

NUCLEAR REGULATORY COMMISSION

ORIGINAL

COMMISSION MEETING

In the Matter of:

AFFIRMATION SESSION

PUBLIC MEETING

DATE: July 17, 1980

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AT: Washington, D. C.

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1 UNITED STATES OF AMERICA
2 NUCLEAR REGULATORY COMMISSION

3 AFFIRMATION SESSION

4 PUBLIC MEETING

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6 Nuclear Regulatory Commission
7 Room 1130
8 1717 H Street, N. W.
9 Washington, D. C.

Thursday, July 17, 1980

10 The Commission met, pursuant to notice, at 2:05
11 p.m.

12 BEFORE:

- 13 JOHN F. AHEARNE, Chairman of the Commission
- 14 VICTOR GILINSKY, Commissioner
- 15 JOSEPH M. HENDRIE, Commissioner
- 16 PETER A. BRADFORD, Commissioner

17 STAFF PRESENT:

- 18 S. CHILK, Secretary
- 19 E. HANBAHAN
- 20 M. MALSCH
- 21 L. BICKWIT, General Counsel

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DISCLAIMER

This is an unofficial transcript of a meeting of the United States Nuclear Regulatory Commission held on July 17, 1980 in the Commission's offices at 1717 H Street, N. W., Washington, D. C. 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 informational 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 determinations 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.

1 CHAIRMAN AHEARNE: The Commission will first work
2 its way through a number of affirmation items. In order to
3 do so, we first must vote to hold in less than one week's
4 notice for three items.

5 One, Dairyland Power Corporation.

6 All in favor?

7 COMMISSIONER HENDRIE: Aye.

8 COMMISSIONER BRADFORD: Aye.

9 CHAIRMAN AHEARNE: Two on the reappointment of an
10 ACRS member.

11 All in favor?

12 COMMISSIONER HENDRIE: Aye.

13 COMMISSIONER BRADFORD: Aye.

14 CHAIRMAN AHEARNE: Sam.

15 MR. CHILK: The first item is SECY-80-17B, which
16 is a policy statement regarding criteria for Evaluation
17 Agreement States Program. The Commission has unanimously
18 approved the publication of the policy statement as revised
19 by suggestions of OPE.

20 Would you please affirm your votes?

21 CHAIRMAN AHEARNE: Aye

22 COMMISSIONER HENDRIE: Aye.

23 COMMISSIONER BRADFORD: Aye.

24 MR. CHILK: The second is SECY-80-157B dealing
25 with FOIA appeal by Dr. Welt. A majority of the Commission,

1 the Chairman, Commission Gilinsky, and Commission have
2 approved the recommendation of the paper to deny Dr. Welt's
3 FOIA appeal. Commissioner Bradford did not concur in that.

4 Would you please affirm your votes.

5 CHAIRMAN AHEARNED: Aye.

6 COMMISSIONER HENDRIE: Aye.

7 COMMISSIONER BRADFORD: Aye.

8 MR. CHILK: The next one is SECY-78-590 and 590A,
9 rek-reducing procedural cost burdens in which the Commission
10 has unanimously approved a revised Federal Register notice
11 as modified by a change made by the Chairman.

12 Would you please affirm your vote.

13 CHAIRMAN AHEARNE: Aye.

14 COMMISSIONER HENDRIE: Aye.

15 COMMISSIONER BRADFORD: Aye.

16 MR. CHILK: The next is SECY-80-291, which is a
17 docketed matter on a petition for rulemaking filed by UCS
18 nad NRDC to amend certain rulemaking procedures. The
19 Commissioner has unanimously approved the publication of the
20 notice of denial of the petition with the revisions
21 recommended by ODC in his two memos of 23 June and 28 July.

22 Would you please affirm your vote?

23 CHAIRMAN AHEARNE: Aye.

24 COMMISSIONER HENDRIE: Aye.

25 COMMISSIONER BRADFORD: Aye.

1 MR. CHILK: SECY-80-299, the personnel security
2 clearance program modifications in which the Commission has
3 unanimously approved a modification of a portion of the
4 security clearance program.

5 Will you please affirm your vote?

6 CHAIRMAN AHEARNE: Aye.

7 COMMISSIONER HENDRIE: Aye.

8 COMMISSIONER BRADFORD: Aye.

9 MR. CHILK: SECY-80-84, a petition to intervene in
10 the matter of the licensing of Split Rock Uranium Mills, the
11 Commission has unanimously approved the recommendation of
12 ODC to delegate authority to the staff and extend the
13 parties' time to answer, as revised by the Chairman and
14 Commissioner Bradford, the changes.

