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U.S. NUCLEAR REGULATORY COMMISSION

CLOSED MEETING OF THE COMMISSIONERS

DISCUSSION OF HEARING BOARD FOR CLEARANCE RULE PROCEEDING

Thursday, 29 December 1977

9:45 a.m.

Commissioners' Conference Room  
1717 H Street, N. W.  
Washington, D. C.

COMMISSIONERS PRESENT:

JOSEPH M. HENDRIE, Chairman

RICHARD T. KENNEDY

VICTOR GILINSKY

OTHER STAFF MEMBERS PRESENT:

KENNETH PEDERSEN, Director, Office of  
Policy and Evaluation

JAMES KELLEY, Deputy General Counsel

WILLIAM REAMER

JOHN HOYLE, Assistant Secretary to the Commission

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P R O C E E D I N G S

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CHAIRMAN HENDRIE: Why don't we start the meeting and get the transcript started.

I'm sorry to hold you up. The Chicago situation is percolating again, and I've been on the telephone. I'll tell you about that on an individual basis.

This morning we are looking at members for a hearing board on the clearance rule hearing. We have a memorandum from Jim Kelley with some names, and then an addendum that came in.

MR. KELLEY: A resume from a gentleman who had been suggested before, and then one additional name that came in yesterday.

CHAIRMAN HENDRIE: Why don't you go ahead and either make a recommendation or outline the nature of the thing or whatever is appropriate.

MR. KELLEY: Maybe just a couple of general comments. Let me say that Bill Reamer and I and Jerry Nelson put our heads together. We've got these names before you and some background information, which I think is obvious. We didn't really see this had to be a Blue Ribbon board in the same fashion as GESMO. We're not before you with the results of a nationwide search. What we've done is think about it a little bit and make a few phone calls.

We have talked with all but one or two of these

blt 2 1 people, and we've got indications of availability. I believe  
2 all of them have security clearances, which I think is desir-  
3 able because there may be some classified information in this  
4 proceeding.

5 In terms of desired characteristics, it did seem  
6 to us that it would be useful, certainly useful if not essen-  
7 tial, to have at least one person who had either a safeguards  
8 or national security background. We've got two people on the  
9 list that I think fit that description, -- do you  
10 know him personally, Commissioner Kennedy?

11 COMMISSIONER KENNEDY: Yes.

12 MR. KELLEY: He has a security background that  
13 goes back quite a way. That's the resume we sent yesterday.

14 COMMISSIONER GILINSKY: Why is this board going to  
15 do?

16 MR. KELLEY: Well, we put out a Register Notice  
17 which listed areas of inquiry for the hearing. They're going  
18 to look into the need for it, look into alternative possi-  
19 bilities such as psychological testing and field investiga-  
20 tion.

21 Bill, maybe you could expand on that a little more  
22 in terms of what you see are the issues.

23 COMMISSIONER GILINSKY: Are they going to do any  
24 more than inquire?

25 MR. KELLEY: Oh, in terms of their powers? They're

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not going to make a recommended decision, no.

COMMISSIONER KENNEDY: What they're going to do is make a record.

MR. KELLEY: They're going to make a record. The other thing I think worth mentioning is that we said we would hold a legislative format hearing, that is to say not cross-examination, subpoenas and all the rest; but that once the record was compiled, and it would be compiled with the board asking questions as they went along, if there developed sharply controverted factual issues where it appeared cross-examination might be useful, then the board would be empowered to do that following the legislative phase.

But in essence they're a record-making board; they're not a deciding board.

So I was saying we have two people here who have a national security-safeguards background. The other is who has been in the safeguards area for some time according to his resume, mostly in accountability, and materials accountability would be at least one issue before the house in the hearing.

You say you know personally, right? You might want to comment about him. I've talked with him on the phone.

COMMISSIONER KENNEDY: He's an extremely able fellow with, I think, a penchant for objectivity, known to have such a general outlook.

