

June 27, 2001

MEMORANDUM John F. Cordes, Director  
FOR: Office of Commission Appellate Adjudication  
FROM: Annette L. Vietti-Cook, Secretary /RA/  
SUBJECT: STAFF REQUIREMENTS - AFFIRMATION SESSION, 1:55 P.M., WEDNESDAY, JUNE 27, 2001,  
COMMISSIONERS' CONFERENCE ROOM, ONE WHITE FLINT NORTH, ROCKVILLE, MARYLAND (OPEN TO  
PUBLIC ATTENDANCE)

**I. SECY-01-0108 - Private Fuel Storage (Independent Spent Fuel Storage Installation) Docket No. 72-22;  
Review of LBP-01-19**

The Commission<sup>(1)</sup> approved an Order responding to a May 31, 2001, order from the Atomic Safety and Licensing Board which referred to the Commission the Board's ruling on where to set the regulatory standard for aircraft crash hazards at applicant Private Fuel Storage, L.L.C.'s proposed independent spent fuel storage installation site.

Consistent with the Commission's policy to accept Board certifications and referrals where "early resolution" of issues is desirable, the Commission approved an order granting review and setting the case for briefing.

(Subsequently, on June 27, 2001, the Secretary signed the Order.)

cc: Chairman Meserve  
Commissioner Dicus  
Commissioner Diaz  
Commissioner McGaffigan  
Commissioner Merrifield  
EDO  
OGC  
CFO  
OCA  
OIG  
OPA  
Office Directors, Regions, ACRS, ACNW, ASLBP (via E-Mail)  
PDR

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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.