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NUCLEAR REGULATORY COMMISSION

IN THE MATTER OF:

PUBLIC MEETING

AFFIRMATION SESSION 79-22

Place - Washington, D. C.

Date - Friday, 27 July 1979

Pages 1 - 6

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Official Reporters

444 North Capitol Street
Washington, D.C. 20001

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UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION
PUBLIC MEETING
AFFIRMATION SESSION 79-22

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

Friday, 27 July 1979

The Commission met, pursuant to notice, at 9:40 a.m.

BEFORE:

DR. JOSEPH M. HENDRIE, Chairman

VICTOR GILINSKY, Commissioner

RICHARD T. KENNEDY, Commissioner

PETER A. BRADFORD, Commissioner

JOHN F. AHEARNE, Commissioner

ALSO PRESENT:

Messrs. Eilperin, Ostrach, and Chilk.

mgc

P R O C E E D I N G S

(9:40 a.m.)

CHAIRMAN HENDRIE: The first item this morning is an affirmation session. I'll ask the Secretary to lead us through that.

MR. CHILK: There are two orders in S-3 that the Commission is being asked to affirm. The first order is the final rule which was circulated by Chairman Hendrie on July 19. It contains minor revisions to pages 1253 and -54 circulated to you by the Solicitor on the 24th. The separate views of Commissioner Bradfrod were circulated to you on the 24th and the 26th. And the separate views of Commissioner Gilinsky were circulated to you on the 26th.

Chairman Hendrie, Commissioner Kennedy, and Commissioner Ahearne had approved the order as circulated by the Chairman's memorandum of July 19 with the OTC changes, the minor changes on the four pages I enumerated. Commissioner Bradford has approved the order in part, has disapproved it in part, and has attached his separate views as circulated to you on the 24th and the 26th. Commissioner Gilinsky has disapproved the order and has attached his separate views which were circulated to you on the 26th.

I would ask you to affirm your votes on that.

CHAIRMAN HENDRIE: Those in favor?

(Chorus of ayes.)

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mgc

1 CHAIRMAN HENDRIE: Those opposed, or in part
2 opposed?

3 COMMISSIONER GILINSKY: I think we're all voting
4 aye.

5 CHAIRMAN HENDRIE: Okay. All vote aye to affirm
6 the order.

7 MR. CHILK: The second order that you're being
8 asked to affirm is the proposed extension of interim rule as
9 recommended by the Solicitor in his memorandum of the 24th,
10 and this will continue the interim rule until the effective
11 date of the final rule, which is 30 days after its
12 publication in the Federal Register notice. And all of your
13 officers have agreed to that extension.

14 CHAIRMAN HENDRIE: Those in favor?

15 (Chorus of ayes.)

16 CHAIRMAN HENDRIE: So ordered.

17 MR. CHILK: The second affirmation is 79 --

18 CHAIRMAN HENDRIE: Okay. Go ahead, Sam.

19 MR. CHILK: SECY-A-79-56, a review of ALAB-542 in
20 the matter of Atlantic Research Corporation, in which the
21 staff has requested a review of an Appeal Board decision and
22 OTC has concurred. The Commission has voted five to
23 nothing, agreeing for review of that matter, and the order
24 modified slightly from the paper was concurred in by your
25 offices yesterday.

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1 I'd ask you to affirm that.

2 CHAIRMAN HENDRIE: Those in favor?

3 (Chorus of ayes.)

4 CHAIRMAN HENDRIE: So ordered.

5 MR. CHILK: Third, is 79-388. It's an appeal,

6 Anderson FOIA appeal for documents identified as A-4 and

7 A-7. The general counsel recommended a denial of the

8 appeal. The Commission denied the documents referred to in

9 A-4 by vote of five to nothing, denied the documents

10 referred to in A-7 by a vote of four to one with

11 Commissioner Bradford dissenting but raising no objections

12 to the affirmation.

13 I would ask you to affirm the vote.

14 CHAIRMAN HENDRIE: Those in favor?

15 (Chorus of ayes.)

16 CHAIRMAN HENDRIE: So ordered.

17 MR. CHILK: The last one is SECY-79-163-Revision

18 of 10 CFR 2.802 Petition for Rule Making. It's an amendment

19 to the Rules of Practice. The Commission voted five to

20 nothing to approve the changes. Each of you made some

21 modification. Those modifications have geared into the

22 final document which was coordinated with your offices

23 between the 20th and the 25th, so I would ask you to affirm

24 your vote.

25 CHAIRMAN HENDRIE: Those in favor?

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(Chorus of ayes.)

CHAIRMAN HENDRIE: So ordered.

MR. CHILK: That completes the affirmation, sir.

CHAIRMAN HENDRIE: Good.

(Whereupon, at 9:50 a.m., the affirmation meeting was adjourned.)