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MR. KELLEY: He certainly seems to be qualified. I talked with him. He wasn't positive he'd be available, but he was interested and thought he might be. So he certainly is a promising candidate.

COMMISSIONER KENNEDY: He also is very, very widely connected in the technology side of the community.

COMMISSIONER GILINSKY: What is the nature of the activity that they're going to be exploring, presuming they're not exploring technical matters? They're exploring effectiveness of alternative security systems or alternative rules, or what?

MR. REAMER: You understand that you've got this proposed rule out which would require if effective security clearances in the nuclear power industry.

COMMISSIONER GILINSKY: Does it distinguish between power plants and fuel cycle facilities?

MR. REAMER: It requires security clearances for personnel at both power reactors and the fuel facilities handling uranium.

COMMISSIONER GILINSKY: So presumably that would

blt 5

1 be one of the questions to look at, whether in fact you want  
2 it to be across-the-board?

3 MR. REAMER: One of the questions is the need for  
4 the proposed clearance rule.

5 COMMISSIONER GILINSKY: In the various sectors.

6 COMMISSIONER KENNEDY: In whole or in part.

7 MR. KELLEY: The need for the rule in each of the  
8 licensed activities covered by the proposed rule. It might  
9 go yes on one and no on the other -- at least that's an issue  
10 before the house.

11 CHAIRMAN HENDRIE: I would presume they would also  
12 probe the question of whether precisely the same clearance pro-  
13 cedure and criteria were appropriate across the board or whether  
14 you wanted to adjust those criteria for a facility, or whether  
15 the cut is as proposed between sort of a full-fledged one and  
16 a lower grade one, without distinction as to facility.

17 MR. REAMER: You approved a Notice of Hearing,  
18 which I understand was published today, which indicates that --

19 COMMISSIONER KENNEDY: Do you have a copy of that?

20 MR. REAMER: I have a draft copy. I don't have a  
21 copy of the final version.

22 But basically you indicate that there is really  
23 no area that's off limits in this hearing so far as matters  
24 raised by the clearance rule.

25 CHAIRMAN HENDRIE: That was my impression.

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MR. REAMER: Although you're less interested in legal issues and you're more interested in questions such as the need for the clearance rule, identification of alternatives including advantages of alternative systems, such as perhaps a background investigation system that might be run by the licensees themselves as opposed to a clearance program run by you.

COMMISSIONER GILINSKY: You're really asking what kind of clearance program we need.

CHAIRMAN HENDRIE: Yes, and in consideration that there are quite different sorts of facilities that have to be considered, ranging from some pretty low grade from a security standpoint.

MR. KELLEY: This is seen as a major issue by a lot of people. It would have a chilling effect on associational rights of extending the clearance program into private industry. You can't quantify it very well. There's going to be a lot of debate on that issue.

CHAIRMAN HENDRIE: It also, in my view, has a strong relation to the physical security measures which one wants to establish for various kinds of facilities that need to be protected, because whether you're dealing with a population of individuals at the plant who have some sort of background investigation made, who have a defined, identified and enumerated place and a set of recognized people, or

blt 7

1 whether they're simply employees without other distinction.

2 It makes a difference in terms of things like searches  
3 and how one treats the insider threat from the standpoint of  
4 sabotage or diversion, so it has in my view important connec-  
5 tions in what you do with a clearance program and how you treat  
6 it. It has important implications on how you handle the  
7 insider aspects of the various physical security areas.

8 MR. REAMER: And hopefully somebody on the board  
9 with a background in security matters will be able to ask  
10 the kinds of questions of participants that will bring the  
11 answers that relate to that very issue that you're talking  
12 about, dealing with insiders.

13 MR. KELLEY: I'm just saying when we come to  
14 characteristics I think the security background of at least  
15 one person is useful.

