

The following is a list of all attendees at the pre-Petition Review Board Meeting held on August 10, 2006 in Room T-8E8, Two White Flint North, 11545 Rockville Pike, Rockville, Maryland 20852

Name	Organization
James Salsman	Petitioner (via telephone)
Greg Komp	Army (via telephone)
Margaret Federline	NMSS
Tim Harris	NMSS
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 indicator [CORR] at the beginning and the end of the correction.

The term “urinal” or “uranal” is used frequently in the transcript, which is meant to be “uranyl.”

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UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

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PRE-PETITION REVIEW BOARD (PRB)

CONFERENCE CALL

+ + + + +

THURSDAY

AUGUST 10, 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,
Office of Nuclear Materials Safety and Safeguards (NMSS)

DONALD A. COOL, NMSS

JOSEPH E. DeCICCO, Petition Manager for 2.206
petition, NMSS

PAUL GOLDBERG, Petition Coordinator, NMSS

TIM E. HARRIS, NMSS

TRISH K. HOLAHAN, NMSS

EUGENE VINCENT HOLAHAN, JR., Office of Nuclear
Regulatory Research Programs and
Performance

1

PETITIONER, JAMES SALSMAN

2

GREG KOMP, ARMY

3

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

1:00 p.m.

1
2
3 MR. SALSMAN: -- particular and an
4 international symposium organized by the British
5 Occupational Hygiene Society. The authors are Carter
6 and Seward. The date is 1970. It's volume II of the
7 three volume set, on pages 819-838. The title is On
8 the Oxide Fume Formed by the Combustion of Plutonium
9 and Uranium.

10 MR. DeCICCO: Hi. This is Joe DeCicco at
11 the Nuclear Regulatory Commission. Is anyone on the
12 line?

13 MR. SALSMAN: Yes, Joe. It's James and
14 Greg here.

15 MR. KOMP: Hey, Joe. How are you doing?

16 MR. DeCICCO: I'm doing fine. That's Greg
17 Komp?

18 MR. KOMP: Yes.

19 MR. DeCICCO: And James Salsman?

20 MR. SALSMAN: That's me.

21 MR. DeCICCO: Okay. Just some preliminary
22 information. This is a recorded line, of which the
23 recording will be transcribed and be made publicly
24 available in our ADAMS system.

25 This is a post-PRB meeting. We had an

1 original meeting on the 7th of August. And Mr.
2 Salsman was offered an opportunity to again address
3 the Petition Review Board to provide any clarification
4 or any other information he deems necessary.

5 And stating that, I'll turn it over to
6 Margaret Federline, who is the Chair for this 2.206
7 Petition Review Board.

8 MS. FEDERLINE: Good. Let's go around the
9 room here so everybody knows who's here and who
10 they're with. And then we'll ask the people --
11 they've already identified themselves, have they?

12 MR. DeCICCO: Yes.

13 MS. FEDERLINE: Okay. My name is Margaret
14 Federline. I'm the Deputy Director at NMSS.

15 MR. GOLDBERG: Paul Goldberg. I'm
16 Petition Coordinator at NMSS.

17 MR. DeCICCO: Joe DeCicco, Petition
18 Manager.

19 MR. HARRIS: Tim Harris, NMSS.

20 MR. V. HOLAHAN: Vince Holahan, Office of
21 Research.

22 MR. COOL: Donald Cool, NMSS.

23 MS. FEDERLINE: Thank you, very much. We
24 regret that Jenny Longo is not able to be with us.
25 She had an automobile accident last night and she's

1 okay, but a bit shaken up. So I apologize she's not
2 with us today.

3 Mr. Salsman, we would like to extend you
4 the opportunity to add anything additional that you
5 would like.

6 MR. SALSMAN: Yes. I have a number of
7 questions and I prepared them on a postcard in order
8 to fit into the hour that I was told has been
9 allocated to this meeting.

10 I have a few questions about attendees.
11 Is Maria Schwartz here?

12 MS. FEDERLINE: No, Maria is not here.

13 MR. SALSMAN: Didn't she attend on
14 Tuesday?

15 MR. DeCICCO: No. Maria Schwartz was not
16 here.

17 MR. SALSMAN: Is Maria Schwartz a member
18 of the Petition Review Board?

19 MR. DeCICCO: Not this one, no.

20 MR. SALSMAN: By not this one, what do you
21 mean?

22 MR. DeCICCO: Well, I think -- I know she
23 was with OGC and perhaps at a previous petition
24 meeting perhaps last year. But she has moved on to a
25 different position and Judy Longo was the OGC

1 representative for the Petition Review Board.

2 MR. SALSMAN: Marie Schwartz is now with
3 the Office of Enforcement, right?

4 MR. DeCICCO: (inaudible) question.

5 MR. SALSMAN: And what about William
6 Borden? Where is he?

7 MR. DeCICCO: He did not -- did not --
8 he's not here at the moment. That's all I can tell
9 you.

10 MR. SALSMAN: Has he been invited to this
11 meeting?

12 MR. DeCICCO: Yes, he has.

13 MR. SALSMAN: Will he be attending? Is
14 there any way to find out?

15 MR. DeCICCO: That I do not -- well --

16 MR. GOLDBERG: No. We don't expect him to
17 come. He'll get a transcript of the meetings.

18 MS. FEDERLINE: Well, Ms. Federline, I
19 have questions for both of those people. I thought
20 that the Review Board included, after reading the
21 review process handbook, 8.11, it seemed to me that --
22 was there any other -- wasn't William Borden present
23 on Tuesday?

24 MR. GOLDBERG: He was.

25 MR. SALSMAN: Okay. All right. Well, I

1 have questions for those people. I -- I don't know
2 whether I should ask for a continuation of the
3 meeting, because there's certainly plenty of questions
4 I have for other people.

5 But is there any way that I will have the
6 opportunity to question the entire Petition Review
7 Board? Is that something that you are going to be
8 offering under your practice? Or is this only going
9 to be an abridged sort of a meeting?

10 MS. FEDERLINE: Excuse me. Sometimes it's
11 not possible to have everyone present. But we will
12 transcribe your questions and we will make sure that
13 he gets them.

14 MR. SALSMAN: Okay. All right. I can
15 submit them in written form, as well. Because I've
16 already actually written most of them out. So, I'll
17 start with you, Ms. Federline.

18 Are there any instructions imposed on the
19 Petition Review Board which might cause a conflict
20 with the United States Code prohibitions on false
21 statements or concealing information or the Atomic
22 Energy Act's requirements of upholding health and
23 safety of --

24 MS. FEDERLINE: As members of the Nuclear
25 Regulatory Commission, we all are obliged to uphold

1 safety. So that is our mission.

