




UNITED STATES  
NUCLEAR REGULATORY COMMISSION  
WASHINGTON, D.C. 20555

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IN RESPONSE, PLEASE  
REFER TO: M840816C

August 20, 1984

OFFICE OF THE  
SECRETARY

MEMORANDUM FOR THE RECORD

FROM: Samuel J. Chilk, Secretary 

SUBJECT: STAFF REQUIREMENTS - AFFIRMATION/DISCUSSION  
AND VOTE, 3:30 P.M., THURSDAY, AUGUST 16,  
1984, COMMISSIONERS' CONFERENCE ROOM, D.C.  
OFFICE (OPEN TO PUBLIC ATTENDANCE)

I. SECY-84-203 - Directors' Denial of 2.206 Relief (In the  
Matter of Pacific Gas and Electric Company)

The Commission, by a vote of 3-1-1\* (Commissioner Roberts disapproving; Commissioner Zech not participating), approved an order that reviews a Director's Denial of a 2.206 Petition (DD-84-8).

The Order directs the staff to reclassify the severity level of a material false statement and to issue a notice of violation to the licensee.

(Subsequently, on August 20, 1984, the Secretary signed the Order.)

\* Section 201 of the Energy Reorganization Act, 42 USC Sec. 5841, provides that action of the Commission shall be determined by a "majority vote of the members present." Commissioner Roberts was not present when this item was affirmed. Accordingly the formal vote of the Commission was 3-0 in favor of the decision. Commissioner Roberts, however, had previously indicated that he would disapprove this paper and had he been present he would have affirmed his prior vote.

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II. SECY-84-254 - ALAB-763 (In the Matter of Pacific Gas and Electric Company)

The Commission, by a vote of 3-1-1\* (Commissioner Asselstine disapproving; Commissioner Zech not participating), approved an order responding to petitions for review of ALAB-763.

The Order denies the petitions for review, but modifies a portion of the Appeal Board decision regarding the rationale for excluding from the reopened hearing certain QA contentions filed by the Joint Intervenors and the Governor of California.

(Subsequently, on August 20, 1984, the Secretary signed the Order.)

III. SECY-84-296/296A - Shoreham: LILCO's Motion for Reconsideration of Commission's July 18 Memorandum and Order

The Commission, by a vote of 4-0-1\*\* (Chairman Palladino not participating), approved an order denying a July 19, 1984 LILCO motion to reconsider the Commission's July 18, 1984 Memorandum and Order concerning the scope of security issues to be litigated in the Shoreham exemption request proceeding.

(Subsequently, on August 20, 1984, the Secretary signed the Order.)

\* Section 201 of the Energy Reorganization Act, 42 USC Sec. 5841, provides that action of the Commission shall be determined by a "majority vote of the members present." Commissioner Roberts was not present when this item was affirmed. Accordingly the formal vote of the Commission was 2-1 in favor of the decision. Commissioner Roberts, however, had previously indicated that he would approve this paper and had he been present he would have affirmed his prior vote.

\*\* Section 201 of the Energy Reorganization Act, 42 USC Sec. 5841, provides that action of the Commission shall be determined by a "majority vote of the members present." Commissioner Roberts was not present when this item was affirmed. Accordingly the formal vote of the Commission was 3-0 in favor of the decision. Commissioner Roberts, however, had previously indicated that he would approve this paper and had he been present he would have affirmed his prior vote.



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IV. Waste Confidence Decision

The Commission, by a vote of 4-0-1\* (Commissioner Zech not participating), approved a final waste confidence decision and an associated rulemaking concerning the requirements for disposition of spent fuel upon expiration of reactor operating licenses.

The Commission agreed that after allowing Commissioners three days to review the final draft, the Secretary could sign the decision and final rule.

cc: Chairman Palladino  
Commissioner Roberts  
Commissioner Asselstine  
Commissioner Bernthal  
Commissioner Zech  
Commission Staff Offices  
EDO  
PDR - Advance  
DCS - 016 Phillips

\* Section 201 of the Energy Reorganization Act, 42 USC Sec. 5841, provides that action of the Commission shall be determined by a "majority vote of the members present." Commissioner Roberts was not present when this item was affirmed. Accordingly the formal vote of the Commission was 3-0 in favor of the decision. Commissioner Roberts, however, had previously indicated that he would approve this paper and had he been present he would have affirmed his prior vote.





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50-275/323 Diablo Canyon

MEMORANDUM FOR: Chief, Document Management Branch, TIDC  
FROM: Director, Division of Rules and Records, ADM  
SUBJECT: REVIEW OF UTILITY EMERGENCY PLAN DOCUMENTATION

The Division of Rules and Records has reviewed the attached document and has determined that it may now be made publicly available.



J. M. Felton, Director  
Division of Rules and Records  
Office of Administration

Attachment: As stated

