



Transcript of Proceedings

NUCLEAR REGULATORY COMMISSION

AFFIRMATION SESSION 81-27

THURSDAY, JULY 9, 1981

(Open to Public Attendance)

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1 UNITED STATES OF AMERICA
2 NUCLEAR REGULATORY COMMISSION

3
4 AFFIRMATION SESSION 81-27
5 (Open to Public Attendance)

6
7 Commissioners' Conference Room
8 1717 H Street, N.W.
9 Washington, D. C.

10 Thursday, July 9, 1981

11 The Commission met pursuant to notice, at 11:00 a.m.,
12 Nunzio J. Palladino, Chairman of the Commission, presiding.

13
14 PRESENT:

15
16 Chairman Palladino
17 Commissioner Gilinsky
18 Commissioner Bradford

19 ALSO PRESENT:

20 L. Bickwit, General Counsel
21 S. Chilk, Secretary
22 J. Hoyle, Assistant Secretary
23 M. Malsch, Office of the General Counsel
24
25

P R O C E E D I N G S

1
2 CHAIRMAN PALLADINO: The meeting will please come to
3 order.

4 I want to take this opportunity to express my pleasure
5 at joining the Commission and I look forward to working with
6 my fellow Commissioners and with the members of the Staff on
7 the matters that come before the Commission.

8 Since this is my first meeting, I hope you will bear
9 with me if I'm not familiar with all of the procedural aspects
10 of the meeting. I am sure I will learn as I go along, and I will
11 try to work any procedural questions out as they arise.

12 Today's meeting is an Affirmation meeting. I wonder
13 if the Secretary, Mr. Sam Chilk, would walk us through the items
14 on the agenda.

15 MR. CHILK: The first paper is SECY-81-317 and
16 subsequent versions A, B, and C, Proposed Rulemaking to
17 Eliminate the Need for Power and Alternative Energy Sources
18 Issues in the Operating Licensing Proceedings.

19 The Commission is being asked to approve a Notice of
20 Proposed Rulemaking which will amend 10 CFR Part 51 to eliminate
21 the need for power and alternative energy sources at operating
22 license proceedings in the absence of special circumstances.
23 The current version of the rulemaking that we are addressing is
24 contained in an ELD memo dated June 25th. It has been
25 modified by revised pages 5 and 6, which was circulated in
SECY-81-317C, and there was a later revision to a footnote 5, as

1 of this morning.

2 The status of the paper is that Commissioner Bradford
3 has approved it and has recommended modifications. The Chairman
4 has approved it and concurs with the modifications that have
5 been suggested by Commissioner Bradford, including the footnote
6 which was ---

7 COMMISSIONER BRADFORD: And as slightly further
8 modified.

9 MR. CHILK: --And as modified by your modification.
10 Commissioner Gilinsky, I understand, is prepared to
11 vote on the paper.

12 COMMISSIONER GILINSKY: Well, I used to agree with
13 everything that Joe Hendrie and Peter agreed on, so I think
14 I will follow that precedent.

15 MR. CHILK: Commissioner Ahearne is not available
16 to participate, but has no objection to this affirmation
17 proceeding. If I have stated your views correctly, would you
18 please affirm your votes?

19 (Chorus of ayes.)

20 MR. CHILK: Thank you.

21 The second paper is SECY-81-392, which is an FOIA
22 Appeal in which the Commission is being asked to deny some 15
23 Commission-level documents.

24 All of the Commissioners have voted to approve the
25 paper and have agreed with a minor modification suggested by

1 Mr. Bradford. Commissioner Ahearne, again, is not available
2 to participate, but has no objection to this affirmation.
3 Would you please affirm your votes?

4 (Chorus of ayes.)

5 MR. CHILK: The other three have been stricken for
6 various reasons.

7 CHAIRMAN PALLADINO: I understand that on one of the
8 items there has been a request for future discussion, and
9 this will be taken up in the Agenda Session.

10 MR. CHILK: Yes, sir. I have nothing further.

11 CHAIRMAN PALLADINO: All right.

12 Are there any other items?

13 COMMISSIONER GILINSKY: No.

14 COMMISSIONER BRADFORD: No.

15 COMMISSIONER GILINSKY: You ran a splendid meeting.

16 (Laughter)

17 CHAIRMAN PALLADINO: I'm glad you started me
18 off relatively easy.

19 I would urge that we do keep focused on two of the
20 items that were formally on the Affirmation agenda so that
21 we can act on them in a timely fashion, that is SECY document
22 168, it may have modification A, B, or C, I'm not sure which,
23 and the other one on SECY 376, because those certainly appear
24 to be items that we don't want to get too far behind on.

25 If there are no other matters to come before the
meeting, we will stand adjourned.

(The meeting was adjourned at 11:05 a.m.)