2 MR. SALSMAN: How would you resolve a
3 conflict if you were told that your -- for example,
4 your classification or your sensitivity guidelines
5 might tend to suggest withholding certain information
6 that would be important to addressing safety concerns.
7 How would you go about resolving that conflict?

8 MR. DeCICCO: That sounds a little bit too
9 hypothetical to respond to.

10 MS. FEDERLINE: Yes. We encourage -- we
11 encourage all citizens to raise public health and
12 safety issues and that includes the members of the
13 staff. They are obliged to raise any information that
14 relates to meeting our safety requirements.

15 MR. SALSMAN: Okay. Are there any such
16 instructions that might conflict with your health and
17 safety requirements?

18 MS. FEDERLINE: Well, I -- I'd prefer to
19 -- I'd prefer to discuss things in the context of the
20 petition. You know, it's very easy to ask generic
21 questions and give generic answers. But, if you could
22 bring to our attention any additional information that
23 you have that relates to safety in the petition that
24 you raised, we'd appreciate it.

25 MR. SALSMAN: Well, I've been told that

1 the Petition Review Board determined that the petition
2 didn't meet the criteria for review. So I have a
3 series of questions in order to help me understand the
4 Petition Review Board's process; the directions under
5 which they operate; and their qualification; their
6 opinions; and the basis for those opinions.

7 And in order for me to provide additional
8 support for the petition, I do need to understand the
9 answers to these questions. So again, I must ask are
10 there any instructions imposed on the Petition Review
11 Board which might conflict with the Atomic Energy
12 Act's requirements to uphold public health and safety
13 in the --

14 MS. FEDERLINE: I believe we provided you
15 a copy of our procedures, under which the Petition
16 Review Board operates.

17 MR. SALSMAN: Again, you're not answering
18 the question. My question is, are there any
19 instructions imposed on the Petition Review Board
20 which might cause a conflict with the U.S. Code
21 prohibiting false statements or the health and safety
22 provisions of the Atomic Energy Act, or both?

23 MS. FEDERLINE: We're here today to review
24 a petition request that you submitted regarding health
25 and safety.

1 MR. SALSMAN: Do you understand why I'm
2 asking the question?

3 MS. FEDERLINE: Does it relate to the
4 health and safety issues?

5 MR. SALSMAN: It directly relates. In
6 fact, the question mentions them directly. I believe
7 that there might be instructions imposed on you which
8 do conflict with the United States Code prohibiting
9 false statements or concealing information.

10 And I would -- I would point out that that
11 legislation is new. And (inaudible) I'm sure that you
12 would say that new statutes take precedence over old
13 statutes. And it just so happens that the Congress,
14 in their wisdom, had decided to amend the provisions
15 of the U.S. Code prohibiting false statements and
16 concealing false statements.

17 And you have long-standing health and
18 safety provisions which might have been superceded by
19 the Executive's orders or similar kinds of things
20 which caused all kinds of classification or perhaps
21 sensitivity. And I think the answer's obvious and I
22 think you know the answer. And I don't think you
23 would be avoiding the question if you didn't know the
24 answer. I mean, you'd simply say you didn't know if
25 you didn't know, right?

1 MS. FEDERLINE: I'm trying to make sure
2 that we're in the right process. And the process that
3 we're in today is to review any safety information
4 that you have to raise with --

5 MR. SALSMAN: Okay. All right. I'll go
6 back to that question. Let me ask a different one.

7 The definition of significant, on page 12
8 of the Handbook 8.11 under criteria for petition
9 evaluation, I was told that the Petition Review Board
10 rejected the petition because they found that it did
11 not present significant new information. Is that your
12 understanding?

13 MR. DeCICCO: Yes. That's true.

14 MR. SALSMAN: Ms. Federline?

15 MS. FEDERLINE: Yes?

16 MR. SALSMAN: Was there any other reason
17 the petition was rejected -- was not considered for
18 review?

19 MR. DeCICCO: I didn't -- I also mentioned
20 that the Board felt that the requests that were
21 submitted in the second petition were similar to the
22 ones presented in the first petition and that those
23 issues were addressed in the first Director's decision
24 and are still applicable.

25 MR. SALSMAN: Was there any other reason,

1 other than not presenting significant new information?

2 MR. DeCICCO: Well, we did -- we did tell
3 you that a number of the issues are being dealt with
4 in the petition for lawmaking.

5 MR. SALSMAN: And that is not a criteria
6 for rejecting petitions under 10 CFR 2.206, is it not
7 -- is it?

8 MR. DeCICCO: It's a process.

9 MR. SALSMAN: And I -- I reviewed the
10 criteria for rejecting petitions and did not see any
11 information that would lead me to believe that just
12 because an issue is being considered in a petition for
13 rule making, that it might be rejectable as a 2.206
14 petition. Is there -- am I wrong?

15 MR. DeCICCO: Yes.

16 MR. SALSMAN: Why?

17 MR. DeCICCO: Well, under the criteria for
18 reviewing petitions, on page 11, in the third
19 criterion listed, there's a -- you will see, it says
20 it'll be accepted for review if there's no other
21 superceding available in which the petitioner is or
22 could be a party or to which the petitioner's concerns
23 could be addressed.

24 In your case, the appropriate proceeding
25 is a petition for rulemaking. Under -- on page 12,

1 under criteria for rejecting petitions is, if the
2 petitioner raises issues that have already been
3 subject to NRC staff review and evaluation --

4 MR. SALSMAN: I have the document in front
5 of me. You don't need to reiterate the paragraph. I
6 have read it.

7 MR. DeCICCO: Which -- which --

8 MR. SALSMAN: Now, the first paragraph
9 that you read was under criteria for reviewing
10 petitions. And it says the staff will review if it
11 meets all the criteria. And the third criteria you
12 pointed to was there's no NRC proceedings available in
13 which the petitioner is or could be a party, and
14 through which the petitioner's concerns could be
15 addressed.

16 Now, tell me, is the rulemaking process
17 able to modify licenses?

18 MS. FEDERLINE: The rulemaking process is
19 directed at establishing the requirements, which are
20 a basis for issuing licenses.

21 MR. SALSMAN: And therefore, can my
22 concerns with the licenses be addressed in the
23 rulemaking process. Please answer yes or no.

24 MS. FEDERLINE: Yes. Because it will be
25 the basis for any amendments to licenses.

1 MR. SALSMAN: See, I disagree because if
2 there is a rule that says a certain amount of uranium
3 is going to be causing reproductive harm, so we're not
4 going to allow anybody to breathe that amount, then
5 you're still going to give the licensees a pass for
6 the same reason you did with all the military
7 operations before, as Joe succinctly put it, I believe
8 he said that you can't interfere with military
9 operations.

