safety concerns that you're
19 raising.

20 MR. SALSMAN: You -- you would prefer that
21 I not address the criminal concerns. Who's there
22 from the Office of the Inspector General, please?

23 MS. LONGO: You -- sir, whatever concerns
24 you have, certainly you may address them. But I think
25 what Ms. Federline is saying is please do so.

1 MR. SALSMAN: Okay. Well, I will. And
2 so, my point is that there are statutes. There are
3 laws forbidding making false statements to federal
4 agents investigating issues.

5 And I think that there's a much higher
6 than 50 percent probability that a federal agent
7 investigating a particular issue will be likely to
8 encounter the peer reviewed scientific literature on
9 that issue.

10 In fact, we make it very easy for them to
11 do so. We provide all kinds of indexes and similar
12 systems in our libraries to point them just directly
13 into that direction.

14 So, I think it's substantially above 95
15 percent, the probability that you could say that such
16 an agent would be likely to encounter the literature.
17 And therefore, I believe that Dr. Margaret Ryan's
18 statement in the peer review published literature --
19 peer reviewed scientific literature, published in
20 2006, violated that law.

21 Because I think that she could reasonably
22 be expected to have understood that the statement she
23 wrote that misrepresented Dr. Tang's research, and by
24 the way, I believe Dr. Tang is trying to contact her,
25 grabs of deceit.

1 MS. FEDERLINE: Sir, could you please tell
2 us what was the statement that Captain Ryan said which
3 you believe is inaccurate?

4 MR. SALSMAN: Yes. She called a doubling
5 of birth defects a modest increase.

6 MS. FEDERLINE: And it is inaccurate in
7 what respect?

8 MR. SALSMAN: Does anyone -- does anyone
9 believe that a doubling is a modest increase?

10 MS. FEDERLINE: Are you debating the use
11 of the word modest? Or are you saying that she was
12 wrong when she said a doubling of birth defects?

13 MR. SALSMAN: In terms of probabilities
14 again, I think there's a greater than 95 percent
15 probability that any person asked whether doubling of
16 a -- of a symptom is -- is modest. But I -- I would
17 think they would not think that it was modest.

18 Modest is usually reserved for -- for --
19 and, in statistical terminology, modest is associated
20 with increases that do not generally become
21 statistically significant when measured in a large
22 population.

23 Now, they might if they're outliers, but
24 it's usually a term used to describe anecdotal
25 evidence. It's a, you know, an imprecise term. But

1 if it can show -- be clearly shown to be associated
2 with very small increases; usually not doubling.

3 And plus, what Dr. -- Captain -- Commander
4 Ryan, whoever she is, she also omitted the doubling --
5 I'm sorry the tripling in children of female veterans.
6 She completely omitted that, even though Dr. Tang
7 published statistically significant results. And
8 these results increased.

9 When he came back and he looked at the --
10 looked at the kids, he had them come in with their
11 medical records, he found that they increased.

12 Now, it's not clear to me whether than
13 increase is just what we've always been seeing from
14 these studies, that have always been increasing, or
15 whether it was an inaccuracy when they asked for the
16 survey respondent.

17 Because, if you talk to a lot of the
18 people in the military who will describe the surveys
19 that, you know, Dr. Tang did, finding these birth
20 defects, they'll say oh, you know, our Army people,
21 they lied. We don't trust our Army people. We think
22 they have some kind of a bias for response on this
23 survey.

24 And that's totally nonsense. It's totally
25 nonsense. Why do these people have so little faith in

1 their own people that they would think that they would
2 lie about their kid's birth defects? They didn't.

3 They're getting worse. They're still
4 getting worse. They always have been getting worse.
5 They've been getting worse over in Iraq. They've been
6 getting worse in the United Kingdom. And they've been
7 getting worse in the United States.

8 MS. LONGO: Mr. Salsman.

9 MR. SALSMAN: Yes?

10 MS. LONGO: Excuse me. I'm sorry. Could
11 you like or provide any information as to how these
12 health effects are linked to the licensed materials
13 that we're discussing?

