

NUCLEAR REGULATORY COMMISSION

ORIGINAL

RETURN TO SECRETARIAT RECORDS  
COMMISSION MEETING

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In the Matter of: AFFIRMATION SESSION - 81-20  
PUBLIC MEETING

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DATE: May 28, 1981 PAGES: 1 - 5  
AT: Washington, D. C.

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400 Virginia Ave., S.W. Washington, D. C. 20024

Telephone: (202) 554-2345

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UNITED STATES OF AMERICA  
NUCLEAR REGULATORY COMMISSION

AFFIRMATION SESSION - 81-20

PUBLIC MEETING

Nuclear Regulatory Commission  
Room 1130  
1717 H Street, N. W.  
Washington, D. C.  
Thursday, May 28, 1981

The Commission met, pursuant to notice, at  
3:40 p.m.

BEFORE:

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

STAFF PRESENT:

S. CHILK  
L BICKWIT

\* \* \*

DISCLAIMER

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P R O C E E D I N G S

1  
2 CHAIRMAN HENDRIE: If we can come back to order,  
3 the Commission has an affirmation session which it needs to  
4 conduct.

5 MR. CHILK: The first paper is SECY 81-284,  
6 request for a hearing in the matter of Consumers Power,  
7 which the Commission has before it. It is a request for a  
8 hearing with a three to one vote in which Commissioner  
9 Bradford dissented. It was decided to refer it to the  
10 Safety Licensing Panel for a determination. Commissioner  
11 would have preferred to deny the petition without further  
12 action.

13 Would you please affirm your vote.

14 (Chorus of Ayes.)

15 CHAIRMAN HENDRIE: So ordered.

16 MR. <sup>Chilk</sup> COLLINS: The second one is 81-291, approval  
17 under Section 145B of the Atomic Energy Act to grant access  
18 to RD and other classified information to designated Members  
19 of Congress. The Commission is being asked to grant Members  
20 of Congress with oversight responsibilities Q access  
21 authorization.

22 Commissioners have agreed with a modified proposal  
23 by Commissioner Ahearne in which they have determined it is  
24 clearly consistent with the national interests to grant  
25 access to restricted data and other classified information

1 to Members of the subcommittees listed in the paper and to  
2 delegate to the EDO and the Deputy EDO the authority to  
3 grant access authorization to the Members who request it for  
4 so long as they serve as Members of the committees.

5           Would you please affirm your vote.

6           (Chorus of Ayes.)

7           CHAIRMAN HENDRIE: Now I guess I do the next item.

8           MR. CHILK: Let me take up the Madden FOIA appeal.

9           CHAIRMAN HENDRIE: Well, you need a vote on it.

10          MR. CHILK: Yes, I do.

11          CHAIRMAN HENDRIE: We would like to consider as an  
12 additional affirmation item the Madden FOIA appeal, SECY  
13 81-298.

14          In order to consider it I will ask you to join me  
15 in voting to hold an affirmation session on this item on  
16 less than one week's notice.

17          Those in favor say Aye.

18          (Chorus of Ayes.)

19          CHAIRMAN HENDRIE: So ordered.

20          Go ahead, Sam.

21          MR. CHILK: SECY 81-298, the Commission has  
22 unanimously approved withholding the 16 documents under  
23 Exemption 5. While concurring with the Commission's action,  
24 Commissioner Ahearne in referring to the release of  
25 budgetary information stated he still believes the budgetary

1 items should not be released.

2           Would you please affirm your vote.

3           (Chorus of Ayes.)

4           MR. CHILK: The last item is SECY 81-220,  
5 Commission review of ALAB-603, St. Lucie Nuclear Power  
6 Plant. The Chairman, Commissioner Bradford and Commissioner  
7 Aheane have approved a memorandum and order. Commissioner  
8 Ahearne has also provided additional views. Commissioner  
9 Gilinsky is preparing separate views which I do not believe  
10 the Commissioners have seen.

11           What is the pleasure of the Commission? Are you  
12 prepared to affirm it subject to those views or what are  
13 your desires?

14           CHAIRMAN HENDRIE: I am prepared to go ahead.  
15 Vic, you can add your comments when you have them.

16           COMMISSIONER BRADFORD: If there is no great push  
17 one way or the other, I guess I would just as soon see the  
18 comments before we affirm.

19           *Commissioner Aheane*  
~~CHAIRMAN HENDRIE:~~ I am with Peter there.

20           CHAIRMAN HENDRIE: All right, we will not affirm  
21 that one.

22           That concludes the affirmation session.

23           Now, I have one more piece of business. I would  
24 like to have two votes because there is another item of  
25 business that we ought to take up here, a discussion of

1 response to Duke Power's request for a waiver exception or  
2 exemption from the full provisions of Appendix B to 10  
3 C.F.R. Part 2.

4 I would ask you, first of all, to join me in  
5 voting to hold this meeting on less than one week's notice.

6 Those in favor?

7 (Chorus of Ayes.)

8 CHAIRMAN HENDRIE: So ordered.

9 Secondly, because it is an adjudicatory matter, I  
10 will ask you to join me in voting to close the meeting under  
11 Exemption 10 of the Sunshine Act and the Commission's  
12 regulations.

13 Those in favor?

14 (Chorus of Ayes.)

15 CHAIRMAN HENDRIE: So ordered.

16 (Whereupon, at 3:45 p.m., the affirmation session  
17 concluded.)

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NUCLEAR REGULATORY COMMISSION

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

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in the matter of: Affirmation Session - 81-20

Date of Proceeding: May 28, 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.

Mary C. Simons

Official Reporter (Typed)

Mary C Simons

Official Reporter (Signature)