16 COMMISSIONER GILINSKY: When you say "security  
17 background," what do you mean?

18 MR. KELLEY: A person who is knowledgeable about  
19 these kinds of issues: threats, what one does to protect  
20 against them.

21 COMMISSIONER GILINSKY: And which of these people  
22 do you think fall in that category?

23 MR. KELLEY: Well, there are two that I think fall  
24 in that category: who Mr. Kennedy was speaking  
25 about, and The original memo has a resume on him.



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COMMISSIONER GILINSKY: Neither of them has a security background in the sense of national security.

COMMISSIONER KENNEDY: understands the security business very well indeed and participated in a number of very sensitive projects affecting communications security at all levels and all contexts, including those aspects of the problem having to do with personnel security questions; so he understands the issue.

MR. KELLEY: With that background that you're outlining coupled with his resume, it seems to me that you're not going to find in a resume a precise correlation between these issues and what he's been doing; but I think his background suggests that he would be a person who has a good grasp of the technical aspects of it.

COMMISSIONER KENNEDY: The other option of this or another consideration that I think of is you can look for somebody whose background is in personnel security. It would seem to me, however, that those people would likely tend to look at problems from a particular perspective, and that's a perspective we already have, I think, from a variety of sources. I don't know whether that's the kind of perspective we want to bring to bear.

COMMISSIONER GILINSKY: That's why I was asking what do you mean by "security"?

MR. KELLEY: I think in the broader sense that you're

blt 9 1 suggesting would be the way I would tend to think.

2 The other person I was referring to is

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4 COMMISSIONER GILINSKY:

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8 I'm not sure I see the precise relevance of all  
9 that to the questions before us.

10 MR. KELLEY: Well, it seems to me there is a  
11 relevance between somebody with a background in nuclear  
12 safeguards and accountability and a rule, part of the purpose  
13 of which is detect diversion, say from a fuel fabrication  
14 point.

15 I'm not suggesting that his background covers the  
16 waterfront as far as the issues before the house or even  
17 necessarily most of that waterfront, without knowing any more  
18 about it than what we have on the resume.

19 COMMISSIONER GILINSKY: Would these people -- even,  
20 say, take -- would they know whether clearances are  
21 effective or not effective? What competence would he bring  
22 to bear on that subject?

23 MR. KELLEY: I think I agree with Commissioner  
24 Kennedy that whether or not something like that is effective  
25 or not effective, a personnel security guy could be helpful

blt 10 1 but I think he might be somewhat --

2 COMMISSIONER KENNEDY: That's the question that  
3 they're supposed to be pursuing, not deciding. It seems to  
4 me that these guys have got to go out and get people to come  
5 in and testify in this regard -- you know, people in the  
6 Defense community, for example.

7 COMMISSIONER GILINSKY: This is a good guy to  
8 ask the questions?

9 COMMISSIONER KENNEDY: Yes. I think that's what  
10 we have to have, a guy who will know the kinds of questions  
11 that are useful, and maybe he could even help point to the  
12 areas of people who ought to be questioned.

13 MR. KELLEY: I feel it's the kind of an issue  
14 where intelligence and commonsense counts for more than de-  
15 tailed technical expertise in terms of who's on the board.

16 CHAIRMAN HENDRIE: As a matter of fact, unless the  
17 guy with the detailed special expertise is really a very  
18 broad guy intellectually his personal predelictions will tend  
19 to override the whole body of evidence brought before him. In  
20 some ways you're almost a little safer with a mature, intelli-  
21 gent guy or person who is knowledgeable generally in the field  
22 but doesn't have some sort of individual position on the matter  
23 before you already made up.

24 How many people do we want on this board?

25 MR. KELLEY: We thought three. It seems to me it's

blt 11

1 one or three. I don't see any need for five. It gets very  
2 cumbersome just in terms of getting people together.

3 COMMISSIONER GILINSKY: Are we picking an alternate?

4 MR. KELLEY: I think I would like, if we can pretty  
5 well get this, not in terms of final form but at least get  
6 pretty good guidance here today, I'd like to emerge with maybe  
7 three preferred and an alternate or two so we can go ahead  
8 and contact people and line it up.

