

IN RESPONSE, PLEASE  
REFER TO: M931203

December 6, 1993

MEMORANDUM FOR: William C. Parler  
General Counsel

FROM: Samuel J. Chilk, Secretary \s\

SUBJECT: STAFF REQUIREMENTS - AFFIRMATION/DISCUSSION  
AND VOTE, 10:30 A.M., FRIDAY, DECEMBER 3,  
1993, COMMISSIONERS' CONFERENCE ROOM, ONE  
WHITE FLINT NORTH, ROCKVILLE, MARYLAND (OPEN  
TO PUBLIC ATTENDANCE)

I. SECY-93-314 - In the Matter of State of New Jersey, etc.,  
Docket No. MISC. 93-01

The Commission, by a 4-0\* vote, approved an order that responds to a petition for leave to intervene and request for an adjudicatory hearing, filed by the State of New Jersey Department of Law and Public Safety, regarding the shipment of slightly irradiated nuclear fuel assemblies by barge from Shoreham to Limerick. The Order denies New Jersey's request for late intervention and a hearing.

(Subsequently, on December 3, 1993, the Secretary signed the Order.)

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

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\* 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." Commissioner Remick was not present when this item was affirmed. Accordingly, the formal vote of the Commission was 3-0 in favor of the decision. Commissioner Remick, however, had previously indicated that he would approve this paper and had he been present he would have affirmed his prior vote.