

IN RESPONSE, PLEASE
REFER TO: M940401B

April 1, 1994

MEMORANDUM FOR: William C. Parler, General Counsel
Stephen G. Burns, Director
Office of Commission Appellate Adjudication

FROM: John C. Hoyle, Assistant Secretary \s\

SUBJECT: STAFF REQUIREMENTS - AFFIRMATION/DISCUSSION
AND VOTE, 11:30 A.M., FRIDAY, APRIL 1, 1994,
COMMISSIONERS' CONFERENCE ROOM, ONE WHITE
FLINT NORTH, ROCKVILLE, MARYLAND (OPEN TO
PUBLIC ATTENDANCE)

I. SECY-94-046 - Final Rule on Equal Access to Justice Act
(10 CFR Part 12)

The Commission, by a 4-0 vote, approved a final rule implementing the Equal Access to Justice Act that allows persons who prevail against the Government in certain agency adjudicatory proceedings to recover attorney fees and other costs.

The attached modifications to the final rule should be made, the FRN should be reviewed by the Rules, Review and Directives Branch, ADM, and be returned to the SECY for signature and publication.

(OGC)

(SECY Suspense: 4/22/94)

II. SECY-94-043 - Sequoyah Fuels Corp. -- Petition for Review
of LBP-93-25

The Commission, by a 4-0 vote, approved an order granting a petition for review of LBP-93-25. The Board order granted Sequoyah Fuels Corporation's request to withdraw its license renewal application and thereby terminated the proceeding. The petition for review was submitted by the Native Americans for a Clean Environment (NACE) and the Cherokee Nation, intervenors in the proceeding.

(Subsequently, on April 1, 1994, the Assistant Secretary signed the Order.)

Attachment:

As stated

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cc: The Chairman
Commissioner Rogers
Commissioner Remick
Commissioner de Planque
EDO
OCA
OIG
Office Directors, Regions, ACRS, ACNW, ASLBP (via E-Mail)
PDR - Advance
DCS - P1-24