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 27, 2011

The Commission met in open session, pursuant to notice, at 8:55 a.m., Gregory B. Jaczko, Chairman, presiding.

COMMISSIONERS PRESENT:

GREGORY B. JACZKO, Chairman of the Commission

KRISTINE L. SVINICKI, Member of the Commission

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:

STEVE 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 27, 2011, 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.

[8:55 a.m.]

P R O C E E D I N G S

CHAIRMAN JACZKO: Good morning, before we begin the Mandatory Hearing, we have 3 items for affirmation.

ANNETTE VIETTI-COOK: The first item is on Southern Nuclear Operating Co. Vogtle Electric Generating Plant, Units 3 and 4 – . The Commission is being asked to act on a Memorandum and Order responding to an appeal by the Blue Ridge Environmental Defense League, Georgia Women's Action for New Directions, and the Center for a Sustainable Coast of the Atomic Safety and Licensing Board's decision in LBP-10-21 denying their motion to reopen this combined license proceeding. The Commission has voted to approve a Memorandum and Order, which affirms the Board's decision. Would you please affirm your votes?

CHAIRMAN JACZKO: Aye.

COMMISSIONER SVINICKI: Aye.

COMMISSIONER APOSTOLAKIS: Aye.

COMMISSIONER MAGWOOD: Aye.

COMMISSIONER OSTENDORFF: Aye.

ANNETTE VIETTI –COOK: In Luminant Generation Company LLC (Comanche Peak Nuclear Power Plant, Units 3 & 4. The Commission is being asked to act on a Memorandum and Order responding to a petition for review by the Sustainable Energy and Economic Development Coalition, Public Citizen, True Cost of Nukes, and Texas State Representative Lon Burnam of an Atomic Safety and Licensing Board decision in the Comanche Peak combined license proceeding. The Commission has voted to approve a Memorandum and Order which denies the petition for review and affirms the Board's decision in LBP-10-5. The applicant is directed to review the non-public version of this decision and, within seven days, advise whether the decision may be fully released to the public. Commissioner Magwood did not participate in this

matter. Would Chairman Jaczko, Commissioner Svinicki, Commissioner Apostolakis and Commissioner Ostendorff, please affirm your votes?

CHAIRMAN JACZKO: Aye.

COMMISSIONER SVINICKI: Aye.

COMMISSIONER APOSTOLAKIS: Aye.

COMMISSIONER OSTENDORFF: Aye.

ANNETTE VIETTI –COOK: The third item is Progress Energy Florida, Inc. Levy County Nuclear Power Plant, Units 1 and 2. The Commission is being asked to act on a Memorandum and Order responding to a petition for review by the NRC Staff of the Atomic Safety and Licensing Board's decision in LBP-10-20. The Commission has voted to approve a Memorandum and Order, which denies the Staff's petition for review. Would you please affirm your votes?

CHAIRMAN JACZKO: Aye.

COMMISSIONER SVINICKI: Aye.

COMMISSIONER APOSTOLAKIS: Aye.

COMMISSIONER MAGWOOD: Aye.

COMMISSIONER OSTENDORFF: Aye.

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 27, 2011

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: Natalie Mitchell-Funderburk

Reporter: (TAPE RECORDING)