

JUN 14 2010

MOLLY C. DWYER, CLERK
U.S. COURT OF APPEALS

NOT FOR PUBLICATION
UNITED STATES COURT OF APPEALS
FOR THE NINTH CIRCUIT

JAMES SALSMAN,

Petitioner,

v.

UNITED STATES NUCLEAR
REGULATORY COMMISSION,

Respondent.

No. 08-74043

NRC No. PRM-20-26

MEMORANDUM*

On Petition for Review of an Order of the
Nuclear Regulatory Commission

Submitted May 25, 2010**

Before: CANBY, THOMAS, and W. FLETCHER, Circuit Judges.

James Salsman petitions pro se for review of the Nuclear Regulatory Commission's ("NRC") decision denying his petition for rulemaking to amend NRC's regulations concerning the environmental and exposure limits for heavy

* This disposition is not appropriate for publication and is not precedent except as provided by 9th Cir. R. 36-3.

** The panel unanimously concludes this case is suitable for decision without oral argument. *See* Fed. R. App. P. 34(a)(2). Accordingly, we deny Salsman's request for oral argument.

metal radionuclides, and to reclassify uranium solubility. *See* 10 C.F.R. Part 20.

We dismiss the petition for review for lack of Article III standing because Salsman did not demonstrate that he suffered an “injury in fact” that is concrete and particularized and actual or imminent. *See Lujan v. Defenders of Wildlife*, 504 U.S. 555, 560 (1992).

PETITION FOR REVIEW DISMISSED.