

UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

AFFIRMATION SESSION

PUBLIC MEETING

Nuclear Regulatory Commission
Commission Hearing Room
11555 Rockville Pike
Rockville, Maryland
January 19, 2005

The Commission met in open session, pursuant to notice, at 2:55pm,
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 January 19, 2005 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.

[2:55p.m.]

P R O C E E D I N G S

CHAIRMAN DIAZ: Madam Secretary, please.

MS. VIETTI-COOK: This is the proposed order resolving Public Citizen's Request for Hearing on the Commission's July 2, 2004, Spent Fuel Security Order.

The Commission is being asked to act on a Memorandum and Order responding to a request for hearing from Public Citizen related to the July 2, 2004 NRC Order to four licensees imposing enhanced security measures for spent nuclear fuel shipments. The hearing request raises a procedural issue regarding the use of Orders as opposed to notice-and-comment rulemaking.

The Commission has voted to approve a Memorandum and Order which finds Public Citizen's contention is without merit.

Would you please affirm your votes?

CHAIRMAN DIAZ: Aye

COMMISSIONER MCGAFFIGAN: Aye.

COMMISSIONER MERRIFIELD: Aye.

CHAIRMAN DIAZ: Madam Secretary, that's it? 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: January 19, 2005

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: NANCY GREATHEAD

Reporter: (TAPE RECORDING)