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

May 10, 1989

MEMORANDUM FOR: William C. Parler, General Counsel

FROM: Samuel J. Chilk, Secretary

SUBJECT: STAFF REQUIREMENTS - AFFIRMATION/DISCUSSION
AND VOTE, 3:30 P.M., WEDNESDAY, MAY 3, 1989
COMMISSIONERS' CONFERENCE ROOM, ONE WHITE
FLINT NORTH, ROCKVILLE, MARYLAND (OPEN TO
PUBLIC ATTENDANCE)

1. SECY-89-125 Reconsideration of Decommissioning Funding
Order CLI-88-10

The Commission by a 5-0 vote* approved an order which denies the "Second Motion for Reconsideration of CLI-88-1011 filed on March 3, 1989 by the Attorney General of Massachusetts. The motion requested that the Commission reconsider the decommissioning funding requirements for the Seabrook Station and remand the issue of low-level waste generation and disposal to the Licensing Board for litigation.

(Subsequently on May 3, 1989 the Secretary signed the Order.)

cc: Chairman Zech
Commissioner Roberts
Commissioner Carr
Commissioner Rogers
Commissioner Curtiss
EDO
GPA
PDR - Advance
DCS - P1-24

*"Section 201 of the Energy Reorganization Act, 42 USC Section 5841, provides that action of the Commission shall be determined by a 'majority vote of the members present.' Commissioner Carr was not present when this item was affirmed. Accordingly, the formal vote of the Commission was 4-0 in favor of the decision.

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commissioner Carr, however, had previously indicated that he would approve this paper and had he-been present he would have affirmed his prior vote."