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
November 17, 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:

JOSEPH R. GRAY, Acting General Counsel

ANNETTE L. VIETTI-COOK, Secretary of the Commission

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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: We will begin. We have two items for affirmation.

MS. VIETTI-COOK: The first item is Detroit Edison (Fermi Nuclear Power Plant, Unit 3). The Commission is being asked to act on a Memorandum and Order addressing the Detroit Edison Company appeal for the Licensing Board's decision granting the request for hearing and petition for leave to intervene in this combined license proceeding. The Commission has voted to approve a Memorandum and Order affirming the Board's decision. Would you please affirm your votes?

CHAIRMAN JACZKO: Aye.

COMMISSIONER KLEIN: Aye.

COMMISSIONER SVINICKI: Aye.

MS. VIETTI-COOK: On the second item is In The Matter Of David Geisen. The Commission is being asked to act on a Memorandum and Order responding to a request by the NRC Staff for a stay of the effectiveness of the Atomic Safety and Licensing Board's initial decision in LBP-09-24 setting aside the enforcement order against David Geisen. The Commission has voted to approve a Memorandum and Order, which denies the NRC Staff's Stay Application. Would you please affirm your votes?

CHAIRMAN JACZKO: Aye.

COMMISSIONER KLEIN: Aye.

COMMISSIONER SVINICKI: Aye.

MS. VIETTI-COOK. 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: November 17, 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: Antoinette Lewis

Reporter: (TAPE RECORDING)