

March 19, 1998

MEMORANDUM FOR: L. Joseph Callan  
Executive Director for Operations  
John F. Cordes, Acting Director  
Office of Commission Appellate Adjudication

FROM: John C. Hoyle, Secretary /s/

SUBJECT: STAFF REQUIREMENTS - Affirmation Session, 2:30 P.M., THURSDAY, MARCH 19, 1998,  
COMMISSIONERS' CONFERENCE ROOM, ONE WHITE FLINT NORTH, ROCKVILLE,  
MARYLAND (OPEN TO PUBLIC ATTENDANCE)

**I. SECY-98-022- PETITION FOR COMMISSION REVIEW OF DIRECTOR'S DECISION ON PADUCAH SEISMIC UPGRADES CERTIFICATE AMENDMENT REQUEST**

The Commission<sup>(1)</sup> approved an order responding to a petition by the U.S. Enrichment Corporation (USEC) for review of the Director of the Office of Nuclear Material Safety and Safeguards' decision (Director's Decision) denying, in part, USEC's certificate amendment request regarding the Paducah Gaseous Diffusion Plant (PGDP) seismic upgrades.

The Commission has voted to approve a Memorandum and Order denying the petition and requiring USEC to perform the modifications required by the Compliance Plan without further delay, as stated in the Director's Decision on December 16, 1997.

(Subsequently, on March 19, 1998, the Secretary signed the Order.)

cc: Chairman Jackson  
Commissioner Dicus  
Commissioner Diaz  
Commissioner McGaffigan  
EDO  
OGC  
CIO  
CFO  
OCAA  
OCA  
OIG  
Office Directors, Regions, ACRS, ACNW, ASLBP (via E-Mail)  
PDR - Advance  
DCS - P1-17

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1. Section 201 of the Energy Reorganization Act, 42 U.S.C. Section 5841, provides that action of the Commission shall be determined by a "majority vote of the members present." Commissioner Diaz was not present when this item was affirmed. Accordingly the formal vote of the Commission was 3-0 in favor of the decision. Commissioner Diaz, however, had previously indicated that he would approve this paper and had he been present he would have affirmed his prior vote.