9 In terms of -- see, there are a couple of other  
10 considerations. We do favor an experienced lawyer as the  
11 chairman. There are procedural rulings if you get into cross-  
12 examination questions and so on.

13 COMMISSIONER KENNEDY: I thought there wasn't going  
14 to be any cross-examination.

15 MR. KELLEY: Well, maybe. There isn't at the out-  
16 set.

17 COMMISSIONER KENNEDY: You mean in succeeding --

18 MR. KELLEY: In Phase 2, if there's going to be  
19 a Phase 2.

20 COMMISSIONER KENNEDY: Right.

21 MR. KELLEY: We have talked with about  
22 it. He has indicated that he is interested and would likely  
23 be available. We would recommend as chairman. I think  
24 there are a lot of good reasons for going with a known quantity.  
25 He's a smart, capable guy.

blt 12

1 The only criticism I can see is that he was here  
2 when the rule was proposed, and a critic could say, "Well,  
3 he was for this rule all along,

4 " We thought about that,  
5 and we didn't feel that that outweighed the advantages.

6 MR. REAMER: We don't think it's a problem.

7 MR. KELLEY: It's not legally a problem.

8 COMMISSIONER GILINSKY: Suppose you picked  
9 and suppose you picked What sort of skill would  
10 you lean to with the third person?

11 MR. KELLEY: I think there are a couple of con-  
12 siderations. I guess the one I would bring to the board would  
13 be, given competence as a basic qualification, picking somebody  
14 who would lend some credibility to the process from the stand-  
15 point of responsible outside critics.

16 That's why I suggested yesterday in the supplemental  
17 memo -- was suggested, not by ourselves, but in  
18 point of fact I talked to

19 I talked with him, and he knows about the proceeding  
20 and expressed an interest and indicated that he might be will-  
21 ing to do it.

22 COMMISSIONER GILINSKY: Well, carries some  
23 peculiar baggage in this area, I think, going back to his  
24 role in

25 He has a funny attitude on that. I wouldn't

blt 13 1 bring it in here.

2 He's a guy who's thought a lot about it. He's  
3 obviously a well known thoughtful person, but --

4 MR. KELLEY: I'm only vaguely familiar that he had  
5 a role.

6 COMMISSIONER KENNEDY: The  
7 is probably a disability. I had forgotten about that.

8 COMMISSIONER GILINSKY: He's been sort of on both  
9 sides of that. He was the guy, as he wants to point out, who --  
10 well, he was really kind of a minor lawyer, but he had a role  
11 in that case. Since then he has gone back and sort of  
12 criticized all of that in an extensive way.

13 However you come out on that case, I think it's  
14 unnecessary baggage here.

15 MR. KELLEY: I certainly wouldn't quarrel with that.  
16 I am not familiar with all the details.

17 COMMISSIONER KENNEDY: I would agree with that. I  
18 think some people would say, "What did you expect," that sort  
19 of thing. And that would be unfair to him on the one hand  
20 and unfair to the process on the other.

21 COMMISSIONER GILINSKY: This has nothing to do with  
22 whether he's right or wrong.

23 COMMISSIONER KENNEDY: He's an extremely able guy.  
24 I was attracted to the idea, but you're right, I think,

25 Vic.

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MR. KELLEY: I guess we could eliminate his name,  
then.

Another consideration that we thought of -- it  
doesn't especially go to the merits of the case, but it's  
an opportunity perhaps for some affirmative action. We found  
a couple of -- who is available,

Did you talk with Bill?

MR. REAMER: I talked with

COMMISSIONER GILINSKY: Is the one who's  
listed here?

MR. KELLEY: Yes. There are two.

COMMISSIONER KENNEDY: Which one?