10 So, in fact, I disagree. I think that the
11 rulemaking process isn't going to have any impact on
12 the licensees. The only way to stop this is at the
13 source; at the civilian manufacturer of the weapons.
14 And, if you disagree, you disagree.

15 But I -- I am very -- I think it's absurd.
16 And I think it's absurd on its face that the
17 rulemaking process could have any influence over the
18 licensees. Because you know they're not actually
19 using the stuff until it gets out into the field.

20 But, so the portion of it remains
21 dissolved in the atmosphere, and I have an additional
22 scientific reference that I've already shared with
23 Greg. Perhaps you'll find that on the transcript when
24 it's transcribed. But I can provide it later.

25 I don't want to use up the hour on that.

1 We're already 20 minutes into this.

2 MS. FEDERLINE: Mr. Salsman, could we get
3 into perhaps some of your scientific reference?

4 MR. SALSMAN: Okay, sure. That's a good
5 idea. All right. R.F. Carter and Kay Steward, in
6 1970, published a paper entitled On the Oxide Fume
7 Formed by the Combustion of Plutonium and Uranium, and
8 the conference proceeding was Inhaled Particles. The
9 sub-title is Proceedings of an International Symposium
10 Organized by the British Occupational Hygiene Society.
11 In volume II of the three volume set on their 1970
12 meeting, on pages 819-838.

13 I think this will smooth any doubt that
14 uranium trioxide not only is produced and gas gets
15 formed in the combustion of uranium, but therefore
16 will remain dissolved in the atmosphere long enough to
17 waft across borders, back to us and increase the
18 amount that we breathe on a day to day basis.

19 However, that is the not the main threat
20 to the public health and safety, because of the
21 dilution, as I'm sure your technicians are aware. The
22 problem is with the birth defects in the civilian
23 population from the exposed military.

24 So I have a number of questions about
25 that. So let's just go through these.

1 MS. FEDERLINE: Go through the scientific
2 basis with --

3 MR. SALSMAN: Yes. In order to establish
4 the -- I mean, I have to continue to ask you, are
5 there any instructions imposed on the Petition Review
6 Board which might cause a conflict with the United
7 States Code prohibiting false statements and
8 concealing statements or the health and safety
9 provisions of the Atomic Energy Act, or both?

10 MS. FEDERLINE: Sir, could you go through
11 please the scientific basis for the safety concerns
12 that you have? In other words, could you tell us how
13 the evolution of the gaseous material translates to
14 public exposure? If you could refer us to that
15 information in your references, it would be very
16 helpful to us.

17 MR. SALSMAN: I could and I will, but I
18 have a flow chart here which is designed to save time
19 and I'd like you to answer the question, please. Are
20 there any instructions imposed on the Petition Review
21 Board which might cause a conflict with the United
22 States Code prohibiting false statements or the health
23 and safety provisions of the Atomic Energy Act, or
24 both?

25 MS. FEDERLINE: Sir, that -- the objective

1 of this Petition Review Board is for you to provide us
2 with any safety information that you have.

3 MR. SALSMAN: Well, that is -- that is not
4 the objective of the Petition Review Board. This is
5 a meeting with the petitioner. The purpose is for me
6 to provide additional support for the petition. In
7 order to do that, I need to understand why you've made
8 the decision you've come to. And I think that there's
9 a number of problems with your decision; the first and
10 foremost being that you're probably under certain
11 restrictions. And I just need to get that out of the
12 way as a matter of the record.

13 MS. FEDERLINE: Well, I think the -- the
14 criteria that we've just gone over with you are fairly
15 clear. There is a rulemaking process and we have
16 offered to bring the references that you've brought to
17 this board to the rulemaking activity to make sure
18 that any information -- any safety information in
19 those references is considered.

20 MR. SALSMAN: Would you please answer the
21 question?

22 MR. DeCICCO: As we responded, the mission
23 of NRC is to protect the public health and safety.
24 And -- and we do follow the lay.

25 MR. SALSMAN: I simply don't who's -- a

1 phrase that says the health and safety provisions of
2 the Atomic Energy Act. I know that. I'm just asking
3 of there are laws in conflict. Laws are in conflict
4 all the time. It's a simple question. Why are you
5 not able to admit it. And what does it tell you that
6 you're not able to admit it?

7 MS. FEDERLINE: Sir, I -- I -- we're not
8 -- we don't want to, you know, cause you to be upset.
9 But this is not a proceeding for you to grill us on
10 the law. You know, we're happy to discuss with you
11 the scientific basis and any safety issue that you
12 want to raise.

13 MR. SALSAMAN: Well, I am raising safety
14 issues. And I believe that there is a problem; a
15 serious safety problem, with conflicting laws. That
16 there are -- all right. I'm going to move on at this
17 point. This is pointless.

18 Okay. Can we stipulate that the
19 definition of significant is, according to the
20 American Heritage Dictionary, having or expressing a
21 meaning; meaningful?

22 MR. DeCICCO: We -- this is Joe DeCicco.
23 I don't know if we limit to that particular definition
24 or the word significant to that particular definition
25 or not.

1 MR. SALSMAN: Thanks, Joe. Let me ask Ms.
2 Federline what dictionary do you keep on your desk?

3 MR. DeCICCO: Well, it's not a matter of
4 a dictionary. The significance can have some -- some
5 particular (inaudible).

6 MR. SALSMAN: Yes. Well Handbook 8.11
7 doesn't have a glossary. So the question is to Ms.
8 Federline, please, as the Chair of this committee,
9 what dictionary do you keep on your desk?

10 MS. FEDERLINE: We -- we have offered, and
11 will provide all the information that you've provided
12 to us into the rulemaking process to insure that any
13 new requirements that are considered or established
14 have the benefit of all the information that you've to
15 this Petitioner's Review Board.

16 Those regulations will be a basis for any
17 changes or --

18 MR. SALSMAN: Okay. You know, I
19 understand that you feel it's important to tell me
20 something. But I don't understand why it's important
21 to tell me something that's not answering the question
22 I'm asking.

23 I'm trying to get a stipulation on the
24 definition of significance. And the first definition
25 in American Heritage Dictionary is meaningful. Is

1 that an acceptable definition of the word significant
2 for you?

3 MS. FEDERLINE: Sir, we're not going to
4 debate the meaning of words with you. The
5 significance of --

6 MR. SALSMAN: But you're rejecting my
7 petition on the basis of the definition of the word
8 significant, then I think that there's no avoiding the
9 fact that we need to define what we're talking about.

10 MS. FEDERLINE: There were several reasons
11 why we rejected your petition.

12 MR. SALSMAN: There were two; one of which
13 is completely inapplicable and doesn't even fall under
14 the category of what you can reject with. It's
15 whether you can accept it. I'm asking for license
16 modifications. And that means you can accept it.
17 Just because there's another proceeding having to do
18 with rulemaking that can't do anything about licenses
19 --

20 MS. FEDERLINE: Sir, you have established
21 no scientific basis on the connection between the
22 production of gas and the exposure to humans.

