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

March 13, 1989

MEMORANDUM FOR: William C. Parler, General Counsel
FROM: Samuel J. Chilk, Secretary
SUBJECT: STAFF REQUIREMENTS - AFFIRMATION/
DISCUSSION AND VOTE, 2:30 P.M., MONDAY,
MARCH 6, 1989, COMMISSIONERS' CONFERENCE
ROOM, ONE WHITE FLINT NORTH, ROCKVILLE,
MARYLAND (OPEN TO PUBLIC ATTENDANCE)

1. SECY-89-72 Commission Ruling on Intervenors, Motion for Directed Certification of Scheduling Issue

The Commission, by a 4-0 vote,* approved a response to intervenors' motion for directed certification of issues raised by a scheduling order of the Licensing Board relating to the hearing on offsite emergency planning. The order denies the motion.

Commissioner Curtiss did not participate in this matter.

(Subsequently, on March 6, 1989, 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." 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.

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11. SECY-89-57 Reconsideration of Decommissioning Funding Order CLI-88-10

The Commission, by a 5-0 vote,* approved an order acting on motions to reconsider its December 21, 1988, decision (CLI-88-10) which established decommissioning funding

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requirements for the Seabrook station. The order denies the motions to reconsider.

(Subsequently, on March 6, 1989, the Secretary signed the Order.)

cc: Chairman Zech
Commissioner Roberts
commissioner Carr
Commissioner Rogers
Commissioner Curtiss
EDO
GPA
PDR - Advance
DCS - Pl-124

* 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." Commissioner Roberts was not present when this item was affirmed. Accordingly the formal vote of the Commission was 4-0 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.