MR. REAMER:

MR. KELLEY: We attached a resume. an able  
lawyer.

COMMISSIONER GILINSKY: Is in private practice?

MR. KELLEY: been out for some period of time.

MR. REAMER: left the Department of Defense,  
I believe, in October or November. I cannot tell you why.  
is available. I've talked with about availability.

doesn't bring any substantive expertise beyond  
the fact that has good general qualifications -- good

blt 15

1 general qualifications but no especial substantive expertise.

2 COMMISSIONER GILINSKY: And somebody that  
3 Jerry has great confidence in or thinks well of?

4 MR. KELLEY: Jerry has worked with , yes. He  
5 thought of

6 MR. REAMER: He thinks well of contributions.

7 COMMISSIONER GILINSKY:

8 MR. KELLEY: There is one other that I know,  
9 is a career lawyer at Justice.

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15 I talked with briefly about it. As a matter  
16 of fact, said had some involvement in the legal  
17 aspects of terrorism problems. I didn't get into the detail.

18 indicated might be available for it, might be interested  
19 in it.

20 COMMISSIONER GILINSKY: Can do that?

21 MR. KELLEY: Pardon me?

22 COMMISSIONER GILINSKY: Can do that?

23 MR. KELLEY: You mean just be loaned?

24 COMMISSIONER GILINSKY: Yes.

25 MR. KELLEY: Yes, I think so. Whether we have to



blt 16

1 pay Justice or something, I don't know.

2 As a matter of fact,

3  
4 I can say

5 that based on my experience with would be good.

6 In that office does a lot of work on consti-  
7 tutional issues, so I think would be sensitive to the  
8 civil liberties aspects of the problem.

9 I'm not sure available; I think might be.

10 COMMISSIONER HENDRIE: Let's see, this board will  
11 not deal specifically with the underlying statutory -- the  
12 question of the underlying authorities for such a program.

13 MR. KELLEY: No. When I mentioned that  
14 familiar with the constitutional issues, I think a per-  
15 son -- there's going to be a lot of debate about chilling  
16 First Amendment rights and so forth, and I think a per-  
17 son, also, who would be comfortable with those  
18 issues. But they're not to decide the technical legal issue.  
19 That's not their mandate.

20 COMMISSIONER GILINSKY: It would be nice to have  
21 somebody who had sort of the qualities that we're looking  
22 for, which might have provided.

23 MR. KELLEY: Yes, a responsible outside critic.  
24 Not necessarily a nuclear critic.

25 COMMISSIONER GILINSKY: I'm not sure whether a

blt 17

1 critic would be necessary, but just sort of a thoughtful  
2 outsider who is concerned with this kind of issue.

3 CHAIRMAN HENDRIE: How about

4 COMMISSIONER GILINSKY: Well, we'd be going on  
5 Jerry's advice, and I guess we're prepared to trust him.

6 MR. REAMER: One difficulty in finding outside  
7 people is finding outside people who have security clearances  
8 or who have had a security clearance within the recent past  
9 in order to get that reinstated.

10 does meet that qualification.

11 COMMISSIONER GILINSKY: worked on the Texas  
12 penal code revision and things like that, if there is any  
13 relevance in that.

14 CHAIRMAN HENDRIE: Well, had a --

15 MR. KELLEY: got an active clearance.

16 COMMISSIONER KENNEDY: Oh, in the Government?

17 MR. KELLEY: Yes.

18 CHAIRMAN HENDRIE: So it's sort of

19 -- all these people we're talking about at  
20 the moment are in that position.

21 MR. KELLEY: They've all got clearances, yes.

22 CHAIRMAN HENDRIE: Otherwise we're up against a  
23 three- or four-month delay.

24 MR. REAMER: The worst is the uncertainty.

25 MR. KELLEY: To go without the full clearance I

blt 18

1 think is not a very attractive alternative in view of our  
2 wanting to move this thing on out. happens to have  
3 one, by the way. I asked

4 CHAIRMAN HENDRIE: Who?

5 MR. KELLEY:

6 Everybody on here has a clearance, so far as I  
7 know.

8 COMMISSIONER GILINSKY: I suppose  
9 comes the closest to being an outsider. All these other people  
10 are really formerly Government servants.