14 MR. SALSMAN: I already have. You have
15 it.

16 MS. LONGO: Could you go over that again
17 for us?

18 MR. SALSMAN: Oh, okay. All right. So,
19 in the Iraq conflict in February of 1991, a number of
20 weapons were used -- chemical weapons, to include
21 uranium. There were anthrax vaccines that were
22 untested. Anyway, the only thing that causes the
23 kinds of birth defects without cancers that we're
24 seeing is uranal (phonetic) poisoning -- uranal ion
25 poisoning.

1 MS. LONGO: And do you have a scientific
2 reference for that statement? Please?

3 MR. SALSMAN: Okay. Sure. It can be
4 derived from the Center for Disease Control,
5 toxicological profiles of the weapons used.

6 Any kind of birth defect increase that
7 would -- that you'd see with any of the nerve gasses
8 would be associated with huge increases in cancer. I
9 mean, there's not a single one of those nerve agents
10 that wouldn't just totally -- just let me put it this
11 way. Nerve agents mutate RNA as well as DNA. And I
12 don't think uranal ions do a whole lot to RNA. At
13 least I haven't read anything about that.

14 I think I read one thing about it a long
15 time ago saying that it was unlikely. But I didn't
16 copy that.

17 Anyway, the other reference that you'll
18 need to rule out the anthrax vaccines is the Army's
19 own cohort studies published in 2003. They might have
20 even been published -- I think those were in 2002, but
21 they were done in '96 -- 5? I don't know. There's --
22 I'll tell you what. Margaret Ryan can tell you all
23 about the cohort studies. Even though she's in the
24 Navy, she's very familiar with the anthrax cohort
25 studies.

1 But even more familiar is your local
2 neighbor there, Melissa McDermott [CORR] MELISSA
3 MCDIARMID [CORR]. Is there anybody in the room that
4 doesn't know Melissa McDermott?

5 MR. DeCICCO: Why don't you go ahead and
6 identify her?

7 MR. SALSMAN: She's a doctor at the
8 Medical Center, the Veteran's Medical Center in
9 Maryland there. Are you close to Bethesda?

10 MR. DeCICCO: Yes.

11 MR. SALSMAN: Okay. Anyway, she's been
12 studying the people who were actually in tanks that
13 were hit with friendly fire, for a long time. And she
14 can tell you all about the cohort studies that ruled
15 out anthrax as a possible (inaudible). It doesn't
16 cause birth defects.

17 Okay. So what else are you going to need?

18 MS. LONGO: Sir, you're saying that
19 Captain Ryan made certain statements with which you
20 disagree. You think they're inaccurate about doubling
21 of birth defects being modest and omitting certain
22 (inaudible).

23 Where did Captain Ryan make these
24 statements? Was it in a submission to the NRC? Was
25 it in the scientific literature?

1 MR. SALSMAN: Yes. It was that. She
2 published in the peer reviewed scientific literature.

3 MS. LONGO: She published a statement
4 there?

5 MR. SALSMAN: Yes.

6 MR. KOMP: If I may ask what this -- this
7 is Greg Komp -- what this peer reviewed literature is?

8 MR. SALSMAN: It's the *Scientific Journal*
9 published by the Royal Society in UK.

10 MR. KOMP: Who's Royal Society?

11 MR. SALSMAN: The one with the Queen of
12 England.

13 MR. KOMP: Higher numbers? I'm sure that
14 relates to a tremendous number of societies.

15 MR. SALSMAN: It probably does. Hold on
16 a moment and I'll get you the exact reference. You
17 can find it on my website. It's
18 www.bovik.org/du/DoyleRyan2006.pbs.

19 MS. FEDERLINE: Do you have any more
20 information that supports the submittal?

21 MR. SALSMAN: Yes. My final concern is I
22 wanted to ask Mr. Hendra (phonetic) what his current
23 -- I understand that ATT -- no, I'm sorry. Never
24 mind. I don't want to do that today.

25 Well, that's all.

1 MS. FEDERLINE: Let me ask the other
2 participants in the call if you have any questions or
3 comments you'd like to make?

