

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

7  
8 Nuclear Regulatory Commission  
9 One White Flint North  
10 Commissioners Hearing Room  
11 11555 Rockville Pike  
12 Rockville, Maryland

13  
14 Monday, December 4, 2000

15  
16 The above-entitled Commission met in open session,  
17 pursuant to notice, at 1:59 p.m., the Honorable RICHARD A.  
18 MESERVE, Chairman of the Commission, presiding.

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20 COMMISSIONERS PRESENT:

21 RICHARD A. MESERVE, CHAIRMAN  
22 GRETA J. DICUS, Member 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 STAFF AND PRESENTERS:

2 ANNETTE L. VIETTI-COOK, Secretary  
3 KAREN D. CYR, General Counsel  
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## P R O C E E D I N G S

[1:59 p.m.]

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3 CHAIRMAN MESERVE: Before we proceed with today's  
4 session, we do have one affirmation matter that we should  
5 handle. Madam Secretary, you may proceed.

6 SECRETARY VIETTI-COOK: The Commission is being  
7 asked to act on a final rule amending 10 CFR Part 26 to  
8 ensure compatibility with changes in the Department of  
9 Health and Human Services Guidelines, to reduce regulatory  
10 burden in some areas; to clarify original intent of the  
11 rule; and improve overall program effectiveness and  
12 efficiency.

13 In addition, the rule also grants a December 30th,  
14 1993 petition for rulemaking submitted by Virginia Power, by  
15 changing the audit frequency of fitness for duty programs  
16 from one year to three years.

17 The Commission has voted to approve the  
18 publication and implementation of this final rule, subject  
19 to the comments and changes provided.

20 Commissioner Diaz disapproved, in part, because he  
21 did not believe the worthwhile changes passed the backfit  
22 test. Would you please affirm your votes.

23 [Vote affirmed 5 to zero.]

24 SECRETARY VIETTI-COOK: That's all I have.

25 CHAIRMAN MESERVE: Very good.

1 [Whereupon, at 2:01 p.m., the affirmation was  
2 concluded.]  
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