23 MR. SALSMAN: Did you read the petition?

24 MS. FEDERLINE: You have -- yes, I did.
25 You have cited --

1 MR. SALSMAN: Did the references cited in
2 the petition?

3 MS. FEDERLINE: You have cited various
4 references that -- that talk through various points.
5 But the connection is not made between the evolution
6 --

7 MR. SALSMAN: Ms. Federline, did you read
8 the Hindenberg and Panicar 2005 (phonetic) [CORR]
9 HINDIN, BRUGGE, AND PANNIKAR 2005 [CORR] reference?

10 MS. FEDERLINE: I read the references that
11 were presented with the package.

12 MR. SALSMAN: Did you read the reference
13 or the text?

14 MS. FEDERLINE: I read the text of the
15 references that were presented with the package.

16 MR. SALSMAN: About how many -- in the
17 *Environmental Health Journal* article, about how many
18 references did you find in the text of that article?

19 MS. FEDERLINE: I'd like to discuss the
20 safety --

21 MR. SALSMAN: You just told me that I did
22 not establish a scientific basis for the connection
23 between uranium oxide inhalation and birth defects.

24 MS. FEDERLINE: Yes. And I'd like to
25 discuss that here today, if we could.

1 MR. SALSMAN: Okay. If you've read the
2 article entitled Hetrogenicity (phonetic) of the Pre-
3 Uranium Aerosols, a Review from an Epidemiological
4 Perspective, then you would know that they concluded
5 that in the aggregate, the human epidemiological
6 evidence is consistent with increased risk of birth
7 defects in offsprings of the persons exposed to
8 depleted uranium.

9 Did you read that?

10 MS. FEDERLINE: Sir, there's no connection
11 in that article between what exposures people normally
12 get. And you have not made any connection between
13 exposures that the licensees get with the information
14 in the references.

15 MR. SALSMAN: Okay. I need to go back to
16 my questions. Are we going to stipulate on a
17 definition of significant, or are you just going to
18 avoid answering all my questions in that way?

19 MS. FEDERLINE: Information that relates
20 and -- and provides the basis for a conclusion that
21 licenses are not protecting the public health and
22 safety. And you have not made those connections. You
23 have given us several scientific references that do
24 not offer insights into how much gas is produced and
25 what the effect of those gasses are in the licensed

1 environment.

2 MR. SALSMAN: In the licensed environment?

3 MS. FEDERLINE: Yes. In the type of
4 environment that would be typical of --

5 MR. SALSMAN: If one of your licensees
6 makes a radiological medicine and it gets shipped
7 overseas and it's -- and not sold in the United
8 States, then you don't regulate it, right?

9 MR. DeCICCO: Correct.

10 MR. SALSMAN: So if it causes birth
11 defects in the people who take it and they come back
12 here and they mate with United States citizens, then
13 you're off Scott free. You have no responsibility
14 there.

15 MS. FEDERLINE: Speculate the manufacturer
16 and distributor.

17 MR. SALSMAN: Hello?

18 MS. FEDERLINE: And how is that related to
19 the petition?

20 MR. SALSMAN: That will become clear as I
21 proceed with my questions. However, you have refused
22 to answer both of the two questions that I've asked so
23 far.

24 MS. FEDERLINE: Sir, you have refused to
25 provide us the data that we're requesting.

1 MR. SALSMAN: Well, in order to do that,
2 I need to know what your definition of significant
3 means.

4 MR. DeCICCO: I think in the context of
5 the petition, James, Ms. Federline did that.

6 MR. SALSMAN: Okay. Well then, please
7 reiterate what you understood her to say that
8 significant meant in terms of page 12 of Handbook
9 8.11?

10 MR. DeCICCO: I didn't write it down, but
11 I'm sure it's in the transcript.

12 MR. SALSMAN: Well, Ms. Federline, do you
13 remember what you said the definition of significant
14 was?

15 MS. FEDERLINE: It would be providing a
16 basis of information that would enable us to conclude
17 that there are safety issues from the gas as used in
18 a typical licensed environment.

19 MR. SALSMAN: We're half way through the
20 hour you've allocated. At this point, I'm going to
21 have to ask you for more time. I don't think it's
22 possible for me to get through all of this in the one
23 hour that you've allocated. All right?

24 MS. FEDERLINE: Could we go on and you
25 present the information at the end of the meeting?

1 MR. SALSMAN: How much time and I going to
2 be given?

3 MS. FEDERLINE: The rest of the hour. And
4 then we'll determine that if we're in a discussion
5 that is providing substantive safety information,
6 we'll make a decision at that point.

7 MR. SALSMAN: Okay. All right. I want to
8 get a poll of the committee. And Ms. Federline, did
9 you investigate the petition in your professional
10 capacity or did you simply aggregate the professional
11 opinions of your committee members?

12 MS. FEDERLINE: Sir, we're not going to
13 poll the committee. Our process is a deliberating
14 process; each member of the committee offered views
15 and the decision was a consensus of the group.

16 MR. SALSMAN: Consensus? There was no
17 dissent what-so-ever, or there was only a little
18 dissent?

19 MS. FEDERLINE: There was a consensus on
20 the decision.

21 MR. SALSMAN: Was there any dissent?

22 MS. FEDERLINE: No, there was no dissent.

23 MR. SALSMAN: So all the committee members
24 agreed? Is that true?

25 MS. FEDERLINE: We're not going to poll

1 the committee.

2 MR. SALSMAN: Why not?

3 MS. FEDERLINE: Sir, we've -- I'm --
4 we've invited --

5 MR. SALSMAN: How do you expect me to
6 understand what the objections are if I don't know
7 who's the -- who had objections and what they are?

8 MS. FEDERLINE: I've explained to you the
9 information that we need you to provide us today. We
10 would like you to walk through your understanding of
11 the evolution of the gas, the concentrations of the
12 gas, how it's disbursed in the environment, what the
13 exposure would typically be, what the health effects
14 of those exposures would be. And we would be happy to
15 receive references that underline that information.

16 MR. SALSMAN: If you have indeed reviewed
17 the petition, then you would know that the exposures
18 will not be known until the gas is measured; which is
19 the first request I've ask of the licensees.

20 MS. FEDERLINE: So, what I'm --

21 MR. SALSMAN: Isn't that not completely
22 clear?

23 MS. FEDERLINE: Let me explain our
24 process.

25 MR. SALSMAN: Look, I have your process

1 right in front of me. I'm looking at it. I'm
2 following it. I'm supporting my petition. If you're
3 asking me for information that my petition clearly
4 indicates is not yet known and needs to be known in
5 order to determine what the extent of the problems is,
6 then you know the petition clearly establishes that
7 there is a very significant problem.

