

UNITED STATES
NUCLEAR REGULATORY COMMISSION

AFFIRMATION SESSION

PUBLIC MEETING

Nuclear Regulatory Commission
Commission Hearing Room
11555 Rockville Pike
Rockville, Maryland
March 23, 2022

The Commission met in open session, pursuant to notice at 9:30 AM., Christopher T. Hanson, Chairman, presiding.

COMMISSIONERS PRESENT:

CHRISTOPHER T. HANSON, Chairman (via teleconference)

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

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

ALSO PRESENT:

MARIAN ZOBLER, General Counsel (via teleconference)

ANNETTE VIETTI-COOK, Secretary of the Commission (via teleconference)

DISCLAIMER

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[9:30 a.m.]

PROCEEDINGS

CHAIRMAN HANSON: Thank you operator. Good morning, I am Christopher Hanson, Chairman of the Nuclear Regulatory Commission, and I am presiding over this public affirmation session, which is being conducted by teleconference.

Joining me are the other currently serving members of the Commission. May I have each Commissioner affirm their presence when I call their name. Commissioner Baran.

COMMISSIONER BARAN: Here.

CHAIRMAN HANSON: Commissioner Wright.

COMMISSIONER WRIGHT: Here.

CHAIRMAN HANSON: Also participating are Annette Vietti-Cook, Secretary of the Commission.

ANNETTE VIETTI-COOK: Here.

CHAIRMAN HANSON: And Marian Zabler, General Counsel.

MARIAN ZOBLER: I'm here.

CHAIRMAN HANSON: This meeting is open to the public to listen in.

Madam Secretary, I believe we have two items for affirmation this morning. Would you please lead the Commission through?

ANNETTE VIETTI-COOK: Yes. Today's first item is SECY-21-0082 – Final Rule – Fitness for Duty Drug Testing Requirements.

The Commission is being asked to act on a final rule to align the U.S. Nuclear Regulatory Commission's drug testing requirements in Part 26 of Title 10 of the Code of Federal Regulations (10 CFR), "Fitness for Duty Programs," more closely to those specified in the 2008 and 2017 U.S. Department of Health and Human Services' "Mandatory Guidelines for Federal Workplace Drug Testing Programs." The final rule also addresses lessons learned from implementing 10 CFR Part 26.

The Commission has voted to approve the publication and implementation of this final rule. The Commission has also certified under the Regulatory Flexibility Act that this rule will not have significant economic impact on a substantial number of small entities.

Would you please affirm your votes after I call your name? Chairman Hanson.

CHAIRMAN HANSON: Aye.

ANNETTE VIETTI-COOK: Commissioner Baran.

COMMISSIONER BARAN: Aye.

ANNETTE VIETTI-COOK: Commissioner Wright.

COMMISSIONER WRIGHT: Aye.

ANNETTE VIETTI-COOK: Thank you. Today's second item is SECY-21-0102 – NextEra Energy Point Beach, LLC (Point Beach Nuclear Plant, Units 1 and 2), Appeal from Licensing Board Panel 21-5.

The Commission is being asked to act on a Memorandum and Order addressing an appeal by the Physicians for Social Responsibility Wisconsin of the Atomic Safety and Licensing Board's decision denying a petition for leave to intervene and request for a hearing regarding the subsequent license renewal of the operating license for Point Beach Nuclear Plant, Units 1 and 2, for an additional 20 years.

The Commission has voted to approve a Memorandum and Order denying Physicians for Social Responsibility's appeal from LBP 21-5. The appeal is denied for contentions 1 and 2. Contention 3 was addressed in Commission Legal Issuance 22-3.

Would you please affirm your votes after I call your name? Chairman Hanson.

CHAIRMAN HANSON: Aye.

ANNETTE VIETTI-COOK: Commissioner Baran.

COMMISSIONER BARAN: Aye.

ANNETTE VIETTI-COOK: Commissioner Wright.

COMMISSIONER WRIGHT: Aye.

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

CHAIRMAN HANSON: Thank you Madam Secretary. Would any of the members of the Commission like to make comments regarding the decisions just issued? Okay, I would like to just make a couple of brief comments. Not about the decisions reached, but to appreciate the long service of Annette Vietti-Cook. We are, over the next 7 or 8 days, approaching a series of lasts for Annette, and as it turns out, this is Annette's last affirmation session. So I would like to recognize her and appreciate her publicly for her incredible tenure in service to the American public. On a personal note, Annette, thank you so very much for sticking it out for another Commission and another Chairman. I deeply appreciate it.

ANNETTE VIETTI-COOK: Thank you so much.

CHAIRMAN HANSON: With that then, I will call the affirmation to a close. Thank you all for your participation.

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: March 23, 2022

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)