

UNITED STATES OF AMERICA  
NUCLEAR REGULATORY COMMISSION

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Title: AFFIRMATION/DISCUSSION AND VOTE

Location: ROCKVILLE, MARYLAND

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AFFIRMATION/DISCUSSION AND VOTE

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PUBLIC MEETING

Nuclear Regulatory Commission  
One White Flint North  
Rockville, Maryland

Thursday, September 16, 1993

The Commission met in open session,  
pursuant to notice, at 11:30 a.m., Ivan Selin,  
Chairman, presiding.

COMMISSIONERS PRESENT:

IVAN SELIN, Chairman of the Commission  
FORREST J. REMICK, Commissioner  
KENNETH C. ROGERS, Commissioner

STAFF SEATED AT THE COMMISSION TABLE:

SAMUEL J. CHILK, Secretary  
WILLIAM C. PARLER, General Counsel  
JAMES M. TAYLOR, Executive Director  
for Operations

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P-R-O-C-E-E-D-I-N-G-S

(11:30 a.m.)

CHAIRMAN SELIN: All right. Mr. Secretary?

SECRETARY CHILK: The one item before the Commission is SECY-93-254, Vermont Yankee Nuclear Power Corporation, Licensing Board memorandum regarding termination of licensing amendment proceeding.

The Commission is being asked to act on a memorandum and order that provides additional guidance for the staff and Licensing Board in reponse to the issues in Licensing Board Panel 93-16.

All the Commissioners have approved the memorandum and order, attached to our September the 16th memorandum. The memorandum and order notes that the Licensing Board was correct in concluding that it lacked jurisdiction to address the issue of the withdrawal of the licensing amendment, however, the Board erred in concluding that staff approval of Vermont Yankee's withdrawal request had the effect of "terminating the proceeding". The Board itself has the jurisdiction to terminate the proceedings.

Ordinarily the Commission would remand the proceeding to the Licensing Board with instructions to

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1 issue an order terminating the proceeding, however, in  
2 the interest of efficiency, the Commission has  
3 exercised its own authority and thereby takes that  
4 action.

5 Would you please affirm your votes?

6 (Ayes.)

7 CHAIRMAN SELIN: Thank you.

8 (Whereupon, the above entitled matter was  
9 adjourned at 11:32 a.m.)

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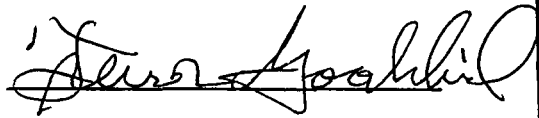
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of the United States Nuclear Regulatory Commission entitled:

TITLE OF MEETING: AFFIRMATION/DISCUSSION AND VOTE

PLACE OF MEETING: ROCKVILLE, MARYLAND

DATE OF MEETING: SEPTEMBER 16, 1993

were transcribed by me. I further certify that said transcription  
is accurate and complete, to the best of my ability, and that the  
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