8 That these -- I mean, the gas is not --
9 has never been measured. The gas is immediately
10 absorbed into the blood stream. The gas is definitely
11 produced. And, you know, Paul and Joe didn't even
12 know that uranium tracks have been producing has
13 formed until I brought those petitions to their
14 attention last year, according to their e-mail saying
15 that all they had was information from the military
16 about particulates.

17 MS. FEDERLINE: Sir, I understand that
18 you're very frustrated. And we appreciate the time
19 and efforts that you've taken to provide the
20 information. I'm just trying to explain to you our
21 process so that you -- not the PRB's process, the
22 agency's regulatory process.

23 We license applications for the use of
24 radioactive material based on standards that are
25 established through a public process. Those standards

1 form the basis for granting licenses and for
2 regulating those licensees.

3 When you bring to us a petition for --
4 that has information that is not -- that is missing,
5 that would go into our rulemaking process to establish
6 if there are facts that need to be known.

7 MR. SALSMAN: Yes. There are facts that
8 need to be known. And if it turns out that the NRC
9 ends up paying for determining those facts, then --
10 and -- and you had the opportunity to make these
11 civilian licensees, the producers of these materials,
12 determine those facts, as they rightly should. If
13 they're producing it, they ought to be responsible for
14 determining it's health and safety implications.

15 So, if it ends up the NRC has to pay for
16 that, then that is a false claim under the Federal
17 False Claims Act.

18 MS. FEDERLINE: Sir, are you aware that
19 this is primarily a toxicity problem? And the
20 American Conference of Governmental Hygienists set
21 standards in this area? We, by law, are directed to
22 use governmental standards as the basis for our
23 programs.

24 MR. SALSMAN: You're -- you're also the
25 organization responsible for developing those

1 standards. And if you have to pay for their
2 development and miss the opportunity to make the
3 manufacturer pay, then that is a false claim. That is
4 a government charge that could have reasonably and
5 should have reasonably been avoided. And I don't
6 think I'd have any problems convincing a jury of that.

7 MS. FEDERLINE: Have you approached the
8 American Conference of Governmental Hygienists who
9 make the standards in this?

10 MR. SALSMAN: I don't know. Are there any
11 members of the American Conference of Governmental
12 Hygienists on the Petition Review Board?

13 MS. FEDERLINE: Those are chemical
14 specialists. We are radioactive specialists.

15 MR. SALSMAN: That's what I thought. And
16 I have a series of questions about that. Let's just
17 get to those.

18 Now are you the Director or the Deputy
19 Director of the NMSS?

20 MS. FEDERLINE: Deputy Director.

21 MR. SALSMAN: Okay. How long have you
22 held that title?

23 MR. DeCICCO: James, this is really
24 irrelevant.

25 MR. SALSMAN: No, it's not. It

1 establishes the credibility. How long have you been
2 the Deputy Director?

3 MS. FEDERLINE: I'm sorry. We're not
4 going to do this.

5 MR. DeCICCO: But that's not part of the
6 process.

7 MS. FEDERLINE: We're not going to do
8 this.

9 MR. DeCICCO: We haven't asked you to
10 establish your credibility. It's just not part of the
11 process.

12 MR. SALSMAN: I would urge you to keep
13 from concealing information. How long have you been
14 the Deputy Director?

15 MS. FEDERLINE: We are happy to receive
16 any safety information that you have. This meeting
17 was scheduled to receive safety information that you
18 have to bring to our attention.

19 MR. SALSMAN: And I am getting to that.
20 But you have been stonewalling my questions. I have
21 -- so far, I have asked four questions on my list and
22 you have answered one. How long have you been the
23 Deputy Director.

24 MS. FEDERLINE: Your questions are not
25 appropriate in light of the process.

1 MR. SALSMAN: Okay. Well, I'm informing
2 you, since this is a transcribed line, that I'm going
3 to be filing a Freedom of Information Act request for
4 all of these questions. And I hope that that changes
5 your attitude. How long have you been the Deputy
6 Director of the NMSS?

7 MR. DeCICCO: James, she's responded to
8 that.

9 MR. SALSMAN: No, she has not. She has
10 not even responded to the definition of stipulation,
11 even though you said that she had. I mean, Ms.
12 Federline --

13 MR. DeCICCO: She won't be responding to
14 any more than we already have to that.

15 MR. SALSMAN: Okay. Well let me try once
16 again. What is the definition of significant, for the
17 purposes of page 11 of the Handbook 8.11?

18 MS. FEDERLINE: Significant is the amount
19 or the basis that you provide on raising safety issues
20 with respect to the use of radioactive materials.

21 MR. SALSMAN: What about the non-
22 radiological hazards? Doesn't the Atomic Energy Act
23 obligate you to protect the public's health and safety
24 and the environment from the non-radiological hazards
25 of the byproduct materials, in accordance with 42 USC

1 21.14A1?

2 MS. FEDERLINE: Only to the extent that it
3 is related to the radiological properties of the
4 material.

5 MR. SALSMAN: Okay. Why do you use the
6 definition of significant that's not found or in any
7 way related to the dictionary definition of
8 significant?

9 MR. DeCICCO: In an attempt to give you a
10 definition in context.

11 MR. SALSMAN: Are you -- did you just make
12 this up? Was this something that was written down
13 before hand or did -- do you have some other document
14 that defines what significant was?

15 MS. FEDERLINE: Sir, we're -- we're trying
16 our best to listen and you are acting in a very
17 inappropriate way for this.

18 MR. SALSMAN: I am trying to understand
19 what your handbook 8.11 means when it says these
20 requests will not be treated as a 2.206 petition
21 unless they present significant new information.

22 I believe this hinges on the definition of
23 significant. And you've just given me a definition
24 that is in no way related to any of the definitions in
25 the American Heritage Dictionary. And I would like to

1 know whether it's something that you just came up with
2 just now, or if it's something that had been written
3 down in a policy documents or a memo or anything
4 before hand.

5 MS. FEDERLINE: Sir, I believe the
6 transcript of this call will reflect that there has
7 been no new safety information raised in this call.
8 I'm going to ask if you have --

9 MR. SALSMAN: Oh, really? Do you think
10 the transcript is going to include the inhaled
11 particles journal -- conference proceedings article
12 entitled *On the Oxide Fume Formed by the Combustion of*
13 *Plutonium and Uranium*? Do you think that that's not
14 new?

15 MS. FEDERLINE: Sir, you gave us the title
16 of the document, but you did not explain how it
17 relates to the petition request.

