

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
September 8, 2008

The Commission met in open session, pursuant to notice, at 12:55 p.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

KRISTINE L. SVINICKI, Member of the Commission

STAFF AND PRESENTERS SEATED AT THE COMMISSION TABLE:

KAREN CYR, General Counsel

ANNETTE L. VIETTI-COOK, Secretary of the Commission

DISCLAIMER

This is an unofficial transcript of a meeting of the United States Nuclear Regulatory Commission on October 6, 2008 in the Commission's office at One White Flint North, Rockville, Maryland. The meeting was open to public attendance and observation. This transcript has not been reviewed, corrected or edited, and it may contain inaccuracies.

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.

[12:55 p.m.]

P R O C E E D I N G S

CHAIRMAN KLEIN: Madam Secretary, I believe we have two affirmations. Would you proceed?

MS. VIETTI-COOK: The first one is Oyster Creek, Indian Point, Pilgrim, and Vermont Yankee License Renewals. The Commission is being asked to act on a Memorandum and Order responding to four petitions and a supplemental petition filed jointly by several public interest groups participating in the license renewal proceedings at Oyster Creek, Indian Point, Pilgrim, and Vermont Yankee. The petitioners seek to suspend the adjudicatory proceedings, overhaul the agency's license renewal process, revisit all license renewal safety reviews in conformity with the new process, and revise the safety evaluation reports that have been completed on three of the four referenced proceedings. The Commission has voted to approve a Memorandum and Order which denies the petition. Commissioner Jaczko dissented in part. Would you please affirm your votes?

CHAIRMAN KLEIN: Aye.

COMMISSIONER JACZKO: Aye.

COMMISSIONER LYONS: Aye.

COMMISSIONER SVINICKI: Aye.

MS. VIETTI-COOK. The second item the Commission is being asked to act on a Memorandum and Order responding to an appeal by the Department of Energy of the Pre-License Application Presiding Officer Board's denial of DOE's motion to strike the State of Nevada's Licensing Support Network certification, and Nye County's motion to file an amicus curiae brief in connection with this appeal. The Commission has voted to approve a Memorandum and Order which affirms the Pre-License Application Presiding Officer Board's denial of DOE's motion to strike and denies Nye County's motion for leave to file an amicus curiae brief. Would you please affirm your votes?

CHAIRMAN KLEIN: Aye.

COMMISSIONER JACZKO: Aye.

COMMISSIONER LYONS: Aye.

COMMISSIONER SVINICKI: Aye.

MS. VIETTI-COOK. The second item is Energy Solutions Radioactive Waste Import/Export. The Commission is being asked to act on a Memorandum and Order holding in abeyance EnergySolutions' applications requesting an NRC license to import low-level radioactive waste from Italy for processing and ultimate disposal in Utah and an accompanying export license to return any low level waste that cannot be disposed of in Utah to Italy. The Commission has voted to approve a Memorandum and Order holding the applications and the hearing requests in abeyance until further notice. Would you please affirm your votes?

CHAIRMAN KLEIN: Aye.

COMMISSIONER JACZKO: Aye.

COMMISSIONER LYONS: Aye.

COMMISSIONER SVINICKI: Aye.

MS. VIETTI-COOK. That's all I have. Thank you.

CHAIRMAN KLEIN: Any comments? Meeting's adjourned.

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 6, 2008

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: DARLENE K. WRIGHT

Reporter: (TAPE RECORDING)