

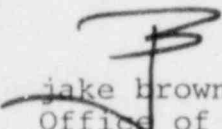
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1. Transcript of: General Administrative Meeting,  
June 29, 1981. (1 copy)

  
Jake Brown  
Office of the Secretary

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NUCLEAR REGULATORY COMMISSION

ORIGINAL

COMMISSION MEETING

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In the Matter of: PUBLIC MEETING  
GENERAL ADMINISTRATIVE MEETING

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DATE: June 29, 1981 PAGES: 1 - 8  
AT: Washington, D. C.

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UNITED STATES OF AMERICA  
NUCLEAR REGULATORY COMMISSION

GENERAL ADMINISTRATIVE MEETING

PUBLIC MEETING

Nuclear Regulatory Commission  
Room 1130  
1717 H Street, N. W.  
Washington, D. C.  
Monday, June 29, 1981

The Commission met, pursuant to notice, at  
2:20 p.m.

PRESENT:

- JOSEPH M. HENDRIE, Chairman of the Commission
- VICTOR GILINSKY, Commissioner
- PETER A. BRADFORD, Commissioner

ALSO PRESENT:

- S. CHILD
- L. BICKWIT
- M. MALSCH
- D. RATHBUN
- V. HARDING
- J. FOUCHARD

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1           CHAIRMAN HENDRIE: This was a draft I guess Peter  
2 and I drafted on it. Why don't we said a couple across the  
3 table. I am sorry the people in the audience won't have  
4 it. You can simply regard yourselves as reviewing what  
5 would in more normal circumstances be a set of internal  
6 discussions between Commissioners taken two at a time rather  
7 than altogether at the table.

8           It needs some sort of an introduction. We need at  
9 least a first sentence in the first paragraph to sort of get  
10 started on it.

11           COMMISSIONER BRADFORD: Okay.

12           CHAIRMAN HENDRIE: I would be inclined to take the  
13 second as well and then strike the last one.

14           COMMISSIONER BRADFORD: That is all right. Yes,  
15 that is fine.

16           CHAIRMAN HENDRIE: Okay. So in this thing we  
17 would strike the last sentence of the first paragraph, the  
18 next three and then strike the last one.

19           How does that strike you?

20           COMMISSIONER BRADFORD: You have the next three  
21 paragraphs in, right?

22           CHAIRMAN HENDRIE: Yes.

23           COMMISSIONER BRADFORD: And then strike the last  
24 one.

25           CHAIRMAN HENDRIE: Yes.

1 COMMISSIONER BRADFORD: That is right.

2 CHAIRMAN HENDRIE: Okay. If that is agreeable to  
3 you why don't we vote Aye on that draft and I will give it  
4 to the Secretary since its a Chilkogram.

5 COMMISSIONER BRADFORD: Good.

6 (Chorus of Ayes.)

7 CHAIRMAN HENDRIE: All right, Sam, we give you  
8 that and I am not pleased to be able to junk that set of  
9 papers. We are making splendid progress here.

10 The next item has to do with the incident response  
11 plan and goes back to a memorandum John sent us back in  
12 April recommending some language to go in the response plan  
13 making clear the licensee's responsibility and putting in  
14 somewhat clearer terms what we would do and would not do.

15 Now, I marked up his draft. I tended to mark up  
16 the backend of it. Peter then had some markups and he  
17 tended to mark up the frontend of it.

18 COMMISSIONER BRADFORD: Yes. I think our only  
19 point of difference was over the business about even if the  
20 act violates the NRC tech specs.

21 What I thought might suffice for me would just be  
22 to strike that language entirely. That is leave out my  
23 various statements about not being able to guarantee  
24 anything but also take out the phrase "even if that action  
25 violates the NRC license technical specifications" from your

1 and John's previous circulation.

2           It just doesn't seem to me to be right, for  
3 example, if you had a situation in which the licensee  
4 released a substantial quantity of radioactive material.

5           CHAIRMAN HENDRIE: If he had to violate the  
6 license condition because he felt it was necessary for  
7 safety in the accident circumstance.