11 COMMISSIONER KENNEDY: did for six straight  
12 years.

13 COMMISSIONER GILINSKY: did, too.

14 CHAIRMAN HENDRIE: I think in many ways that's  
15 useful.

16 COMMISSIONER GILINSKY: Well, it is, but it would  
17 also be nice, I think, to have somebody who really takes a  
18 genuine fresh view. And these people will, hopefully.

19 I think we ought to recognize that in getting  
20 you're really getting former Government  
21 officials.

22 MR. KELLEY: True.

23 COMMISSIONER GILINSKY: As these are, too.

24 CHAIRMAN HENDRIE: That's one of the penalties of  
25 big Government.

blt 19

1 COMMISSIONER GILINSKY: Everybody has been a  
2 Government official.

3 (Laughter.)

4 CHAIRMAN HENDRIE: Either past, present or future.

5 MR. KELLEY: One possibility, it seems to me, would  
6 be if the three of you to agree that A, B and C were acceptable.  
7 We might then go out and scratch our heads a little more and  
8 see if we can't come up with somebody else that meets that  
9 description and come back individually to the three of you  
10 and put that person in instead. But we could, if we fail, go  
11 ahead with the ones that we've discussed.

12 CHAIRMAN HENDRIE: Suppose I suggested something  
13 like Would that be  
14 sufficient? I'm not sure that that's satisfactory enough or  
15 if there needs to be a lot more thrashing.

16 COMMISSIONER GILINSKY: Between these  
17 I guess I'd go for simply because --

18 COMMISSIONER KENNEDY: out.

19 COMMISSIONER GILINSKY: -- out. Given that  
20 the whole thing has sort of a cast of ex-Government people,  
21 I'd rather have than an active Government person.

22 CHAIRMAN HENDRIE: Well, I think furthermore --

23 COMMISSIONER KENNEDY: One thing about an active  
24 Government person -- I agree with that principle, but there is  
25 one thing I want to reflect on a minute -- probably the

blt 20

1 only one in the group right now who really knows what the  
2 status of the whole panoply of issues is as it's reflected  
3 in Justice's concerns for the Government as a whole.

4 I think no one else will be as really au courant of  
5 the issues as

6 COMMISSIONER GILINSKY: That's probably right, but  
7 can't we apply the same principle -- it seems these people  
8 are supposed to go out and seek the knowledgeable people.

9 COMMISSIONER KENNEDY: Sure. could be one  
10 of the people we ought to interview.

11 (Laughter.)

12 COMMISSIONER GILINSKY: As a runner-up for the  
13 board, the first one.

14 COMMISSIONER KENNEDY: qualifications were so  
15 good we wanted to take advantage of it.

16 CHAIRMAN HENDRIE: could just come in and tell  
17 the board what it is would have said if been the  
18 board.

19 COMMISSIONER GILINSKY: That's right.

20 (Laughter.)

21 CHAIRMAN HENDRIE: I'd suggest  
22 as the board.

23 COMMISSIONER KENNEDY: That sounds fine to me.  
24 Do you want to think now about the alternate, or do you want  
25 to go and see if these people can be signed up and then talk

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1 about adding an alternate to it?

2 CHAIRMAN HENDRIE: Could I suggest that we consider  
3 who the likely alternates are as guidance?

4 COMMISSIONER KENNEDY: We have to have two different  
5 kinds, a chairman alternate and other alternates, right?

6 MR. KELLEY: Yes.

7 MR. REAMER: Most likely, if somebody is not going  
8 to be available it's going to be My conversation with

9 led me to believe that would be available.

