

NUCLEAR REGULATORY COMMISSION

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COMMISSION MEETING

In the Matter of: PUBLIC MEETING

AFFIRMATION SESSION 81-21

DATE: June 4, 1981 PAGES: 1 - 4

AT: Washington, D. C.

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UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

AFFIRMATION SESSION 81-21

PUBLIC MEETING

Nuclear Regulatory Commission
Room 1130
1717 H Street, N.W.
Washington, D. C.

Thursday, June 4, 1981

The Commission met, pursuant to notice, at 2:25
p.m.

BEFORE:

JOSEPH M. HENDRIE, Chairman of the Commission
VICTOR GILINSKY, Commissioner
JOHN F. AHEARNE, Commissioner
PETER A. BRADFORD, Commissioner

ALSO PRESENT:

LEONARD BICKWIT
Office of General Counsel
DENNIS RATHBUN
MR. SALTZMAN
MR. DIRCKS
MR. CHILK

DISCLAIMER

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P R O C E E D I N G S

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2 CHAIRMAN HENDRIE: On the affirmation list, the
3 first item, the draft decision in the matter of the GPU
4 federal tort claim, we will put that at the end of this
5 session. It needs discussion.

6 Please strike 81-220, Commission review of ALAB
7 603 from your list. Please strike 81-249. Do the other two
8 stand?

9 MR. CHILK: The only one is Shewmon.

10 CHAIRMAN HENDRIE: All right. Strike 81-336,
11 South Texas matter. Sam, please lead us in the reading of
12 item (d).

13 MR. CHILK: This is a memorandum on the conflict
14 of interest exemption for Dr. Paul Shewmon, ACRS member,
15 where the Commission has, by a three to nothing vote, with
16 Commissioner Gilinsky abstaining, agreed to grant Dr.
17 Shewmon an exemption from Section 208 of Title 18, U. S.
18 Code, so he might be permitted to review work performed by
19 Argonne. Would you please affirm your votes?

20 (A chorus of ayes.)

21 CHAIRMAN HENDRIE: So ordered. Very good.

22 Now with regard to a discussion of the draft
23 decision on the GPU tort claim, it seems to me that since
24 the Commissioners would like to discuss the draft decision,
25 various points of view about any possible language in a

1 matter which is not only a litigation matter but in which I
2 have been named as one of four, and my share is \$1 billion
3 potentially.

4 COMMISSIONER AHEARNE: It's one of five.

5 CHAIRMAN HENDRIE: Oh, well, thank goodness. That
6 changes the whole thing. Len, it struck me that this might
7 better be a discussion in which we would have to ask for a
8 closed meeting. What is your recommendation?

9 MR. BICKWIT: That is my recommendation.

10 CHAIRMAN HENDRIE: I would then ask -- well, let
11 me tell you what I plan to do. I plan to ask the
12 Commissioners to join me in voting to close the discussion
13 of the draft decision on the tort claim, under exemption 10
14 of the Commission's regulations, meetings in the Sunshine
15 Act, about litigation matters, to have a discussion which
16 will run, I would guess, about 20 to 25 minutes and then to
17 come back into public session if the Commission is agreed on
18 a draft decision.

19 We will then affirm it at that time in public
20 session and we will then follow that with a return to the
21 discussion on the need for power paper.

22 So that's what I plan to do for the information of
23 those who wonder where their afternoons are going to go. I
24 will now ask the Commissioners to join me in voting to close
25 the discussion on the draft decision.

1 Those in favor?

2 (A chorus of ayes.)

3 COMMISSIONER BRADFORD: St. Lucie?

4 CHAIRMAN HENDRIE: St. Lucie, I thought it would
5 be better that we pull.

6 Okay, so ordered on the closed meeting.

7 (Whereupon, the Commission moved into a closed
8 session.)

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NUCLEAR REGULATORY COMMISSION

This is to certify that the attached proceedings before the
COMMISSION MEETING

in the matter of: PUBLIC MEETING - AFFIRMATION SESSION 81-21

Date of Proceeding: June 4, 1981

Docket Number: _____

Place of Proceeding: Washington, D. C.

were held as herein appears, and that this is the original transcript thereof for the file of the Commission.

Susan Harris

Official Reporter (Typed)

Susan Harris

Official Reporter (Signature)