

ORIGINAL

**UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION**

Title: Affirmation/Discussion and Vote

Location: Washington, D. C.

Date: Thursday, March 17, 1988

Pages: 1 - 4

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UNITED STATES OF AMERICA

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NUCLEAR REGULATORY COMMISSION

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AFFIRMATION / DISCUSSION AND VOTE

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PUBLIC MEETING

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Nuclear Regulatory Commission

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Room 1130

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1717 H Street, N.W.

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Washington, D.C.

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March 17, 1988

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The Commission met in open session, pursuant to

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notice, at 3:33 p.m., the Honorable LANDO W. ZECH, JR.,

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Chairman of the Commission, presiding.

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Commissioners Present:

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LANDO W. ZECH, Chairman

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THOMAS M. ROBERTS, Commissioner

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FREDERICK M. BERNTHAL, Commissioner

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KENNETH ROGERS, Commissioner

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KENNETH M. CARR, Commissioner

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Staff and presenters seated at table:

S. J. CHILK - SECY

W. C. PARLER - OGC

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P R O C E E D I N G S

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[3:33 p.m.]

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CHAIRMAN ZECH: Good afternoon, ladies and gentlemen. This is an affirmation session. I understand we have one item to affirm this afternoon. Before I ask the Secretary to walk us through that item, do any of my fellow Commissioners have any comments to make?

9

[No response.]

10

CHAIRMAN ZECH: If not, Mr. Secretary, you may proceed.

12

MR. CHILK: Mr. Chairman, before I lead you through the item, I request that the Commission vote to hold this item which is SECY 88-78 on less than one week's notice.

16

[A chorus of ayes.]

17

MR. CHILK: The subject for affirmation is SECY 88-78, it's an NRC staff's application for a stay of the effectiveness of the Licensing Board Memorandum in order.

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The Commission hear is being asked to act on the stay which responds to the NRC staff's application for a stay of the effectiveness of a Licensing Board Memorandum in order dated February 11th, 1988 that granted the request of the Finley Testing Laboratories for discovery of certain investigatory materials in an on-going

1 adjudicatory proceeding.

2 All Commissioners have approved an order with
3 modifications attached in which -- which in the special
4 circumstances of this case, grants a stay until
5 April 11th, 1988 or until the staff informs the Licensing
6 Board that the Department of Justice investigation has
7 been completed, such that the adjudication in this docket
8 can be completed whichever occurs first.

9 The Order notes also that no further delay will
10 be granted.

11 Would you please affirm your votes.

12 [A chorus of ayes.]

13 CHAIRMAN ZECH: Anything else to come before us?

14 MR. CHILK: I have nothing, sir.

15 CHAIRMAN ZECH: If not, we stand adjourned.

16 [Whereupon at 3:35 p.m., the hearing was
17 adjourned.]

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REPORTER'S CERTIFICATE

This is to certify that the attached events of a meeting of the U.S. Nuclear Regulatory Commission entitled:

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PLACE OF MEETING: Washington, D.C.

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were held as herein appears, and that this is the original transcript thereof for the file of the Commission taken stenographically by me, thereafter reduced to typewriting by me or under the direction of the court reporting company, and that the transcript is a true and accurate record of the foregoing events.



MARIO RODRIGUEZ

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