

WCS



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

February 25, 1985

OFFICE OF THE
SECRETARY

MEMORANDUM FOR: William J. Dircks, Executive Director
for Operations

FROM: Samuel J. Chilk, Secretary *JA*

SUBJECT: STAFF REQUIREMENTS - AFFIRMATION/DISCUSSION
AND VOTE, 3:30 P.M., THURSDAY, FEBRUARY 14,
1985, COMMISSIONERS' CONFERENCE ROOM, D.C.
OFFICE (OPEN TO PUBLIC ATTENDANCE)

I. SECY-85-18 - Motion for Stay of Low-Power Authorization
and Suspension of Low-Power License

The Commission, by a 4-0* vote, with Commissioner Asselstine not participating, approved an order denying a motion by Limerick Ecology Action to stay the Atomic Safety and Licensing Board decision, LBP-84-31, that authorized issuance of a low-power license for the Limerick Generating Station.

(Subsequently, on February 19, 1985 the Secretary signed the Order.)

II. Request for Stay in Shoreham

The Commission, by a vote of 4-1,** Commissioner Asselstine disapproving, approved a portion of the order denying a request of the State of New York and Suffolk County for a stay of the Commission's February 12, 1985 authorization for low power operation for the Shoreham Nuclear Power Plant.

By a vote of 4-1 the Commission, with Commissioner Roberts disapproving, also approved an extension of the effective date of the Commission's February 12, 1985 ruling until 5:00 p.m. on February 25, 1985.

(Subsequently, on February 14, 1985 the Secretary signed the Order.)

cc: Chairman Palladino
Commissioner Roberts
Commissioner Asselstine
Commissioner Bernthal
Commissioner Zech
Commission Staff Offices
PDR - Advance
DCS - 016 Phillips

* Section 201 of the Energy Reorganization Act, 42 U.S.C. Section 5841, provides that action of the Commission shall be determined by a "majority vote of the members present." Commissioners Asselstine and Bernthal were not present when this item was affirmed. Accordingly, the formal vote of the Commission was 3-0 in favor of the decision. Commissioner Bernthal, however, had previously indicated that he would approve this paper and had he been present he would have affirmed his prior vote. Commissioner Asselstine has indicated that he would not participate in this action, and would not have participated had he been present.

** Section 201 of the Energy Reorganization Act, 42 U.S.C. Section 5841, provides that action of the Commission shall be determined by a "majority vote of the members present." Commissioners Asselstine and Bernthal were not present when this item was affirmed. Accordingly, the formal vote of the Commission was 3-0 in favor of the decision. Commissioners Asselstine and Bernthal, however, had previously indicated that they would respectively, disapprove and approve this paper and had they been present they would have affirmed their votes.