UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

*****

AFFIRMATION SESSION

***

PUBLIC MEETING

***

Nuclear Regulatory Commission
Commission Hearing Room
11555 Rockville Pike
Rockville, Maryland
September 15, 2010

The Commission met in open session, pursuant to notice, at 8:45 a.m., Gregory B. Jaczko, Chairman, presiding.

COMMISSIONERS PRESENT:

GREGORY B. JACZKO, Chairman of the Commission

KRISTINE L. SVINICKI, Member of the Commission, participated via speakerphone.

GEORGE APOSTOLAKIS, Member of the Commission

WILLIAM D. MAGWOOD, IV, Member of the Commission

WILLIAM C. OSTENDORFF, 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

This is an unofficial transcript of a meeting of the United States Nuclear Regulatory Commission on September 15, 2010 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.

[8:45 a.m.]

P R O C E E D I N G S

CHAIRMAN JACZKO: Well we are here this morning to have an affirmation on Waste Confidence.

MS. VIETTI-COOK: Commissioner Svinicki can you hear me okay?

COMMISSIONER SVINICKI: Yes I can.

MS. VIETTI-COOK: Okay, I will call you out separately at the end.

COMMISSIONER SVINICKI: Okay.

MS. VIETTI-COOK: This is on the Final Update of the Commission's Waste Confidence Decision. The Commission is being asked to act on an update of the Commission's 1990 Waste Confidence findings and a final rule amending 10 CFR 51.23(a). The Commission has voted to approve the final update and final rule for publication in the *Federal Register*, subject to the changes and comments noted in the attachment.

Would you please affirm your votes?

CHAIRMAN JACZKO: Aye.

COMMISSIONER APOSTOLAKIS: Aye.

COMMISSIONER MAGWOOD: Aye.

COMMISSIONER OSTENDORFF: Aye.

MS. VIETTI-COOK: Commissioner Svinicki would you please affirm your vote?

COMMISSIONER SVINICKI: Aye.

MS. VIETTI-COOK: Thank you.

COMMISSIONER SVINICKI: Thank you.

CHAIRMAN JACZKO: Kristine I just want to make a comment if you just want to stick on the line for a minute. This is I think a really very good decision by the Commission and I want to thank all my colleagues in particular Commissioner Svinicki who really initially had this idea to go in this direction. I think it was great the way the Commission came together and worked in a collaborate process to come together with a really unanimous position about how we go forward on such a difficult and important issue so I want to thank everyone for their efforts today. I think this has really been a good effort by the Commission. Would anyone like to make any comments?

COMMISSIONER SVINICKI: Mr. Chairman?

CHAIRMAN JACZKO: Yes.

COMMISISONER SVINICKI: Yes and well, thank you. I just want to second what you said and I appreciate your very gracious recognition for you and I it's been a very long road to get to today but I want to compliment our new colleagues on really coming up to speed quickly on a very complex issue so I second what you say. Thank you.

CHAIRMAN JACZKO: Thank you, we will let you go. Thanks very much for your time.

COMMISSIONER SVINICKI: Ok, thank you.

CHAIRMAN JACZKO: Sure.

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 15, 2010

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)