

UNITED STATES
NUCLEAR REGULATORY COMMISSION
WASHINGTON, D.C. 20555

June 15, 1990

MEMORANDUM FOR: William C. Parler, General Counsel

FROM: Samuel J. Chilk, Secreta

SUBJECT: STAFF REQUIREMENTS - AFFIRMATION/DISCUSSION
AND VOTE, 11:30 A.M., FRIDAY, JUNE 8, 1990,
COMMISSIONERS' CONFERENCE ROOM, ONE WHITE
FLINT NORTH, ROCKVILLE, MARYLAND (OPEN TO
PUBLIC ATTENDANCE)

I. SECY-90-168 Board Referral of Motion to Reopen the
Seabrook Record Based on Certain Known Defects in Rosemount
Transmitters

The Commission, by a 4-0 vote,* approved an order which
concludes that the requested reopening of the Seabrook record
is not warranted. Commissioner Remick abstained.

The Commission was asked to act on an order which responds to
an Appeal Board Memorandum and Order (ALAB-930) which referred
to the Commission a motion by the Seabrook intervenors to
reopen the record and admit a late filed contention regarding
defective Rosemount transmitters.

(Subsequently, on June 8, 1990, the Secretary signed the
order.)

cc: Chairman Carr
Commissioner Roberts
Commissioner Rogers
Commissioner Curtiss
Commissioner Remick
EDO
GPA
ACRS
PDR - Advance

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