UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

Title: AFFIRMATION/DISCUSSION AND VOTE

Location: ROCKVILLE, MARYLAND

Date: APRIL 17, 1989

Pages: 1 - 5

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UNITED STATES OF AMERICA

NUCLEAR REGULATORY COMMISSION

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AFFIRMATION/DISCUSSION AND VOTE

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PUBLIC MEETING

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Nuclear Regulatory Commission

One White Flint North

Rockville, Maryland

Monday, April 17, 1989

The Commission met in open session, pursuant to notice, at 4:40 p.m., the Honorable LANDO W. ZECH, JR., Chairman of the Commission, presiding.

COMMISSIONERS PRESENT:

LANDO W. ZECH, JR., Chairman of the Commission

THOMAS M. ROBERTS, Member of the Commission

KENNETH M. CARR, Member of the Commission

KENNETH C. ROGERS, Member of the Commission

STAFF AND PRESENTERS SEATED AT THE COMMISSION TABLE:

SAMUEL J. CHILK, Secretary

WILLIAM C. PARLER, General Counsel

P R O C E E D I N G S

(4:40 p.m.)

CHAIRMAN ZECH: Good afternoon, ladies and gentlemen.

This is an affirmation session. We have one item to come before us this afternoon. Before I ask the Secretary to walk us through the item, do any of my fellow Commissioners have any comments to make?

(No response.)

If not, Mr. Secretary, you may proceed.

MR. CHILK: Mr. Chairman, we need to vote to hold this meeting on short notice, with less than one week's notice. May I have your votes?

(Chorus of ayes.)

MR. CHILK: Thank you.

The matter before the Commission is a Commission Order responding to a motion to quash a subpoena. The Commission is being asked to act on an order responding to a motion of Mr. Stephen B. Comley, to quash a Subpoena Duces Tecum issued to him on March 24, 1989, during an internal NRC investigation.

Chairman Zech, Commissioners Roberts, Carr and Rogers, it is my understanding you have approved an order which modifies and narrows the original subpoena, and denies the motion to quash.

Commissioner Curtiss is on travel and unable to participate.

A new return date of 1:00 p.m., Eastern Daylight Time, April 24, 1989, at the Office of the United States Attorney for the District of Massachusetts is established. Would you please affirm your votes.

(Chorus of ayes.)

CHAIRMAN ZECH: Do we have anything else to come before us this afternoon?

MR. CHILK: I have nothing further.

CHAIRMAN ZECH: If not, thank you very much.

We stand adjourned.

(Whereupon, at 4:42 p.m., the meeting was adjourned.)

CERTIFICATE OF TRANSCRIBER

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TITLE OF MEETING: AFFIRMATION/DISCUSSION AND VOTE

PLACE OF MEETING: ROCKVILLE, MARYLAND

DATE OF MEETING: APRIL 17, 1989

were transcribed by me. I further certify that said transcription is accurate and complete, to the best of my ability, and that the transcript is a true and accurate record of the foregoing events.

Phyllis Young

Reporter's name: PHYLLIS YOUNG