

ORIGINAL

OFFICIAL TRANSCRIPT
PROCEEDINGS BEFORE

NUCLEAR REGULATORY COMMISSION

COMMISSION MEETING

PUBLIC MEETING

DKT/CASE NO.

TITLE AFFIRMATION/DISCUSSION AND VOTE

PLACE WASHINGTON, D. C.

DATE DECEMBER 9, 1982

PAGES 1 - 4

8212130378 821209
PDR 10CFR
RIS 7 PDR

AR

ALDERSON REPORTING

(202) 628-9300
440 FIRST STREET, N.W.

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

AFFIRMATION/DISCUSSION AND VOTE

PUBLIC MEETING

Nuclear Regulatory Commission
Room 1130
1717 H Street, N. W.
Washington, D. C.

Thursday, December 9, 1982

The Commission convened, pursuant to notice, at

4:12 p.m.

COMMISSIONERS PRESENT:

NUNZIO PALLADINO, Chairman of the Commission
JOHN AHEARNE, Commissioner
THOMAS ROBERTS, Commissioner
JAMES ASSELSTINE, Commissioner

STAFF AND PRESENTERS SEATED AT COMMISSION TABLE:

S. CHILK
S. TRUBATCH
J. ZERBE

* * *

DISCLAIMER

This is an unofficial transcript of a meeting of the United States Nuclear Regulatory Commission held on December 9, 1982 in the Commission's offices at 1717 H Street, N. W., Washington, D. C. The meeting was open to public attendance and observation. This transcript has not been reviewed, corrected, or edited, and it may contain inaccuracies.

The transcript is intended solely for general informational purposes. As provided by 10 CFR 9.103, it is not part of the formal or informal record of decision of the matters discussed. Expressions of opinion in this transcript do not necessarily reflect final determinations or beliefs. No pleading or other paper may be filed with the Commission in any proceeding as the result of or addressed to any statement or argument contained herein, except as the Commission may authorize.

P R O C E E D I N G S

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

CHAIRMAN PALLADINO: Can we please come to order.

This is an affirmation session and I will ask the Secretary to walk us through the items.

Do we need a short notice vote?

MR. CHILK: Yes, Mr. Chairman. We will need to vote to hold this on less than one week's notice.

CHAIRMAN PALLADINO: All right. All those in favor of holding on less than one week's notice?

CHAIRMAN PALLADINO: Aye.

COMMISSIONER ROBERTS: Aye.

COMMISSIONER ASSELSTINE: Aye.

CHAIRMAN PALLADINO: All those opposed?

(Laughter.)

COMMISSIONER AHEARNE: Pass.

MR. CHILK: Mr. Ahearne passes.

The paper before the Commission is SECY-82-479A, NRDC versus NRC, Clinch River, in which the Commission is being asked to act on an order responding to the remand by the U. S. Court of Appeals to the D. C. Circuit on the Clinch River Breeder Reactor Exemption Proceeding.

The order will initiate a informal paper proceeding on the Commission's reconsideration on

1 whether there were exigent circumstances supporting the
2 Commission's grant of an exemption under 10 CFR 50.12.

3 The Chairman, Commissioner Roberts and
4 Commissioner Asselstine have voted to approve the order
5 with a modification recommended by Commissioner
6 Asselstine. Commissioner Gilinsky is dissenting and is
7 providing separate views. Commissioner Ahearne is
8 abstaining.

9 Would you please affirm your votes.

10 CHAIRMAN PALLADINO: Aye.

11 COMMISSIONER ASSELSTINE: Aye.

12 COMMISSIONER ROBERTS: Aye, but I will have
13 comments on Commissioner Gilinsky's dissenting views.

14 MR. CHILK: All right.

15 CHAIRMAN PALLADINO: When will you have them,
16 Tom?

17 COMMISSIONER ROBERTS: By the end of the day
18 today.

19 MR. CHILK: That concludes the affirmation
20 items.

21 CHAIRMAN PALLADINO: All right.

22 Anything more to come before us in the
23 affirmation session?

24 (No response.)

25 CHAIRMAN PALLADINO: Then we will stand

1 adjourned on the affirmation session.

2 (Whereupon, at 4:15 p.m., the affirmation
3 session concluded.)

4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

* * *

NUCLEAR REGULATORY COMMISSION

This is to certify that the attached proceedings before the
COMMISSION MEETING

In the matter of: PUBLIC MEETING - Affirmation/Discussion and Vote

Date of Proceeding: December 9, 1982

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)