




OFFICE OF THE
SECRETARY

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

IN RESPONSE, PLEASE
REFER TO: M821007B

October 8, 1982

MEMORANDUM FOR THE RECORD

FROM: Samuel J. Chilk, Secretary 

SUBJECT: STAFF REQUIREMENTS - AFFIRMATION/DISCUSSION AND
VOTE, 3:30 P.M., OCTOBER 7, 1982, COMMISSIONERS'
CONFERENCE ROOM, D.C. OFFICE (OPEN TO PUBLIC
ATTENDANCE)

I. SECY-82-377/377A - Hearing Requests Concerning Extension of
Construction Completion Dates for Washington Public Power
Supply System Nuclear Project Nos. 1 and 2

The Commission by a vote of 3-2* (Chairman Palladino and Commissioners Roberts and Asselstine approving; Commissioners Gilinsky and Ahearne disapproving), approved an Order that responds to two hearing requests regarding the extension of the construction completion dates for two of the units being constructed by Washington Public Power Supply System at its site in Benton County, Washington.

The Order refers the hearing petitions to the ASLBP and provides Commission guidance on the scope of the hearings.

(Subsequently, on October 8, 1982 the Order with the separate views of Commissioner Gilinsky attached was signed by the Secretary.)

II. SECY-82-383 - Diablo Canyon Security -- Purging of Classified
Material in ALAB-653

The Commission by a vote of 5-0,** approved an Order that directs that all classified material be expunged from ALAB-653 and the underlying record.

(Subsequently, on October 8, 1982, the Secretary signed the Order.)

III. SECY-82-393 - FOIA Appeal 82-A-19C Regarding Emergency Preparedness and the Risks Associated with Fuel Loading and Low Power Operation

The Commission by a vote of 5-0,** approved issuance of a letter that denies in part an FOIA appeal by Robert Belair for certain documents regarding low power operation. The letter identifies several additional documents that are available in the PDR, identifies one additional document that is being withheld, and denies the appeal for three documents previously identified.

(Subsequently, on October 7, 1982 the Secretary signed the letter.)

cc: Chairman Palladino
Commissioner Gilinsky
Commissioner Ahearne
Commissioner Roberts
Commissioner Asselstine
Commission Staff Offices
EDO
PDR - Advance
DCS - 016 Phillips

* Section 201 of the Energy Reorganization Act, 42 U.S.C. § 5841, provides that action of the Commission shall be determined by a "majority vote of the members present." Commissioner Roberts was not present when this item was affirmed. Had Commissioner Roberts been present at the meeting he would have voted with the majority. To enable the Commission to proceed with this case without delay, Commissioner Ahearne, who was a member of the minority on the question up for decision, did not participate in the formal vote. Accordingly, the formal vote of the Commission was 2-1 in favor of the decision.

** Section 201 of the Energy Reorganization Act, 42 U.S.C. § 5841, provides that action of the Commission shall be determined by a "majority vote of the members present." Commissioner Roberts was not present when this item was affirmed, but he had previously indicated that he would approve. Had he been present, he would have affirmed his prior vote. Accordingly, the formal vote of the Commission was 4-0 in favor of the decision.