

April 9, 1991

MEMORANDUM FOR: William C. Parler, General Counsel
FROM: Samuel J. Chilk, Secretary /S/
SUBJECT: STAFF REQUIREMENTS - AFFIRMATION/DISCUSSION
AND VOTE, 11:30 A.M., WEDNESDAY, APRIL 3,
1991, COMMISSIONERS' CONFERENCE ROOM, ONE
WHITE FLINT NORTH, ROCKVILLE, MARYLAND (OPEN
TO PUBLIC ATTENDANCE)

I. SECY-91-069 - Appeal of a Licensing Board Decision on
Standing to Intervene

The Commission, by a 4-0* vote, approved an order which dismissed Mr. Saporito's appeal of a Licensing Board decision (LBP-91-2) which denied a request by him for a hearing and leave to intervene in proposed amendments to the Turkey Point Plant Technical Specifications.

(Subsequently, on April 3, 1991, the Secretary signed the Order.)

* Section 201 of the Energy Reorganization Act, 42 U.S.C. Sec. 5841, provides that action of the Commission shall be determined by a "majority vote of the members present." Chairman Carr was not present when this item was affirmed. Accordingly, the formal vote of the Commission was 3-0 in favor of the decision. Chairman Carr, however, had previously indicated that he would approve this paper and had he been present he would have affirmed his prior vote.

II. SECY-91-070 - Appeal from a Licensing Board Order (LBP-9-11) in the Shoreham Proceeding

The Commission, by a 4-0* vote, approved an order responding to an appeal by the Shoreham-Wading River Central School District and the Scientists and Engineers for Secure Energy from a Licensing Board decision, LBP-91-1. The order denied the appeal as interlocutory.

(Subsequently, on April 3, 1991, the Secretary signed the Order.)

cc: Chairman Carr
Commissioner Rogers
Commissioner Curtiss
Commissioner Remick
GPA
EDO
ACRS
PDR - Advance
DCS - P1-24

* Section 201 of the Energy Reorganization Act, 42 U.S.C. Sec. 5841, provides that action of the Commission shall be determined by a "majority vote of the members present." Chairman Carr was not present when this item was affirmed. Accordingly, the formal vote of the Commission was 3-0 in favor of the decision. Chairman Carr, however, had previously indicated that he would approve this paper and had he been present he would have affirmed his prior vote.