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NUCLEAR REGULATORY COMMISSION

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IN THE MATTER OF:

PUBLIC MEETING

AFFIRMATION SESSION 79-30

Place - Washington, D. C.

Date - Thursday, 4 October 1979

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UNITED STATES OF AMERICA  
NUCLEAR REGULATORY COMMISSION

PUBLIC MEETING

AFFIRMATION SESSION 79-30

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

Thursday, 4 October 1979

The Commission met, pursuant to notice, at 1:58 p.m.

BEFORE:

- DR. JOSEPH M. HENDRIE, Chairman
- VICTOR GILINSKY, Commissioner
- PETER A. BRADFORD, Commissioner
- JOHN F. AHEARNE, Commissioner

PRESENT:

John Hoyle.

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## AFTERNOON SESSION

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(1:58 p.m.)

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CHAIRMAN HENDRIE: I would like to announce for the edification of the assembled audience, that since we didn't get to a couple of affirmation items and to a discussion -- hopefully, a brief discussion -- on another item this morning, I am going to start with those, so that what on the Commission's schedule, the revised schedule for Thursday, October 4th, were items two and three in the morning session now become one and two in the afternoon session.

Let's see, there is one affirmation item which we can take up, which I believe we are sufficiently well agreed upon. So we can simply do it.

MR. HOYLE: That would be an add-on item. I would ask you to call for an add-on to that.

CHAIRMAN HENDRIE: I would ask my colleagues to join me in voting to hold a short notice meeting to deal with the affirmation of approval under section 145(b) for certain arrangements connected with the employment of a consultant to Commissioner Gilinsky.

All in favor?

(Chorus of ayes.)

CHAIRMAN HENDRIE: So ordered. John, will you please lead us in the reading of the affirmation?

kapBWH 1

2 MR. HOYLE: This is SECY paper 79-558. And it  
3 recommends approval under section 145(b) of the Atomic  
4 Energy Act. The employment of Paul Langer as a consultant  
5 to Commissioner Gilinsky, and for access to national  
6 security information. I have indication of affirmative  
7 votes from all of your offices, and Commissioner Kennedy as  
8 well.

9 CHAIRMAN HENDRIE: Will you please affirm your  
10 votes by voting aye.

11 (Chorus of ayes.)

12 CHAIRMAN HENDRIE: So ordered.

13 MR. HOYLE: I could perhaps begin describing  
14 number three item on this morning's calendar.

15 CHAIRMAN HENDRIE: Why don't you do that?

16 MR. HOYLE: It is SECY-79-480. It is an appeal  
17 under the Freedom of Information Act by Mr. Troy Connor of  
18 the denial of certain documents withheld from him earlier.  
19 There are 11 documents involved. The commissioners have  
20 indicated votes in the following manner: the General  
21 Counsel had indicated release now of four of the 11  
22 documents. Three of you have agreed to that  
23 recommendation. Two commissioners, Gilinsky and Bradford,  
24 would favor releasing additional documents. Commissioner  
25 Gilinsky, all 11 with the exception of some non-factual  
information in one of them. Commissioner Bradford would

kapBWH 1 release 10 of the 11, deferring to the General Counsel.  
2 Commissioner Kennedy is one of those who has indicated a  
3 vote favoring release of only four. And therefore, I  
4 believe he should be in the room as we affirm the votes.

5 CHAIRMAN HENDRIE: I hope so, or I may lose it.  
6 Is there a statute of time on the thing?

7 MR. HOYLE: If there were a statute of time --

8 CHAIRMAN HENDRIE: You are just in time to affirm  
9 your vote on 79-480.

10 MR. HOYLE: It is the FOIA appeal of Troy Conner.

11 CHAIRMAN HENDRIE: I will ask us all to affirm our  
12 votes.

13 (Chorus of ayes.)

14 MR. HOYLE: The letter to Mr. Connor will point  
15 out the positions of the Commissioners Gilinsky and  
16 Bradford.

17 CHAIRMAN HENDRIE: Yes.

18 That brings us to the paper 79-479.

19 COMMISSIONER KENNEDY: Since the matter to release  
20 is a matter of a Commission decision, is it appropriate to  
21 normally, then, confer or convey to each of the parties the  
22 individual views of each commissioner on the matter? Is  
23 that the normal course of events?

24 MR. BICKWIT: I don't know what the Commission's  
25 practice has been, normally. I think it is a reasonable

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course to take.

COMMISSIONER KENNEDY: That's all I wanted to know. Thank you.

(Whereupon, at 2:04 p.m., the hearing was adjourned.)



