

UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

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AFFIRMATION SESSION

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PUBLIC MEETING

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Nuclear Regulatory Commission
Commission Hearing Room
11555 Rockville Pike
Rockville, Maryland
October 24, 2007

The Commission met in open session, pursuant to notice, at 9:25 a.m.,

Dale E. Klein, Chairman, presiding.

COMMISSIONERS PRESENT:

DALE E. KLEIN, Chairman of the Commission

GREGORY B. JACZKO, Member of the Commission

PETER B. LYONS, Member of the Commission

STAFF AND PRESENTERS SEATED AT THE COMMISSION TABLE:

KAREN CYR, General Counsel

ANNETTE VIETTI-COOK, Secretary of the Commission

DISCLAIMER

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The transcript is intended solely for general information purposes. As provided by 10 CFR 9.103, it is not part of the formal or informal record of decision of the matters discussed. Expressions of opinion in this transcript do not necessarily reflect final determination or beliefs. No pleading or other paper may be filed with the Commission in any proceeding as the result of, or addressed to, any statement or argument contained herein, except as the Commission may authorize.

[9:25 a.m.]

PROCEEDINGS

CHAIRMAN KLEIN: Good morning. Before we start with the official open meeting we have two affirmations. Madam Secretary would you begin.

ANNETTE VIETTI-COOK: Yes. The first item is on a final rule – Clarification of NRC Civil Penalty Authority over Contractors and Subcontractors who Discriminate Against Employees for Engaging in Protected Activities. The Commission is being asked to act on a final rule amending the Commission's employee protection regulations in Title 10 of the Code of Federal Regulations to approve the Enforcement Policy Revision to allow the Commission to exercise its authority to impose civil penalties against contractors and subcontractors who violate the employee protection regulations. The Commission has voted to approve the publication and implementation of this final rule subject to the changes noted in the attachment. Would you please affirm your votes?

CHAIRMAN KLEIN: Aye.

COMMISSIONER JACZKO: Aye.

COMMISSIONER LYONS: Aye.

ANNETTE VIETTI-COOK: The second item is on Pa'ina Hawaii, Material License Application. The Commission is being asked to act on a Memorandum and Order calling for the parties' briefs on two questions the Atomic Safety and Licensing Board certified to the Commission in a Memorandum on August 31, 2007. The Commission has voted to approve a Memorandum and Order which provides deadlines and format requirements for initial and reply briefs by the parties. Would you please affirm your votes?

CHAIRMAN KLEIN: Aye.

COMMISSIONER JACZKO: Aye.

COMMISSIONER LYONS: Aye.

ANNETTE VIETTI-COOK: That's all I have.

CHAIRMAN KLEIN: Thank you. Any comments? No.

CERTIFICATE

This is to certify that the attached description of a meeting of the U.S. Nuclear Regulatory Commission entitled:

TITLE OF MEETING:	Affirmation Session
	(PUBLIC MEETING)
PLACE OF MEETING:	Rockville, Maryland
DATE OF MEETING:	October 24, 2007

was held as herein appears, is a true and accurate record of the meeting, and that this is the original transcript thereof taken stenographically by me, thereafter reduced to typewriting by me or under the direction of the court reporting company.

Transcriber: NANCY S. GREATHEAD

Reporter: (TAPE RECORDING)