

**UNITED STATES OF AMERICA  
NUCLEAR REGULATORY COMMISSION**

**Title:** AFFIRMATION/DISCUSSION AND VOTE

**Location:** ROCKVILLE, MARYLAND

**Date:** NOVEMBER 30, 1989

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UNITED STATES OF AMERICA  
NUCLEAR REGULATORY COMMISSION

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AFFIRMATION/DISCUSSION AND VOTE

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PUBLIC MEETING

Nuclear Regulatory Commission  
One White Flint North  
Rockville, Maryland

Thursday, November 30, 1989

The Commission met in open session, pursuant to notice, at 3:30 p.m., Kenneth M. Carr, Chairman, presiding.

COMMISSIONERS PRESENT:

KENNETH M. CARR, Chairman of the Commission  
THOMAS M. ROBERTS, Commissioner  
KENNETH C. ROGERS, Commissioner  
JAMES R. CURTISS, Commissioner

STAFF SEATED AT THE COMMISSION TABLE:

SAMUEL J. CHILK, Secretary

WILLIAM C. PARLER, General Counsel

## P-R-O-C-E-E-D-I-N-G-S

3:35 p.m.

1  
2  
3 CHAIRMAN CARR: Good afternoon, ladies and  
4 gentlemen.

5 This is an affirmation session. We have two  
6 items to come before us this afternoon.

7 Before I ask the Secretary to lead us  
8 through the items for affirmation, do any of my fellow  
9 Commissioners have any opening comments they would  
10 like to make?

11 If not, Mr. Secretary, you may proceed.

12 SECRETARY CHILK: The first item, Mr.  
13 Chairman, is SECY-89-343. It's a request for hearing  
14 on a St. Lucie exemption.

15 In this paper, the Commission is being asked  
16 to act on an order responding to a request by Thomas  
17 J. Saporito, Jr., for a hearing on an exemption from  
18 the Commission's regulations granted by the staff to a  
19 Commission licensee. All Commissioners have approved  
20 an order which was attached to our memorandum of  
21 November 28th, which denies the request.

22 Would you please affirm your votes?

23 CHAIRMAN CARR: Aye.

24 COMMISSIONER ROBERTS: Aye.

25 COMMISSIONER ROGERS: Aye.

1 COMMISSIONER CURTISS: Aye.

2 SECRETARY CHILK: The second item is SECY-  
3 89-248. It's a rulemaking on sequestration of  
4 witnesses interviewed under subpoena and exclusion of  
5 attorneys.

6 The Commission is being asked to approve a  
7 final rule in this paper which provides for the  
8 sequestration of witnesses compelled by subpoena to  
9 appear in connection with NRC investigations or  
10 inspections.

11 The amendment also provides for the  
12 exclusion of counsel for a subpoenaed witness when  
13 that counsel represents multiple interests and there  
14 is reasonable basis to believe that such  
15 representation will prejudice, impede, or impair the  
16 integrity of the inquiry.

17 All Commissioners have approved the final  
18 rule as attached, again, to our memorandum of November  
19 28th.

20 Would you please affirm your votes?

21 CHAIRMAN CARR: Aye.

22 COMMISSIONER ROBERTS: Aye.

23 COMMISSIONER ROGERS: Aye.

24 COMMISSIONER CURTISS: Aye.

25 CHAIRMAN CARR: Is there anything else to

1           come before us today?

2                         SECRETARY CHILK: I have nothing else, sir.

3                         CHAIRMAN CARR: If not, we stand adjourned.

4                         (Whereupon, at 3:38 p.m., the above-  
5           entitled matter was concluded.)

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TITLE OF MEETING: AFFIRMATION/DISCUSSION AND VOTE

PLACE OF MEETING: ROCKVILLE, MARYLAND

DATE OF MEETING: NOVEMBER 30, 1989

were transcribed by me. I further certify that said transcription  
is accurate and complete, to the best of my ability, and that the  
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Carol Lynch

Reporter's name: Peter Lynch



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Meeting Title: Affirmation / Discussion & Vote

Meeting Date: 11/30/89 Open X Closed \_\_\_\_\_

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