15 Would you please affirm your vote?

16 CHAIRMAN AHEARNE: Aye.

17 COMMISSIONER HENDRIE: Aye.

18 COMMISSIONER BRADFORD: Aye.

19 MR. CHILK: SECY-80-36, a request for hearing on
20 an Order to Show Cause issued to Dairyland Power
21 Co-operative. The Commissioner has unanimously approved the
22 order delegating its authority in this proceeding.

23 Would you please affirm your vote.

24 CHAIRMAN AHEARNE: Aye.

25 COMMISSIONER HENDRIE: Aye.

1 COMMISSIONER BRADFORD: Aye.

2 MR. CHILK: The next is SECY-80-328, the
3 reappointment of Mr. Bender as an ACRS member. The
4 Chairman, Commissioner Gilinsky, and Commissioner Hendrie
5 have approved the reappointment. I am not quite sure what
6 Commission Bradford's position is.

7 COMMISSIONER BRADFORD: It is all right with me.

8 MR. CHILK: Would you please affirm your vote.

9 CHAIRMAN AHEARNE: Aye.

10 COMMISSIONER HENDRIE: Aye.

11 COMMISSIONER BRADFORD: Aye.

12 MR. CHILK: The next is SECY-80-329, which is the
13 reappointment of Dr. Kerr. The majority of the Commissioner
14 has again concurred. Commissioner Bradford, I do not know.
15 Would you please affirm your vote.

16 CHAIRMAN AHEARNE: Aye.

17 COMMISSIONER HENDRIE: Aye.

18 COMMISSIONER BRADFORD: Aye.

19 MR. CHILK: SECY-80-221, which is a delegation of
20 authority in export and import areas, all of you have
21 basically approved the paper. There have been some last
22 minute changes. I am just informed Commissioner Gilinsky
23 has requested that he be given an opportunity to see the
24 revised language. I don't know whether you want to address
25 the paper now, or whether you want to wait.

1 CHAIRMAN AHEARNE: Is he coming in this afternoon?

2 COMMISSIONER BRADFORD: As far as I know is, but I
3 don't know that for sure.

4 CHAIRMAN AHEARNE: Will he be here tomorrow?

5 COMMISSIONER BRADFORD: I think that he will not
6 be here tomorrow. But I think he did plan to be here for
7 Indian Point.

8 MR. CHILK: Can I take it up after Indian Point?

9 CHAIRMAN AHEARNE: Why don't we h it.
10 Hopefully he will have a chance to look at it during this
11 time. Will you make sure that when he comes in he has a
12 chance to look at it?

13 MR. CHILK: I will interrupt.

14 CHAIRMAN AHEARNE: Okay.

15 MR. CHILK: That concludes the list.

16 (Recess.)

17 CHAIRMAN AHEARNE: Commissioner Gilinsky has
18 suggested adding a phrase, and I would like to see whether
19 the others would agree to it.

20 What we had was, "Any proposed export of component
21 or facility for which there is a facility export license
22 application pending before the Commission," Commissioner
23 Gilinsky would like to add "pending or expected before the
24 Commission."

25 I would agree with that.

1 COMMISSIONER HENDRIE: If you will give me a
2 minute, I will find out what I think about that.

3 CHAIRMAN AHEARNE: Peter.

4 COMMISSIONER BRADFORD: It looks all right to me.
5 I am getting the right nod.

6 (Laughter.)

7 COMMISSIONER HENDRIE: I discover that while I am
8 not enthused by the proposed change, I do not oppose it.

9 MR. CHILK: Given that the vote on SECY-80-221,
10 delegation of authority consisting of two memorandums and a
11 revised Federal Register notice, all of you have approved
12 it. Your changes have been put into the final
13 documentation, and the change as recommended, which is
14 paragraph 6 of the unclassified memo, will be incorporated
15 as revised at this table.

16 Will please affirm your vote.

17 CHAIRMAN AHEARNE: Aye.

18 COMMISSIONER GILINSKY: Aye.

19 COMMISSIONER HENDRIE: Aye.

20 COMMISSIONER BRADFORD: Aye.

21 CHAIRMAN AHEARNE: Very good.

22 (Whereupon, at 3:20 p.m., the meeting was
23 adjourned.)

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NUCLEAR REGULATORY COMMISSION

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

in the matter of: AFFIRMATION SESSION - PUBLIC MEETING

Date of Proceeding: July 17, 1980

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.

Patricia A. Minson

Official Reporter (Typed)

Patricia A. Minson

Official Reporter (Signature)