18 MR. SALSMAN: But you just told me you're
19 not a chemist. How are you going to interpret what it
20 -- what it says. You're only -- you only deal with
21 radioactive material, right? Even though your Atomic
22 Energy Act that you supposedly operate under requires
23 you to protect the health and safety of both
24 radiological and nonradiological hazards.

25 Is there anybody on the Petition Review

1 Board with any chemical -- chemistry training? Are
2 there any Industrial Hygienists on the Petition Review
3 Board?

4 MS. FEDERLINE: The role of the Nuclear
5 Regulatory Commission is to protect public health and
6 safety from the use of radioactive material and the
7 chemical properties of those associated with the
8 radioactive materials.

9 MR. SALSMAN: Right. So the question was
10 is there anybody on the Petition Review Board with any
11 chemistry training or experience or with any
12 experience with industrial hygiene?

13 MS. FEDERLINE: Sir, we're not going to go
14 through our -- I can -- I can tell you that I managed
15 a certified industrial hygiene laboratory in the
16 commercial arena. And it was certified by the
17 American Industrial Hygiene Association.

18 MR. SALSMAN: Okay. Do you have any
19 chemistry training?

20 MS. FEDERLINE: I'm not going to continue
21 this. You're not going to question our credentials.
22 It's inappropriate.

23 MR. SALSMAN: You're telling me you made
24 a decision that I didn't provide you with information.
25 And, in order to interpret that information, you would

1 be able to do so if you had training in the field.

2 But you're not going to answer whether or
3 not you had training in the field?

4 MS. FEDERLINE: You have had the time for
5 the information that we believe would add to the
6 discussion and you have continued to provide questions
7 that don't relate to the subject. So --

8 MR. SALSMAN: But I told you, in order to
9 support my petition, I need to understand why the PRB
10 determined that it didn't meet the criteria or review,
11 so I had a series of questions. So far, you've
12 answered very few of those questions. The only one
13 you've answered is whether or not you're the Deputy
14 Director of the NMSS.

15 MS. FEDERLINE: As I explained to you, we
16 have explained to you the criteria for the acceptance
17 of the petition and the criteria for rejection of the
18 petition.

19 MR. SALSMAN: Okay. So --

20 MS. FEDERLINE: So, you have failed one of
21 the criteria for acceptance and two of the criteria
22 for rejection.

23 MR. SALSMAN: Do you understand why I --
24 wait, two of the criteria for rejection? Which two?

25 MS. FEDERLINE: Paul read them to you.

1 You said you didn't want us to read anymore.

2 MR. SALSMAN: I'm sorry I believe he read
3 only one criteria for acceptance, which I object to
4 because there is no way for the rulemaking --

5 MS. FEDERLINE: He said that there was one
6 criteria for acceptance; that there was another
7 process ongoing --

8 MR. SALSMAN: Okay. Let's just do the
9 acceptance one first. Are you familiar with the False
10 Claims Act? Do you know what that is?

11 MR. GOLDBERG: It's not relevant, James.

12 MR. SALSMAN: Who is speaking, please?

13 MR. GOLDBERG: Paul Goldberg.

14 MR. SALSMAN: Okay. Why is it not
15 relevant?

16 MR. GOLDBERG: Because we're not dealing
17 with it in this proceeding.

18 MR. SALSMAN: Okay. Well that's
19 convenient, isn't it?

20 MS. FEDERLINE: We're talking about public
21 health and safety as it relates to the petition that
22 you filed.

23 MR. SALSMAN: Right. Okay. So -- and
24 you've all made a decision on this and you're not even
25 going to tell me whether you're qualified to make the

1 decision? I don't know what -- where else should I
2 go?

3 I've got questions for Paul. You know,
4 right here in black and white. How much experience do
5 you have with industrial hygiene pertaining to
6 airborne uranium oxides?

7 MR. GOLDBERG: And the answer is the same.
8 It's really -- it's not appropriate. It's not
9 relevant.

10 MR. SALSMAN: Do you have any experience
11 with industrial hygiene?

12 MS. FEDERLINE: Could you -- could you
13 focus on -- we're growing very short of time and there
14 has been no new information introduced in this call.

15 MR. SALSMAN: Okay. I'm just going to
16 skip around randomly. Do you consider birth defects
17 to be a health risk?

18 MR. DeCICCO: James, we're -- and this is
19 Joe DeCicco. I think that we are trying to tell you
20 that we are not going to answer your questions and
21 we're not going to establish an answer to the final
22 decision of the Petition Review Board until we hear
23 all of your information that you wish to provide.

24 And asking questions is -- is not -- it's
25 not going to occur here.

1 MR. SALSMAN: When did you first learn
2 that urinal poisoning causes birth defects? Was it
3 when I brought it to your attention, or was it before
4 that?

5 MS. FEDERLINE: There is a public basis
6 established for NRC's regulations in uranium toxicity.

7 MR. SALSMAN: When did you first learn
8 that uranium is a neurotoxin?

9 MR. DeCICCO: James, do you have any more
10 information you'd like to provide us?

11 MR. SALSMAN: Yes, I certainly do.

12 MR. DeCICCO: Go ahead.

13 MR. SALSMAN: I believe that you didn't
14 know that uranium combustion produces uranium trioxide
15 gas until I brought it to your attention. Is that
16 right Paul?

17 MS. FEDERLINE: That's irrelevant.

18 MR. SALSMAN: Did you share that
19 information with the committee or is it something new
20 that I have to share with them now?

21 MR. GOLDBERG: James, I'm not responding
22 to those questions. Please give us any information
23 that you have. Otherwise, there's not much point in
24 continuing this call.

25 MR. SALSMAN: Okay. Sure. Depleted

1 uranium is a man-made radioactive heavy metal derived
2 from uranium ore. The chemical and metallic
3 properties of DU do not differ largely from natural
4 uranium ore or uranium oxide. Let's see, where shall
5 we go here?

6 DU can enter the body as uranium metal or
7 as uranium oxides from the oxides DU forms after
8 impact with hard targets and fires. Inhalation of
9 aerosols and gasses, ingestion of and exposure to
10 contaminated (inaudible) and imbedded fragments are
11 all pathways of internal exposure.

12 Once inhaled, the particles develop
13 quickly.

14 MR. GOLDBERG: Is this a gather, or is
15 there some reference for this?

16 MR. SALSMAN: If the gas -- if the gas is
17 an -- okay. I've given you nine new references. Now,
18 have you read them?

19 MR. GOLDBERG: Where is this in reference
20 to what you're telling us now?

21 MR. SALSMAN: Okay. So you don't want me
22 to give you new information, unless it has a
23 reference? And you're not going to tell me whether
24 you've read the references I've already given you?

25 MR. DeCICCO: I just wanted to know where

1 it came from.

