

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  
December 23, 2015

The Commission met in open session, pursuant to notice, at 10:30 AM., Stephen G. Burns, Chairman, presiding.

COMMISSIONERS PRESENT:

STEPHEN G. BURNS, Chairman of the Commission

KRISTINE L. SVINICKI, Member of the Commission

WILLIAM C. OSTENDORFF, Member of the Commission

JEFF BARAN, Member of the Commission

STAFF AND PRESENTERS SEATED AT THE COMMISSION TABLE:

TRIP ROTHSCHILD, Acting General Counsel

ANNETTE VIETTI-COOK, Secretary of the Commission

## DISCLAIMER

This is an unofficial transcript of a meeting of the United States Nuclear Regulatory Commission on December 23, 2015, 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.

[10:30 a.m.]

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

CHAIRMAN BURNS: I call this affirmation session to order and ask that the Secretary lead us through the items before us for affirmation, and I believe we have Commissioner Ostendorff on the phone.

COMMISSIONER OSTENDORFF: That's correct.

CHAIRMAN BURNS: Thanks, please proceed.

ANNETTE VIETTI-COOK: The first item is SECY-15-144 – AEROTEST OPERATIONS, INC. – APPLICATION FOR INDIRECT LICENSE TRANSFER. The Commission is being asked to act on a Memorandum and Order responding to the joint demand for hearing of Aerotest Operations, Inc. and Nuclear Labyrinth, LLC on the Staff's denial of the license transfer application for the Aerotest Radiograph and Research Reactor. The Commission has voted to approve a Memorandum and Order that remands the license transfer application to the Staff, without prejudice, and directs the Staff to provide Aerotest and Nuclear Labyrinth an opportunity to supplement the application. Would the Commissioners in the room please affirm your votes?

CHAIRMAN BURNS: Aye.

COMMISSIONER SVINICKI: Aye.

COMMISSIONER BARAN: Aye.

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

COMMISSIONER OSTENDORFF: Aye.

The second item is on DTE Electric Company (Fermi Nuclear Power Plant, Unit 2). The Commission is being asked to act on a Memorandum and Order addressing Beyond Nuclear's motion to reopen the record and propose a new contention regarding the 2014 Continued Storage Rule and associated Generic Environmental Impact Statement. The Commission has

voted to approve a Memorandum and Order that denies the motion and petition. Would the Commissioners in the room please affirm your votes?

CHAIRMAN BURNS: Aye.

COMMISSIONER SVINICKI: Aye.

COMMISSIONER BARAN: Aye.

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

COMMISSIONER OSTENDORFF: Aye.

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

CHAIRMAN BURNS: Before we adjourn, I would like to acknowledge the long service of our colleague, Trip Rothschild. Who although not an original member of the NRC, joined the NRC in the year it was formed, as I recall. Trip is retiring at the end of the year. I had the pleasure of working with him when I was General Counsel and other capacities in OGC and other offices. We wish him well. Thanks Trip (Applause)

COMMISSIONER SVINICKI: Trip is trying to escape the room as quickly as possible. I want to say in my experience he has been very original.

CHAIRMAN BURNS: We are adjourned – Congrats Trip.

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: December 23, 2015

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.

***/RA/***

Transcriber: Patricia J. Jimenez

Reporter: (TAPE RECORDING)