

May 28, 2003

MEMORANDUM FOR: John F. Cordes, Director
Office of Commission Appellate Adjudication

FROM: Andrew L. Bates, Acting Secretary /RA/

SUBJECT: STAFF REQUIREMENTS - AFFIRMATION SESSION, 9:25 A.M., WEDNESDAY, MAY 28, 2003,
COMMISSIONERS' CONFERENCE ROOM, ONE WHITE FLINT NORTH, ROCKVILLE, MARYLAND (OPEN TO
PUBLIC ATTENDANCE)

I. SECY-03-0077 - Private Fuel Storage (Independent Spent Fuel Storage Installation) Docket No. 72-22-ISFSI; Order Regarding Petition for Review

The Commission⁽¹⁾ approved a Memorandum and Order responding to referral to the Commission in a March 10, 2003 order by the Atomic Safety and Licensing Board of a Partial Initial Decision on air crash probability at the proposed Private Fuel Storage (PFS) spent fuel facility in Utah. The Memorandum and Order holds further Commission review of this matter in abeyance until the Board has completed its "consequences" review. The Commission will review all issues relating to air crash risk at that time and directs the Board to expedite its consequences review.

(Subsequently, on May 28, 2003, the Secretary signed the Memorandum and Order.)

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

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 Diaz and Commissioners McGaffigan and Merrifield were present in the Conference Room. Commissioner Dicus participated in the meeting via speakerphone.