

UNITED STATES OF AMERICA  
NUCLEAR REGULATORY COMMISSION

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AFFIRMATION SESSION

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PUBLIC MEETING

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Nuclear Regulatory Commission  
Commission Hearing Room  
11555 Rockville Pike  
Rockville, Maryland  
Wednesday, March 24, 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

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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.

[9:25 a.m.]

P R O C E E D I N G S

CHAIRMAN DIAZ: Good morning. Before we have our meeting we have a couple of items of affirmation. Madame Secretary, will you please lead us through it?

MS. VIETTI-COOK: The two items are on Private Fuel Storage Independent Spent Fuel Storage Installation. The Commission is being asked to act on a Memorandum and Order responding to Ohngo Gaudadeh Devia's motion to reopen the case record on contention "O" -- environmental justice. The Commission has voted to approve a Memorandum and Order which denies Ohngo Gaudadeh Devia's motion to reopen the record on Contention "O." 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 appeals by Private Fuel Storage and the State of Utah for review of a series of Atomic Safety and Licensing Board decisions on financial assurance. The Commission has voted to approve a Memorandum and Order which grants review of Private Fuel Storage's claims of error and denies review of Utah's claims of error. 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, Madame Secretary.

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 24, 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)