

UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

AFFIRMATION SESSION

PUBLIC MEETING

Nuclear Regulatory Commission
Commission Hearing Room
11555 Rockville Pike
Rockville, Maryland
Tuesday, March 2, 2004

The Commission met in open session, pursuant to notice, at 9:25 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

STAFF AND PRESENTERS SEATED AT THE COMMISSION TABLE:

ANNETTE L. VIETTI-COOK, Secretary of the Commission

KAREN D. CYR, General Counsel

DISCLAIMER

This is an unofficial transcript of a meeting of the United States Nuclear Regulatory Commission on March 2, 2004 in the Commission's office at One White Flint North, Rockville, Maryland. The meeting was open to public attendance and observation. This transcript has not been reviewed, corrected or edited, and it may contain inaccuracies.

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.

[9:25 a.m.]

P R O C E E D I N G S

CHAIRMAN DIAZ: Before we meet for the business of the day, I think, Madame Secretary, we have an affirmation to conduct?

MS. VIETTI-COOK: Yes. This is on Private Fuels Storage. The Commission is being asked to act on a Memorandum and Order responding to an appeal by Mr. William D. Peterson of the Atomic Safety and Licensing Board's January 30, 2004 decision to deny Mr. Peterson's petition to license Pigeon Spur Storage Facility. The Commission has voted to approve a Memorandum and Order which affirms the Licensing Board's decision. Would you please affirm your votes?

CHAIRMAN DIAZ: Aye.

COMMISSIONER MCGAFFIGAN: Aye.

COMMISSIONER MERRIFIELD: Aye.

MS. VIETTI-COOK: The Commission is being asked to act on a Memorandum and Order responding to motions by the applicants for early site permits in North Anna, Clinton, and Grand Gulf to apply the new Part 2 rules to hearings in these proceedings. The Commission has voted to approve a Memorandum and Order which directs that the new Part 2 rules apply to all three early site permit applications. Would you please affirm your votes?

CHAIRMAN DIAZ: Aye.

COMMISSIONER MCGAFFIGAN: Aye.

COMMISSIONER MERRIFIELD: Aye.

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

CHAIRMAN DIAZ: Thank you.

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: March 2, 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)