

UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

AFFIRMATION SESSION

PUBLIC MEETING

Nuclear Regulatory Commission
Commission Hearing Room
11555 Rockville Pike
Rockville, Maryland
August 26, 2014

The Commission met in open session, pursuant to notice, at 10:00 a.m.,
Allison M. Macfarlane, Chairman, presiding.

COMMISSIONERS PRESENT:

ALLISON M. MACFARLANE, Chairman of the Commission

KRISTINE L. SVINICKI, Member of the Commission

WILLIAM D. MAGWOOD, IV, Member of the Commission (via telecom)

WILLIAM C. OSTENDORFF, Member of the Commission

STAFF AND PRESENTERS SEATED AT THE COMMISSION TABLE:

MARIAN ZOBLER, Acting General Counsel

ANNETTE VIETTI-COOK, Secretary of the Commission

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[10:00 a.m.]

PROCEEDINGS

ANNETTE VIETTI-COOK: Commissioner Magwood can you hear me Ok?

Commissioner Magwood: Yes, I can.

ANNETTE VIETTI-COOK: Ok, the first we are going to do the continued storage of spent fuel items, first.

The first items the Commission is being asked to act on a final rule amending 10 CFR Part 51 to revise the generic determination on the environmental impacts of continued storage of spent nuclear fuel beyond the licensed life for operation of a reactor.

The Commission (with Chairman Macfarlane approving in part and disapproving in part) has voted to approve the publication implementation publication of this final rule and its associated generic environmental impact statement, subject to the changes noted in the attachment.

ANNETTE VIETTI-COOK: Would you please affirm your votes?

CHAIRMAN MACFARLANE: Aye.

COMMISSIONER SVINICKI: Aye.

COMMISSIONER OSTENDORFF: Aye.

ANNETTE VIETTI-COOK: Commissioner Magwood would you please affirm your vote?

COMMISSIONER MAGWOOD: Aye.

ANNETTE VIETTI-COOK: Ok, the second Item is continued Storage of Spent Nuclear Fuel, as well.

The Commission is being asked to act on a Memorandum and Order lifting the suspension on final licensing decisions that the Commission imposed in CLI-12-16 and providing direction with respect to “continued storage” contentions that are currently held in abeyance in twenty-one adjudications before the Commission and the Atomic Safety and Licensing Boards.

The Commission has voted to approve a Memorandum and Order that lifts the suspensions imposed in CLI-12-16 as of the effective date of the Continued Storage Rule. Further, the Commission provides direction on the resolution of the pending “continued storage” contentions.

ANNETTE VIETTI-COOK: Would you please affirm your votes?

CHAIRMAN MACFARLANE: Aye.

COMMISSIONER SVINICKI: Aye.

COMMISSIONER OSTENDORFF: Aye.

ANNETTE VIETTI-COOK: Commissioner Magwood would you please affirm your vote?

COMMISSIONER MAGWOOD: Aye.

ANNETTE VIETTI-COOK: Ok, now I have two direct final rules.

The Commission is being asked to act on a direct final rule and companion proposed rule amending 10 CFR Parts 30, 37, 73, and 150 to remove the Safeguards Information – Modified Handling designation of the security-related information for large irradiators, manufacturers and distributors, and for transport of category 1 quantities of radioactive material.

The Commission has voted to approve the publication and implementation of this direct final rule and companion proposed rule, subject to the changes noted in the attachments.

ANNETTE VIETTI-COOK: Would you please affirm your votes?

CHAIRMAN MACFARLANE: Aye.

COMMISSIONER SVINICKI: Aye.

COMMISSIONER OSTENDORFF: Aye.

ANNETTE VIETTI-COOK: Commissioner Magwood would you please affirm your vote?

COMMISSIONER MAGWOOD: Aye.

ANNETTE VIETTI-COOK: The fourth item is a direct, is the Commission is being asked to act on a direct final rule and companion proposed rule amending 10 CFR Part 50.2 to add SHINE Medical Technologies, Inc.'s proposed accelerator-driven subcritical operating assemblies to the definition of a "utilization facility." This rule will allow the U.S. Nuclear Regulatory Commission staff to conduct an efficient and effective licensing review of the SHINE construction permit application and subsequent operating license application under 10 CFR Part 50, "Domestic Licensing of Production and Utilization Facilities."

The Commission has voted to approve the publication and implementation of this direct final rule, and the companion proposed rule, subject to the changes noted in the attachments.

ANNETTE VIETTI-COOK: Would you please affirm your votes?

CHAIRMAN MACFARLANE: Aye.

COMMISSIONER SVINICKI: Aye.

COMMISSIONER OSTENDORFF: Aye.

ANNETTE VIETTI-COOK: Commissioner Magwood would you please affirm your vote?

COMMISSIONER MAGWOOD: Aye.

ANNETTE VIETTI-COOK: That's all I have, Thank you for calling in.

CHAIRMAN MACFARLANE: Alright, Thank you.