8           COMMISSIONER BRADFORD: Right. The fact is that  
9 one certainly would take that into consideration in deciding  
10 what subsequent enforcement action is necessary, but there  
11 may be situations in which even the mitigative action were  
12 so severe from a public health point of view that it would  
13 lead to a later enforcement action.

14           I can't think of all the possible contexts now so  
15 I would be happier taking out the language that appeared to  
16 exonerate it in all situations.

17           CHAIRMAN HENDRIE: Okay. Let's see, that would  
18 leave the response plan, that paragraph 211. Let's scan  
19 through it and see how it would then read.

20           COMMISSIONER BRADFORD: Just as you had it in your  
21 version of June 8th only without the words beginning with  
22 "even if" and ending with "technical specifications."

23           CHAIRMAN HENDRIE: Okay. You also wanted to  
24 strike "or adverse publicity" up there.

25           COMMISSIONER BRADFORD: Oh, yes. That is right.



1 I am sorry. I thought that had gotten done. But you are  
2 right, it hadn't.

3 CHAIRMAN HENDRIE: Yes. That would also then  
4 remove the insert.

5 COMMISSIONER BRADFORD: Yes.

6 CHAIRMAN HENDRIE: I guess I hesitate to go  
7 forward with it, Peter, because John was anxious to make the  
8 point that if you have to breach the license conditions in  
9 some way in the interest of safety, you know, do it. I  
10 guess I am inclined to think, since he isn't here to defend  
11 it and carry it on, that maybe we ought not to make a  
12 decision now and discussion ought to resume when he comes  
13 back and can deal with it himself.

14 COMMISSIONER BRADFORD: That is okay if it is okay  
15 with you.

16 CHAIRMAN HENDRIE: You didn't have great objection  
17 to the comments I made on his draft or on the draft  
18 Chilkogram and I would hope you would continue to take those  
19 into account when you do settle down sort the points out. I  
20 think this was for him a fairly significant part of the  
21 approved guidance he was trying to provide and he ought to  
22 be here to settle it out with you.

23 COMMISSIONER BRADFORD: Okay. Now, let's see.  
24 There was a letter that has been kicking around for some  
25 time. This was in response to a March 27th incoming letter

1 commenting on our nominal schedule on the Byron Station and  
2 I had some problems with it as finally redrafted.

3 Peter, I think you had no objection to my redraft.

4 COMMISSIONER BRADFORD: No, that is right.

5 CHAIRMAN HENDRIE: John sent along a note that he  
6 is not fond of the changes and would like a sentence to go  
7 in at the appropriate point saying that he thinks the  
8 current schedule is too optimistic and so on which I would  
9 propose simply to put in at the correct place and then get  
10 the blasted letter out so that Dean Palladino doesn't find  
11 him answering letters from March, although I certainly  
12 wouldn't guarantee this is the only one that lies that far  
13 back.

14 If that is okay with you, why let's us do that.

15 COMMISSIONER GILINSKY: That is okay. Why don't  
16 we just leave it to you to work it out.

17 CHAIRMAN HENDRIE: Well, I will stick it in some  
18 place.

19 MS. HARDING: John is pretty flexible.

20 CHAIRMAN HENDRIE: Good.

21 Now, that takes me through the three items that I  
22 wanted to bring up. Was there anything else that occurred  
23 to anybody else that this kind of a discussion would help?

24 (No response.)

25 CHAIRMAN HENDRIE: All right. In that case I find

1 we have concluded 15 minutes ahead of time. I am pleased to  
2 note the public sessions this afternoon.

3           The Commission will move on after a one-minute  
4 recess to continue its discussion on an operating license  
5 for McGuire. So I will pause here and ask those who should  
6 not be present at a closed meeting of the Commission to  
7 kindly absent themselves.

8           (Whereupon, at 2:30 p.m., the general  
9 administrative meeting 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: Public Meeting - General Administrative Meeting

Date of Proceeding: June 29, 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)