

1 UNITED STATES OF AMERICA  
2 NUCLEAR REGULATORY COMMISSION

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4 OFFICE OF THE SECRETARY

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6 AFFIRMATION SESSION

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8 PUBLIC MEETING

9  
10 Nuclear Regulatory Commission  
11 One White Flint North, Bldg 1, Room 1F-16  
12 11555 Rockville Pike  
13 Rockville, Maryland

14  
15 Monday, November 27, 2000

16  
17 The Commission met in open session, pursuant to  
18 notice, at 9:35 a.m., the Honorable RICHARD A. MESERVE,  
19 Chairman of the Commission, presiding.

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21 COMMISSIONERS PRESENT:

22 RICHARD A. MESERVE, Chairman of the Commission  
23 NILS J. DIAZ, Member of the Commission  
24 EDWARD McGAFFIGAN, JR., Member of the Commission  
25 JEFFREY S. MERRIFIELD, Member of the Commission

1 P R O C E E D I N G S  
2 AFFIRMATION SESSION

3 [9:00 a.m.]

4 CHAIRMAN MESERVE: Good morning. We have a little  
5 bit of business before we turn to our briefing for this  
6 morning.

7 We have I think two matters to be dealt with by  
8 way of affirmation.

9 Madam Secretary, will you proceed?

10 SECRETARY COOK: The Commission is being asked to  
11 act on a memorandum and order responding to three petitions  
12 to intervene and one petition to participate as a  
13 governmental entity in the license transfer proceeding for  
14 the Indian Point 3 and Fitzpatrick Nuclear Plants.

15 Petitions to intervene were received from the  
16 Citizens Awareness Network, the Nuclear Generation Employees  
17 Association, along with three individual members of the  
18 association Local 1-2 of the Utility Workers of America and  
19 the Town of Cortlandt and the Hendrick Hudson School  
20 District filing together. The union recently withdrew its  
21 petition to intervene. Also, Westchester County has sought  
22 to participate as a governmental entity, although not as an  
23 intervenor.

24 The Commission has voted to approve a memorandum  
25 and order which grants in part and denies in part various

1 aspects of these petitions.

2 The memorandum and order finds that all remaining  
3 petitioners have demonstrated standing and that each has  
4 advanced at least one admissible issue.

5 Westchester's petition for governmental  
6 participant status is also granted.

7 The memorandum and order sets the case for  
8 hearing.

9 Would you please affirm your votes.

10 [Chorus of ayes.]

11 [No noes.]

12 SECRETARY COOK: Commissioner Dicus had previously  
13 voted to approve this memorandum and order and had she been  
14 present would have affirmed her prior vote.

15 The second item the Commission is being asked to  
16 act on, an order responding to petitions to intervene and  
17 request for hearing submitted by Mr. Mark Oncavage and  
18 Joette Lorion in setting schedule requirements for the  
19 hearing, the Commission has voted to approve an order which  
20 refers the petitions to the Chief Administrative Judge of  
21 the Atomic Safety and Licensing Board Panel for assignment  
22 of an Atomic Safety and Licensing Board to rule on these and  
23 any additional requests for hearing and petitions for leave  
24 to intervene and if a hearing is granted to conduct the  
25 proceeding.

1           In addition, the order provides the Licensing  
2 Board with guidance for the conduct of any proceeding if the  
3 hearing is granted and a suggested schedule for any such  
4 proceeding.

5           Would you please affirm your votes.

6           [Chorus of ayes.]

7           [No noes.]

8           SECRETARY COOK: Again Commissioner Dicus had  
9 previously voted to approve this memorandum and order and  
10 had she been present would have affirmed her prior vote.

11          That is all I have.

12          CHAIRMAN MESERVE: Good. Thank you very much.

13          [Whereupon, at 9:05 a.m., the affirmation session  
14 was concluded.]

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