2 MS. FEDERLINE: Please continue.

3 MR. SALSMAN: No. This is -- this is not
4 acceptable. Ms. Federline, I would like to appeal
5 this -- your refusal to answer my questions directly
6 to your supervisor. I'm -- I'd like (inaudible) and
7 I'd like to know how he can be reached.

8 MS. FEDERLINE: Certainly. His telephone
9 number is (301) 415-7800.

10 MR. SALSMAN: Okay. Now I'm going to be
11 asking for more time on this meeting. I think it's
12 been handled extremely unprofessionally. I think that
13 you've been intentionally concealing information from
14 me by refusing to answer the questions. And I think
15 that's a violation of the newly amended 18 USC 1001.

16 Do you understand?

17 MS. FEDERLINE: Yes, we understand.

18 MR. SALSMAN: Okay. What's the name of
19 your supervisor.

20 MS. FEDERLINE: (Inaudible)

21 MR. SALSMAN: Okay. Is he in town today?

22 MS. FEDERLINE: No, I'm sorry. He's not.

23 MR. SALSMAN: When will he be returning?

24 MS. FEDERLINE: He should be in the office
25 on Monday.

1 MR. SALSMAN: In the remaining ten
2 minutes, I would like to see if I have any information
3 that is new. That's my new information. I've told
4 you about the False Claims Act. I told you that I
5 believe that if you cause the NRC to incur an expense
6 that should be borne by the licensees, manufacturers,
7 then that would be a violation of the False Claims Act
8 and anyone, including myself, would be able to bring
9 suit in federal court in order to correct that.

10 I'm sure that Ms. Longo can give you more
11 information on it. I hope she recovers.

12 Let's see. I don't think -- I mean, you
13 know, I -- I think that you're not qualified if you
14 don't have any industrial training, you're not
15 qualified to even, you know, judge whether the
16 references contain information that supports my
17 thesis. And I'm an amateur and if you don't have
18 industrial hygiene training, you're essentially an
19 amateur too at this. I mean, it's -- it's something
20 that a lot of people get wrong. I can tell you that.

21 Okay. I think that you didn't know that
22 uranium was a neurotoxin until after -- until my first
23 petition, because I included in my first petition last
24 year, the very first peer reviewed reference that --
25 is that right? I don't know. Hold on. Let me check

1 that.

2 In 2005, yes. I think I gave you the very
3 first uranium confirmed as a neurotoxin. It's since
4 been confirmed twice -- two more times in the peer
5 reviewed literature, as a neurotoxin. Is that
6 something that you're also going to be sending over to
7 the rulemaking process?

8 MR. DeCICCO: Yes.

9 MR. SALSMAN: Great. Okay.

10 MS. FEDERLINE: Sir, have you read the
11 basis for NRC's development of uranium toxicity level
12 in women?

13 MR. SALSMAN: I've read 10 CFR 20. At
14 least most of the print -- non-tabular matter.

15 MS. FEDERLINE: Specifically, have you
16 read the background of the establishment of the
17 uranium toxicity levels?

18 MR. SALSMAN: No. Where can I find that?
19 I don't know whether -- if I've read it or not. Is it
20 in 10 CFR 20?

21 MS. FEDERLINE: It is in the history of
22 the development of 10 CFR 20. I don't have the
23 specific citation to give you, but it is in the
24 history in the statement of consideration in the
25 development.

1 MR. SALSMAN: Is it actually printed in
2 the Code of Federal Regulations or is it in some other
3 matter?

4 MS. FEDERLINE: It's -- it's published as
5 background material for NRC regulations.

6 MR. DeCICCO: They're published in the
7 *Federal Register*.

8 MR. SALSMAN: It's published in the
9 *Federal Register*? Would you like to send me that
10 citation?

11 MS. FEDERLINE: Yes, we'll find that for
12 you. But it would help -- I think -- I'm very
13 concerned that you're walking away from this
14 conversation with the wrong impression.

15 MR. SALSMAN: Hello?

16 (Whereupon, there was interference in the
17 phone lines.)

18 MS. FEDERLINE: -- explained uranium
19 toxicity levels. And many of the things that you've
20 raised have been discussed and considered by the
21 agency in setting those requirements.

22 MR. SALSMAN: That's not true, actually.
23 I mean, are you purporting that the reproductive
24 toxicity was at all a factor in the 10 CFR 20
25 development? Because I have researched that

1 thoroughly. I've talked with people who know quite a
2 bit about that.

3 And if you have any information to the
4 contrary, do you say that this reference that you're
5 going to be sending me says that the -- the
6 reproductive toxicity of uranium -- uranyl compounds
7 was considered in the development of the 10 CFR 20?

8 MS. FEDERLINE: Health effects were
9 primarily considered.

10 MR. SALSMAN: Yes. Primarily
11 nephrotoxicity.

12 MS. FEDERLINE: Yes.

13 MR. SALSMAN: And an acute dose will cause
14 nephrotoxicity, but a smaller dose will be handled by
15 the kidneys with nothing other than morphological
16 changes and no permanent kidney damage over months and
17 months of exposure. And it still accumulates in the
18 cellular nuclides of the genocides.

19 MS. FEDERLINE: But those -- the ones that
20 result in birth defects are -- can be very small
21 numbers over very large time frames. It -- it -- it
22 results from chronic exposure at low levels.

23 MR. SALSMAN: Yes. Absolutely. And also
24 through acute exposures of -- of urinal compounds.
25 When you -- when you get an acute exposure of urinal,

1 it's already in a urinal form. When you get an acute
2 exposure of the -- of the uranic form the -- the plus
3 four oxidation state, then it takes a longer time for
4 the body to digest that and it ends up all in the
5 kidneys at once.

6 You know, I -- I actually -- you know, one
7 of my questions is what is your experience with
8 epidemiology? What is your experience with the
9 (inaudible) of uranium compounds?

10 I mean, obviously, if we're going to be
11 discussing these things, we need to know where our
12 vocabularies are and what we can do. Because, even
13 though I'm just an amateur, if you're an expert, I can
14 use different words than if you're a -- if you're an
15 amateur too in the subject, where, you know, I have to
16 explain things in a different form.

17 And, in fact, you know, the fact that
18 we're both amateurs makes it more difficult, right?
19 So --

20 MS. FEDERLINE: Sir, I'm talking to --

21 MR. SALSMAN: Obviously, the questions
22 that I've been asking are extremely relevant to my
23 ability to support the petition. And the fact that
24 you've stonewalled on the most basis facts -- I mean,
25 what does it -- what does it mean to you that you

1 weren't able to admit that sometimes some laws
2 conflict? You know, it -- it really says a lot.

3 And I hope that the next time you look
4 yourself in the mirror, you ask yourself that
5 question. What did you say about yourself and the way
6 you run your operation by not being able to admit that
7 laws conflict?

