

June 27, 2001

MEMORANDUM FOR: John F. Cordes, Director
Office of Commission Appellate Adjudication

FROM: Annette L. Vietti-Cook, Secretary **/RA/**

SUBJECT: STAFF REQUIREMENTS - AFFIRMATION SESSION, 1:55 P.M.,
WEDNESDAY, JUNE 27, 2001, COMMISSIONERS'
CONFERENCE ROOM, ONE WHITE FLINT NORTH,
ROCKVILLE, MARYLAND (OPEN TO PUBLIC ATTENDANCE)

I. SECY-01-0108 - Private Fuel Storage (Independent Spent Fuel Storage Installation)
Docket No. 72-22; Review of LBP-01-19

The Commission¹ approved an Order responding to a May 31, 2001, order from the Atomic Safety and Licensing Board which referred to the Commission the Board's ruling on where to set the regulatory standard for aircraft crash hazards at applicant Private Fuel Storage, L.L.C.'s proposed independent spent fuel storage installation site.

Consistent with the Commission's policy to accept Board certifications and referrals where "early resolution" of issues is desirable, the Commission approved an order granting review and setting the case for briefing.

(Subsequently, on June 27, 2001, the Secretary signed the Order.)

cc: Chairman Meserve
Commissioner Dicus
Commissioner Diaz
Commissioner McGaffigan
Commissioner Merrifield
EDO
OGC
CFO
OCA
OIG
OPA
Office Directors, Regions, ACRS, ACNW, ASLBP (via E-Mail)
PDR

¹ Section 201 of the Energy Reorganization Act, 42 U.S.C. Section 5841, provides that action of the Commission shall be determined by a "majority vote of the members present." Commissioner Diaz was not present when this item was affirmed. Accordingly the formal vote of the Commission was 3-0 in favor of the decision. Commissioner Diaz, however, had previously indicated that he would approve this paper and had he been present he would have affirmed his prior vote.