

NUCLEAR REGULATORY COMMISSION

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IN THE MATTER OF:

PUBLIC COMMISSION MEETING  
ADJUDICATORY SESSION 77-47

Place - Washington, D. C.

Date - Friday, 2 December 1977

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UNITED STATES OF AMERICA  
NUCLEAR REGULATORY COMMISSION

PUBLIC COMMISSION MEETING  
ADJUDICATORY SESSION 77-47

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

Friday, 2 December 1977

The NRC Commissioners met, pursuant to notice, at  
11:05 a.m., JOSEPH HENDRIE, Chairman, presiding:

PRESENT:

- JOSEPH HENDRIE, CHAIRMAN
- RICHARD KENNEDY, COMMISSIONER
- VICTOR GILINSKY, COMMISSIONER
- PETER BRADFORD, COMMISSIONER

Samuel Chilk

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CHAIRMAN HENDRIE: This is an affirmation item.

This continues to be a public session.

MR. CHILK: Mr. Chairman, you have two affirmation items of consideration.

The first is a November 10 OGC Memo regarding the amendment of our Sunshine Regulations, in which the General Counsel has recommended a procedural change.

As you all know, the present practice requires the General Counsel to have a lawyer at each closed meeting to advise the Commission on withholding or what to do with the transcript.

The General Counsel has suggested a change, a procedural change that would remove the requirement for a mandatory presence of one of his people, leave the decision as it now is with the Commission and formalize the SECY role in which the SECY announces which portion will be released or not after consulting with the General Counsel and after getting the consent of the Commission.

This is a procedural change to which all of you agreed, and I will request your affirmation.

CHAIRMAN HENDRIE: Those in favor?

(Chorus of ayes.)

CHAIRMAN HENDRIE: Very good.

MR. CHILK: The second item is SECY 77-76, which is

1 a Motion of the Justice Department for Leave to File a  
2 Brief in Response to the Commission's Order on St. Lucie.

3 The Commission on October 19 decided to review ALAB  
4 420 and asked for briefs.

5 The Department of Justice filed a motion for leave  
6 to file a brief. The motion was opposed by the Florida Power &  
7 Light on the basis that Justice did not participate from the  
8 beginning of the matter and should not now be allowed to  
9 participate.

10 The General Counsel notes that Justice has a  
11 statutory role, recommends that the Justice motion be granted.

12 All of you have agreed with that recommendation.

13 CHAIRMAN HENDRIE: Those in favor?

14 (Chorus of ayes.)

15 CHAIRMAN HENDRIE: So ordered.

16 MR. CHILK: Those are the two affirmations.

17 That concludes the affirmation.

18 CHAIRMAN HENDRIE: Okay.

19 (Whereupon, at 11:10, the hearing in the above-  
20 entitled matter was adjourned.)

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