

UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

AFFIRMATION SESSION

PUBLIC MEETING

Nuclear Regulatory Commission
Commission Hearing Room
11555 Rockville Pike
Rockville, Maryland
Thursday, February 5, 2004

The Commission met in open session, pursuant to notice, at 10:45 a.m.,
Nils J. Diaz, Chairman, presiding.

COMMISSIONERS PRESENT:

NILS J. DIAZ, Chairman

EDWARD MCGAFFIGAN, JR., Member of the Commission

JEFFREY S. MERRIFIELD, Member of the Commission (VIA TELECON)

STAFF AND PRESENTERS SEATED AT THE COMMISSION TABLE:

ANNETTE L. VIETTI-COOK, Secretary of the Commission

KAREN D. CYR, General Counsel

DISCLAIMER

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The transcript is intended solely for general information purposes. As provided by 10 CFR 9.103, it is not part of the formal or informal record of decision of the matters discussed. Expressions of opinion in this transcript do not necessarily reflect final determination or beliefs. No pleading or other paper may be filed with the Commission in any proceeding as the result of, or addressed to, any statement or argument contained herein, except as the Commission may authorize.

[10:45 a.m.]

P R O C E E D I N G S

CHAIRMAN DIAZ: Good morning. Madame Secretary, please proceed.

MS. VIETTI-COOK: Commissioner Merrifield, can you hear me okay?

COMMISSIONER MERRIFIELD: I can hear you.

MS. VIETTI-COOK: Okay. The Commission is being asked to act on a Memorandum and Order responding to Petitions for Review filed by the State of Utah and Ohngo Gaudadeh Devia which present numerous issues for consideration. The Commission has voted to approve a Memorandum and Order which denies the review for the most part, but grants review and requests further briefs on two issues related to NEPA concerns raised in Utah contention U bases 2, and cost-benefit issues raised in Utah contentions CC and SS. Would you please affirm your votes?

CHAIRMAN DIAZ: Aye.

COMMISSIONER MCGAFFIGAN: Aye.

MS. VIETTI-COOK: Commissioner Merrifield, would you please affirm your vote?

COMMISSIONER MERRIFIELD: Aye.

MS. VIETTI-COOK: That's all I have.

CHAIRMAN DIAZ: All right, thank you. Do my fellow Commissioners have any additional comments? If not, we're adjourned.

CERTIFICATE

This is to certify that the attached description of a meeting of the U.S. Nuclear Regulatory Commission entitled:

TITLE OF MEETING: Affirmation Session
(PUBLIC MEETING)
PLACE OF MEETING: Rockville, Maryland
DATE OF MEETING: February 5, 2004

was held as herein appears, is a true and accurate record of the meeting, and that this is the original transcript thereof taken stenographically by me, thereafter reduced to typewriting by me or under the direction of the court reporting company.

Transcriber: DARLENE K. WRIGHT

Reporter: (TAPE RECORDING)