

UNITED STATES
NUCLEAR REGULATORY COMMISSION

AFFIRMATION SESSION

PUBLIC MEETING

Nuclear Regulatory Commission
Commission Hearing Room
11555 Rockville Pike
Rockville, Maryland
January 15, 2021

The Commission met in open session, pursuant to notice at 10:00 AM., Kristine L. Svinicki, Chairman, presiding.

COMMISSIONERS PRESENT:

KRISTINE L. SVINICKI, Chairman

JEFF M. BARAN, Member of the Commission (via teleconference)

ANNIE CAPUTO, Member of the Commission

DAVID A. WRIGHT, Member of the Commission (via teleconference)

CHRISTOPHER T. HANSON, Member of the Commission (via teleconference)

ALSO PRESENT:

MARIAN ZOBLER, General Counsel

ANNETTE VIETTI-COOK, Secretary of the Commission

DISCLAIMER

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[10:00 a.m.]

P R O C E E D I N G S

CHAIRMAN SVINICKI: Thank you very much operator, this is Kristine Svinicki, Chairman of the U.S. Nuclear Regulatory Commission. I have called our affirmation session to order. I am presiding over this meeting of our Commission from the NRC Headquarters in Rockville, Maryland. Joining me here in the NRC offices is Commissioner Caputo who is here as a member of the Commission. Also, we have the Secretary of the Commission, Annette Vietti-Cook and the agency's General Counsel, Marian Zobler here in the White Flint Complex. The other members of the Commission will be participating virtually in this meeting. Madam Secretary, I understand we have three items for affirmation, would you please lead the Commission through this affirmation?

ANNETTE VIETTI-COOK: Yes, the first item is SECY-20-0069/69A, Entergy Nuclear Operations, Incorporated (Indian Point Nuclear Generating Station Units 1, 2, and 3, and Independent Spent Fuel Storage Installation).

The Commission is being asked to act on a Memorandum and Order responding to three separate petitions for leave to intervene and requests for a hearing on the proposed license transfer from the State of New York; the Town of Cortlandt, Village of Buchanan, and Hendrick Hudson School District (together referred to as Local Petitioners); and Riverkeeper, Incorporated. It also considers a letter from Safe Energy Rights Group, Incorporated that requests a hearing, and a motion by New York to amend its petition based on circumstances related to the COVID-19 public health emergency. In addition, it considers two motions by Riverkeeper, one to supplement the basis for its contention, and the other seeking a waiver of

our regulations to require a Commission decision on Riverkeeper's hearing request prior to the Staff's decision on the license transfer application.

The Commission, with Commissioners Baran and Hanson each dissenting in part, has voted to approve a Memorandum and Order that denies the requests for hearing and petitions to intervene, as well as subsequent motions filed by New York and Riverkeeper, and terminates this proceeding.

Would you please affirm your vote when I call your name?

CHAIRMAN SVINICKI: Aye.

COMMISSIONER BARAN: Aye.

COMMISSIONER CAPUTO: Aye.

COMMISSIONER WRIGHT: Aye.

COMMISSIONER HANSON: Aye

ANNETTE VIETTI-COOK: Thank you. The second item is SECY-20-0077, FirstEnergy Companies and TMI-2 Solutions, Limited Liability Company (Three Mile Island Nuclear Station, Unit 2).

The Commission is being asked to act on a Memorandum and Order responding to a petition to intervene and a request for a hearing filed jointly by Eric Epstein and Three Mile Island Alert, Incorporated, in this proceeding, which concerns a request to transfer the possession-only license for Three Mile Island, Unit 2.

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

Would you please affirm your vote when I call your name?

CHAIRMAN SVINICKI: Aye.

COMMISSIONER BARAN: Aye.

COMMISSIONER CAPUTO: Aye.

COMMISSIONER WRIGHT: Aye.

COMMISSIONER HANSON: Aye

ANNETTE VIETTI-COOK: Thank you. This is the third and last item; it is SECY-20-0114, in the matter of Joseph Shea (Order Prohibiting Involvement in NRC-Licensed Activities Immediately Effective), Review of Licensing Board Panel-20-11.

The Commission is being asked to act on a Memorandum and Order addressing the Atomic Safety and Licensing Board's decision to set aside the immediate effectiveness of the NRC Staff's enforcement order in this case.

The Commission has voted to approve a Memorandum and Order affirming the Board's decision.

Would you please affirm your vote when I call your name?

CHAIRMAN SVINICKI: Aye.

COMMISSIONER BARAN: Aye.

COMMISSIONER CAPUTO: Aye.

COMMISSIONER WRIGHT: Aye.

COMMISSIONER HANSON: Aye

ANNETTE VIETTI-COOK: Thank you very much. That's all I have.

CHAIRMAN SVINICKI: Thank you Madam Secretary. Before I gavel the Commission's affirmation session to a close, I will pause and ask if any member of the Commission would like to make a statement on any of the three decisions just affirmed?

CHAIRMAN SVINICKI: Hearing none.

[The Commissioners recognized the Chairman's service to the Commission for her final Commission meeting.]

CHAIRMAN SVINICKI: We are adjourned.

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 MEETING)

PLACE OF MEETING: Rockville, Maryland

DATE OF MEETING: January 15, 2021

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: Marcia Pringle

Reporter: (TELECONFERENCE)