8 MS. FEDERLINE: Sir, do you have any more
9 information? Would you like to discuss any more
10 information that relates to the --

11 MR. SALSMAN: Yes, I would. But it's --
12 it's all questions. I told you, you know, until --
13 until I understand your -- your background, until I
14 understand your vocabulary level on the different
15 subjects -- do you have any experience with the --
16 I've just so many things here.

17 Have you consulted with anyone on the
18 topic of teratogen epididymeology in the review of
19 this petition or the last petition?

20 MR. GOLDBERG: Well, we have looked at
21 four studies, just in the last couple of days,
22 published in the *New England Medical Journal* or other
23 journals that deal with health effects; primarily
24 birth defects in Gulf War soldiers and non-Gulf War
25 soldiers.

1 MR. SALSMAN: What was the year? I'm
2 familiar with the *New England Medical Journal* article.
3 I believe that's in the '90s.

4 MR. DeCICCO: Let's see. The first one's
5 1997.

6 MR. SALSMAN: Yes.

7 MR. GOLDBERG: The second one here is
8 again looking at Gulf linkages, I believe this went
9 back to -- the summation of that was a little bit
10 different. Let's see, the CDC report here -- this is
11 1996. Another one here, no differences in Gulf War -
12 non-Gulf War (inaudible), 2000. And finally, we've
13 got another one Clinical Molecular Gerontology, 2003.

14 Mr. DeCicco can send you those references
15 if you'd like.

16 MR. SALSMAN: Please, please. Now did you
17 talk to Dr. Alexander at all?

18 MR. GOLDBERG: No, I haven't.

19 MR. SALSMAN: Okay. And who would you say
20 has the most experience in the chemistry of uranium
21 trioxide gas?

22 MR. GOLDBERG: Well, just tell me, do you
23 have any other birth defect information other than
24 what I've just cited?

25 MR. SALSMAN: Yes, yes, yes. Of course I

1 do, but we only have a few minutes left. I just want
2 to know did anyone talk to Dr. Alexander or not? I
3 mean, I can ask him if you want me to.

4 MR. GOLDBERG: Do you have any additional
5 information? Yes or no?

6 MR. SALSMAN: Yes, I do. And in fact, Dr.
7 Tang [CORR] KANG [CORR] had some. So my next question
8 is did you talk to Dr. Tang about this? Did you call
9 Dr. Tang, the epidemiologist who I complained at
10 length about his research being misrepresented. Did
11 you even talk to him?

12 MR. GOLDBERG: Sir, for the record then,
13 I take it you have no additional information?

14 MR. SALSMAN: I do have some more
15 additional information and I just need to know whether
16 you've already talked to Dr. Tang.

17 MS. FEDERLINE: Sir, part of our process
18 would be that if you had people with information to
19 offer, that you would bring them to the Board. It's
20 not our responsibility to call --

21 MR. SALSMAN: It's not your responsibility
22 to review the petition and to determine whether or not
23 it's accurate and to talk to the people who will be
24 able to tell you whether it's accurate? I think it
25 is.

1 MS. FEDERLINE: We viewed the literature.

2 MR. SALSMAN: May I assume that you did
3 not even speak with Dr. Tang once?

4 MS. FEDERLINE: We have reviewed the
5 literature and we've reviewed independent literature
6 and have come to our conclusions.

7 MR. SALSMAN: So there's an epidemiologist
8 not just a few miles from where you are who knows more
9 about the birth defects that you just asked for than
10 anyone else in the world, and you didn't even bother
11 to talk to him?

12 MR. GOLDBERG: So James, if you'd like to
13 get statements from these people or have them on the
14 line with you, then we're able to get the information.
15 Otherwise, it's not part of the record.

16 MR. SALSMAN: Well, I included a personal
17 statement from Dr. Alexander. Did you do anything to
18 confirm that?

19 MS. FEDERLINE: Well, we would expect that
20 you would be credible and would provide credible
21 information.

22 MR. SALSMAN: Well, I would expect that
23 too since there's a federal penalty for all of us, you
24 know, now that Congress has amended the United States
25 Code; that 18 USC 1001.

1 So, you know, but that's -- that doesn't
2 absolve us from our responsibility to try and confirm
3 things. And it doesn't seem like you're trying very
4 hard to confirm anything. It seems like -- it seems
5 like you're trying to -- I don't know. I'll look at
6 the references that you send me. And then I'm going
7 to be asking for more time to complete this
8 conference. And I will attempt to get Dr. Alexander,
9 who will not be back in town until next -- in the
10 country until next week. And Dr. Tang as well, to
11 participate.

12 I think that you need them, because
13 obviously, you know, if you're unwilling to tell me
14 whether any of you have any industrial hygiene
15 experience, how is that not concealing information?

16 MS. FEDERLINE: I told you that I managed
17 a certified industrial hygiene laboratory.

18 MR. SALSMAN: Is that the best you can do?
19 You managed? I mean, do you understand the chemistry
20 of the different oxidation states of uranium? Do you
21 know which one is more soluble?

22 MS. FEDERLINE: Sir, it's two o'clock.
23 And we have allotted an hour for this conference. We
24 have not received new information that is significant.

25 MR. SALSMAN: I completely disagree and I

1 think you're -- I think you just made a false
2 statement. And I thin that's -- I think I need to
3 talk with your supervisor. And if we can't reach an
4 agreement, I'm going to be going back to the
5 Government Accountability Office or the Office of the
6 Inspector General with that -- with that concern.

7 MS. FEDERLINE: Okay. Well, I regret that
8 this meeting was not more collegial.

9 MR. SALSMAN: I regret that you couldn't
10 answer my simple questions.

11 MS. FEDERLINE: We will not be expending
12 additional time on this petition. Feel free, in the
13 future, if you have additional issues to raise or
14 additional information to file a new petition. But we
15 will not be extending time on this petition.

16 MR. SALSMAN: Thank you for your kind
17 offer.

18 MR. DeCICCO: Okay. I'm going to
19 basically conclude this meeting and was there anybody
20 else on the line?

21 MR. KOMP: Greg is still here.

22 MR. DeCICCO: Okay.

23 MS. FEDERLINE: Do you have any comments?

24 MR. KOMP: No. I think your comments were
25 clear.

1 MR. DeCICCO: Okay.

2 MS. FEDERLINE: Okay. Thank you.

3 MR. KOMP: Thank you.

4 MR. DeCICCO: Is there anybody else on the
5 line? Okay. Then this is the conclusion and we're
6 going to stop the conference. Thank you.

7 MR. KOMP: Thank you.

8 (Whereupon, at approximately 2:00 p.m.,
9 the conference call was concluded.)

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