4 MR. KOMP: This is Greg Komp, Department
5 of the Army, and the point I'd like to make is to
6 correct a statement that Mr. Salsman made. And let me
7 do assure you that we definitely are very concerned
8 with the health effects on our soldiers.

9 And we are looking at every -- we're
10 following up everyone who's ever tested positive for
11 bio-assay on uranium. And we're not seeing the same
12 data that Mr. Salsman is coming up with. I do want to
13 assure everyone that the safety of our soldiers is of
14 the utmost concern.

15 The second thing; I'm not sure I've heard
16 anything new today that's any different that what we
17 responded to in last year's petition.

18 MR. SALSMAN: May I respond?

19 MS. FEDERLINE: Yes, please.

20 MR. SALSMAN: I would like to think -- is
21 it Mr. or Dr. Komp?

22 MR. KOMP: Mister.

23 MR. SALSMAN: I would like to thank Mr.
24 Komp for his opinion. I have anticipated his
25 questions and, in fact, can show that he just himself

1 made a false statement.

2 Because if he has indeed read the
3 petition, he knows that tested positive is something
4 that so far has only been testing, in the Army at
5 least, for urine contamination. And the test that I
6 propose and the these that Dr. Alexander's statement
7 supports are not limited to urine testing.

8 And I'm sure that the number of people who
9 are currently being monitored for having an excess of
10 urine, if they -- if they indeed have had their
11 children surveyed for birth defects or they'd been
12 surveyed to put their children's birth defect, or
13 however you think is the most accurate way to do
14 that, then there's not statistically significant
15 numbers yet.

16 Because the entire set of (inaudible)
17 mutation for the increase that she's seen -- it does
18 not exist in statistically significant numbers in
19 order to detect increases and effects that occur on
20 baseline at about 2.5 per thousand; which is the birth
21 defect incident ratio.

22 Therefore, I believe that -- therefore, I
23 believe that Mr. Komp has just made a false statement
24 to you.

25 MS. FEDERLINE: Would you like to respond,

1 Mr. Komp?

2 MR. KOMP: Well, we would -- we could do
3 this all day. There's obviously no context that I
4 know of to involve uranal nitrate for the NRC licenced
5 conditions. I don't think Mr. Salsman understands the
6 context in which our license is authorized use of this
7 material.

8 MR. SALSMAN: Again, if Mr. Komp had
9 actually read the petition, he would know that it no
10 longer deals with any kind of nitrate substance. And
11 therefore, he made at least a misleading, if not
12 entirely false statement, when he told you that he
13 thought there was nothing new.

14 Because, being unfamiliar with the content
15 does not give him the authority to judge whether or
16 not there's anything new. And there's certainly --
17 there are nine new scientific and medical references
18 which were not available for the preparation or
19 included within the previous petition.

20 MS. FEDERLINE: Well, we'd like to thank
21 you very much for the information that you've
22 provided. Our next step is that we will meet as a
23 Petition Review Board and decide whether your
24 submittal has satisfied the standards required for
25 2202 petition. At that point, we will get back to you

1 and let you know.

2 Let me turn it over to Joe and see if he
3 has anything more.

4 MR. DeCICCO: Just to reiterate that this
5 telephone conversation of this meeting will be
6 transcribed and be made public.

7 MR. SALSMAN: If the transcriber has any
8 questions about my comments, I can be reached at (650)
9 793-0162. This is James Salsman. You're all most
10 welcome. Please do an excellent job.

11 MR. DeCICCO: All right. Thank you.

12 MR. SALSMAN: You're welcome. Bye.

13 MS. FEDERLINE: Are any other participants
14 on?

15 MR. KOMP: This is Greg. I'm still on.
16 And Mr. Salsman is right. I did say nitrate instead
17 of stopping with uranium. But it -- the information's
18 the same.

19 MS. FEDERLINE: Okay. Thank you very
20 much. We appreciate your participation.

21 MR. KOMP: Thank you. Have a good day.

22 (Whereupon, the telephone conference was
23 concluded.)

24

25