10 COMMISSIONER GILINSKY: I thought you said that  
11 you talked with

12 MR. REAMER: We have talked with both of them.

13 MR. KELLEY: seemed pretty interested.

14 MR. REAMER: We have to recognize the possibility  
15 that once things get down to hard planning --

16 COMMISSIONER GILINSKY: Would you be calling him  
17 about it today?

18 MR. KELLEY: We'll call him back today, today or  
19 tomorrow. The idea is to nail it down as quickly as possible.

20 CHAIRMAN HENDRIE: I was just going to suggest  
21 from the conversation it seems to me that for a backup on the  
22 law side looks to be fine.

23 COMMISSIONER GILINSKY: That sounds fine.

24 CHAIRMAN HENDRIE: And on the technical side I  
25 think --

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COMMISSIONER KENNEDY: Would you have  
backup as chairman?

MR. KELLEY: I think could do it; capable  
of it.

CHAIRMAN HENDRIE: If can't serve, I think  
we ought to scratch our heads once more about the chairman,  
don't you think?

COMMISSIONER KENNEDY: I think so.

CHAIRMAN HENDRIE: I'm thinking of as a backup  
for the lawyer member.

MR. KELLEY: For

CHAIRMAN HENDRIE: Yes, primarily.

And as backup on

COMMISSIONER KENNEDY: Yes, I was going to ask about

CHAIRMAN HENDRIE: I don't think  
contribute -- their experience I don't think is applicable.

MR. KELLEY: Do you know

CHAIRMAN HENDRIE: Yes, both  
both very sensible guys. They've been in the reactor physics  
criticality, safeguards related, taking care of the highly  
enriched stuff.

Okay?

COMMISSIONER GILINSKY: Sure.

blt 23

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COMMISSIONER KENNEDY: Okay.

MR. KELLEY: as alternates.

Hopefully with this list we can come up with a board, and we'll let you know.

COMMISSIONER GILINSKY: No,

CHAIRMAN HENDRIE: Yes. for the lawyer member, for the technical member. And if that fails, then I just note that my preference would be that is a much superior candidate, close behind essentially equal to , and both of them very much above as technical members.

COMMISSIONER KENNEDY: Would you put him ahead of

CHAIRMAN HENDRIE: Would I put him ahead of No, I don't think so.

COMMISSIONER GILINSKY: Who is

CHAIRMAN HENDRIE:

His work, then, through that led him back into a lot of the heavy security processing, criticality aspects and the related accountability things.

I think for these purposes I'd put first and close behind him, and the other two sort of -- I'd start over.



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MR. KELLEY: If we don't get we'll  
rediscuss the chairman.

CHAIRMAN HENDRIE: I think that would be helpful,  
because the chairmanship is fairly sensitive.

MR. KELLEY: Okay.

CHAIRMAN HENDRIE: Very good.

That terminates the meeting.

(Whereupon, at 10:25 a.m., the meeting was  
adjourned.)

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OFFICE OF THE  
SECRETARY

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

August 18, 1980

COMMISSION DETERMINATION REGARDING PUBLIC DISCLOSURE  
UNDER THE GOVERNMENT IN THE SUNSHINE ACT OF:

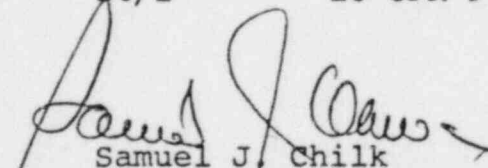
Transcript of Discussion of Hearing Board  
For Clearance Rule, December 29, 1977

Pursuant to the Commission's regulations implementing the Government in the Sunshine Act (10 CFR 9.108(d)), it has been determined after a further review of this transcript that additional portions of the text can be released to the public. Attached are all portions of the subject transcript that have been determined to be releasable. The remaining portions of the transcript remain withheld pursuant to 10 CFR 9.104 as noted below:

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Samuel J. Chilk  
Secretary of the Commission