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
September 22, 2009

The Commission met in open session, pursuant to notice, at 9:25 a.m., Gregory B. Jaczko, Chairman, presiding.

COMMISSIONERS PRESENT:

GREGORY B. JACZKO, Chairman of the Commission

DALE E. KLEIN, Member of the Commission

KRISTINE L. SVINICKI, Member of the Commission

STAFF AND PRESENTERS SEATED AT THE COMMISSION TABLE:

STEPHEN G. BURNS, General Counsel

ANNETTE L. VIETTI-COOK, Secretary of the Commission

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 JACZKO: Madam Secretary, we have two items for affirmation.

MS. VIETTI-COOK: The first item for affirmation is SECY-09-0059. The Commission is being asked to act on a final rule to provide alternate fracture toughness requirements for protection against pressurized thermal shock events for pressurized-water reactor vessels. This final rule provides alternate PTS requirements based on updated analysis methods. The Commission has voted to approve, with Chairman Jaczko disapproving, the publication and implementation of this final rule, and certifies that this rule will not have a significant impact on a substantial number of small entities. Would you please affirm your votes?

CHAIRMAN JACZKO: Aye.

COMMISSIONER KLEIN: Aye.

COMMISSIONER SVINICKI: Aye.

MS. VIETTI-COOK: The second item is SECY-09-0087. The Commission is being asked to act on a final rule that would make it a Federal crime to, without authorization, willfully carry, transport or otherwise introduce or cause to be introduced any dangerous weapon, explosive, or other dangerous instrument or material likely to produce substantial injury or damage to persons or property, into or upon certain facilities or installations subject to the regulatory authority of the Nuclear Regulatory Commission. The Commission has voted to approve the publication and implementation of this final rule, subject to the comments and changes noted in the attachment. Would you please affirm your votes?

CHAIRMAN JACZKO: Aye.

COMMISSIONER KLEIN: Aye.

COMMISSIONER SVINICKI: Aye.

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

CHAIRMAN JACZKO. 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: September 22, 2009

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)