

UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

AFFIRMATION SESSION

PUBLIC MEETING

Nuclear Regulatory Commission
Commission Hearing Room
11555 Rockville Pike
Rockville, Maryland
October 23, 2012

The Commission met in open session, pursuant to notice, at 9:25 a.m.,
Allison M. Macfarlane, Chairman, presiding.

COMMISSIONERS PRESENT:

ALLISON M. MACFARLANE, Chairman of the Commission

KRISTINE L. SVINICKI, Member of the Commission

GEORGE E. APOSTOLAKIS, Member of the Commission

WILLIAM D. MAGWOOD, IV, Member of the Commission

WILLIAM C. OSTENDORFF, Member of the Commission

STAFF AND PRESENTERS SEATED AT THE COMMISSION TABLE:

MARIAN ZOBLER, Acting 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.]

P R O C E E D I N G S

CHAIRMAN MACFARLANE: Good Morning, before we get started with the briefings this morning, we have two items for affirmation and I will turn it over to Annette Vietti-Cook, our secretary.

MS. VIETTI-COOK: The first item is on Exelon Generation Company, Limerick Generating Station, Units 1 and 2. The Commission is being asked to act on a Memorandum and Order responding to appeals by Exelon Generation Company and the NRC Staff of the Atomic Safety and Licensing Board's decision in LBP-12-8, which granted a hearing to the Natural Resources Defense Council. The Commission has voted to approve a Memorandum and Order, which reverses the Board's decision, with a limited remand to the Board. Would you please affirm your votes?

CHAIRMAN MACFARLANE: Aye.

COMMISSIONER SVINICKI: Aye.

COMMISSIONER APOSTOLAKIS: Aye

COMMISSIONER MAGWOOD: Aye.

COMMISSIONER OSTENDORFF: Aye

MS. VIETTI-COOK: The second item is a Final Rule: Distribution of Source Material to Exempt Persons and to General Licensees and Revision of General License and Exemptions. The Commission is being asked to act on a final rule amending the regulations in Title 10 of the *Code of Federal Regulations* (10 CFR), Parts 30, 40, 70, 170, and 171 to require that the initial distribution of source material to exempt persons or to general licensees be explicitly authorized by a specific license, which includes new reporting requirements. The rule revises, clarifies, or deletes certain source material exemptions from licensing to make the exemptions more risk

informed. 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 MACFARLANE: Aye.

COMMISSIONER SVINICKI: Aye.

COMMISSIONER APOSTOLAKIS: Aye

COMMISSIONER MAGWOOD: Aye.

COMMISSIONER OSTENDORFF: Aye

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

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 23, 2012

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: Clara I. Sola

Reporter: (TAPE RECORDING)