

UNITED STATES
NUCLEAR REGULATORY COMMISSION

AFFIRMATION SESSION

PUBLIC MEETING

Nuclear Regulatory Commission
Commission Hearing Room
11555 Rockville Pike
Rockville, Maryland
September 15, 2020

The Commission met via webcast, pursuant to notice, at 9:55 AM.,
Kristine L. Svinicki, Chairman, presiding.

COMMISSIONERS PRESENT:

JEFF M. BARAN, Member of the Commission

ANNIE CAPUTO, Member of the Commission (via teleconference)

DAVID A. WRIGHT, Member of the Commission

CHRISTOPHER T. HANSON, Member of the Commission

ALSO PRESENT:

MARIAN ZOBLER, General Counsel

ANNETTE VIETTI-COOK, Secretary of the Commission

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[9:55 a.m.]

P R O C E E D I N G S

CHAIRMAN SVINICKI: Well good morning everyone. It's wonderful to see everyone's eyes smiling, or as they call it "smizing," it's nice to see everyone smiling over their masks today. We're going to begin our meeting on the agency's response to COVID in a moment. Before that the Commission has two affirmation items so we will go into a brief affirmation session right now. Madam Secretary, I understand we have two items for affirmation. Would you please lead us through?

ANNETTE VIETTI-COOK: Yes. The first item is on SECY-20-0011, El Paso Electric Company (Palo Verde Nuclear Generating Station). The Commission is being asked to act on a Memorandum and Order responding to Public Citizen's petition for leave to intervene and request for hearing in the license transfer proceeding concerning an application filed by El Paso Electric Company on behalf of itself and IIF US Holding 2 LP. The application seeks NRC approval of an indirect transfer of El Paso Electric Company's non-operating interest in the renewed facility operating licenses for Palo Verde Nuclear Generating Station Units 1, 2, and 3 and the associated general license for the independent spent fuel storage installation to IIF US Holding 2 LP.

The Commission has voted to approve a Memorandum and Order denying the request for hearing and petition to intervene and terminating the proceeding.

Would the Commissioners in the room please affirm your votes?

CHAIRMAN SVINICKI: Aye.

COMMISSIONER BARAN: Aye.

COMMISSIONER WRIGHT: Aye.

COMMISSIONER HANSON: Aye.

ANNETTE VIETTI-COOK: Commission Caputo would you please affirm your vote?

COMMISSIONER CAPUTO: Aye.

ANNETTE VIETTI-COOK: The second item is on 20-0043, Direct Final Rule: Reactor Vessel Material Surveillance Program. The Commission is being asked to act on a direct final rule and companion proposed rule that amends Appendix H, "Reactor Vessel Material Surveillance Program Requirements," to Part 50 of Title 10 of the *Code of Federal Regulations*, "Domestic Licensing of Production and Utilization Facilities." Specifically, the direct final rule makes optional the testing of specimens that do not provide meaningful information to assess the integrity of the reactor vessel; extends the timeframe for licensees to submit the summary technical report of each capsule withdrawal and the test results from 1 year to 18 months; and clarifies the requirements for the design of surveillance programs and the capsule withdrawal schedules for reactor vessels purchased after 1982. The Commission has voted to approve the publication and implementation of this direct final rule and the companion proposed rule subject to the changes noted in the in attachments. Additionally, the Commission has certified that this rule will not have a significant impact on a substantial number of small entities.

Would the Commissioners in the meeting room please affirm your votes?

CHAIRMAN SVINICKI: Aye.

COMMISSIONER BARAN: Aye.

COMMISSIONER WRIGHT: Aye.

COMMISSION HANSON: Aye.

ANNETTE VIETTI-COOK: Commission Caputo would you please affirm your vote?

COMMISSIONER CAPUTO: Aye.

ANNETTE VIETTI-COOK: That's all I have.

CHAIRMAN SVINICKI: Thank you, Madam Secretary. Do any of the members of the Commission either telephonically or in the room wish to make any comments on the affirmed items?

CHAIRMAN SVINICKI: Hearing none, thank you and we will close our affirmation session.

CERTIFICATE

This is to certify that the attached description of a meeting of the U.S. Nuclear Regulatory Commission entitled:

TITLE OF MEETING: Affirmation Session
(PUBLIC WEBCAST)

PLACE OF MEETING: Rockville, Maryland

DATE OF MEETING: September 15, 2020

was held as herein appears, is a true and accurate record of the meeting, and that this is the original transcript thereof taken stenographically by me, thereafter reduced to typewriting by me or under the direction of the court reporting company.

Transcriber: Wendy Moore

Reporter: (Teleconference)