

April 26, 1999

MEMORANDUM FOR: John F. Cordes, Acting Director  
Office of Commission Appellate Adjudication  
  
Karen D. Cyr  
General Counsel

FROM: Annette Vietti-Cook, Secretary /s/

SUBJECT: STAFF REQUIREMENTS - AFFIRMATION SESSION, 2:00 P.M., MONDAY, APRIL 26, 1999,  
COMMISSIONERS' CONFERENCE ROOM, ONE WHITE FLINT NORTH, ROCKVILLE,  
MARYLAND (OPEN TO PUBLIC ATTENDANCE)<sup>(1)</sup>

**I. SECY-99-097 - Shieldalloy Metallurgical Corp. (Cambridge, Ohio Facility), Docket No. 40-8948-MLA, Memorandum and Order (Denying Petition to Intervene), LBP-99-12 (Feb. 23, 1999)**

The Commission approved a Memorandum and Order which denies the appeal of certain citizens of Guernsey County, Ohio ("Citizens") challenging the Presiding Officer's finding that they lacked standing to challenge Shieldalloy Metallurgical Corporation's ("SMC") application to amend its materials license and affirming the Presiding Officer's decision in LBP-99-12.

(Subsequently, on April 26, 1999, the Secretary signed the Memorandum and Order.)

**II. SECY-99-103 - International Uranium (USA) Corporation Petition for Review of LBP-99-5**

The Commission approved an Order which grants the State of Utah's request for Commission review of an LBP-99-5 in which Utah's request to have the International Uranium Corporation's license amendment vacated was denied and sets a briefing schedule.

(Subsequently, on April 26, 1999, the Secretary signed the Memorandum and Order.)

**III. SECY-99-110 - Aharon Ben-haim, Ph.D., Docket No. 1A-97-068, LBP-99-4 Initial Decision (Affirming Enforcement Order with Modifications) (Feb. 8, 1999)**

The Commission approved a Memorandum and Order which denies petitions from the NRC staff and Dr. Aharon Ben-Haim for review of LBP-99-4.

(Subsequently, on April 26, 1999, the Secretary signed the Memorandum and Order.)

**IV. SECY-99-111 - Proposed License to Export High Enriched Uranium (HEU) for Production of Medical Isotopes at the Canadian Maple Reactors (XSNM03060)**

The Commission approved a Memorandum and Order which denies Nuclear Control Institute's (NCI) petition for intervention and request for a hearing in this export license application proceeding and sets a date for a public meeting on the application.

(Subsequently, on April 26, 1999, the Secretary signed the Memorandum and Order.)

**V. SECY-99-116 - North Atlantic Energy Service Corp. (Seabrook Station, Unit 1), Docket No. 50-443, Draft Commission Memorandum and Order Terminating the Proceeding**

The Commission approved a Memorandum and Order terminating this proceeding on the grounds that the sole intervenor in this proceeding has withdrawn from the case.

(Subsequently, on April 26, 1999, the Secretary signed the Memorandum and Order.)

**VI. SECY-99-120 - Boston Edison Company and Entergy Nuclear Generation Company (Pilgrim Nuclear Power Station), Docket No. 50-293, Draft Commission Memorandum and Order Terminating the Proceeding**

The Commission approved a Memorandum and Order terminating this proceeding on the grounds that all petitioners have withdrawn from the case.

(Subsequently, on April 26, 1999, the Secretary signed the Memorandum and Order.)

cc: Chairman Jackson  
Commissioner Dicus  
Commissioner Diaz  
Commissioner McGaffigan  
Commissioner Merrifield  
EDO  
OGC  
CIO  
CFO  
OCAA  
OCA  
OIG  
OPA  
Office Directors, Regions, ACRS, ACNW, ASLBP (via E-Mail)  
PDR - Advance  
DCS - P1-17

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1. Section 201 of the Energy Reorganization Act, 42 U.S.C. Section 5841, provides that action of the Commission shall be determined by a "majority vote of the members present." Chairman Jackson and Commissioners Diaz and McGaffigan were present in the Conference Room. Commissioners Dicus and Merrifield participated in the meeting via speakerphone.