

April 1, 2009

MEMORANDUM FOR: Brooke Poole, Director
Office of Commission Appellate Adjudication

FROM: Annette L. Vietti-Cook, Secretary **/RA/**

SUBJECT: STAFF REQUIREMENTS – AFFIRMATION SESSION, 1:00 P.M.,
WEDNESDAY, APRIL 1, 2009, COMMISSIONERS'
CONFERENCE ROOM, ONE WHITE FLINT NORTH,
ROCKVILLE, MARYLAND (OPEN TO PUBLIC ATTENDANCE)

I. SECY-08-0192 – AmerGen Energy Company, LLC (License Renewal for Oyster Creek Nuclear Generating Station), Docket No. 50-219-LR, Citizens' Petition for Review of LBP-07-17 and other Interlocutory Decisions in the Oyster Creek Proceeding

The Commission¹ approved a Memorandum and Order responding to a Petition for Review from Nuclear Information and Resource Service, Jersey Shore Nuclear Watch, Inc., Grandmothers, Mothers and More for Energy Safety, New Jersey Public Interest Research Group, New Jersey Sierra Club, and New Jersey Environmental Federation (collectively, Citizens) of the Atomic Safety and Licensing Board's Initial Decision, LBP-07-17, and numerous interlocutory decisions in the Oyster Creek License Renewal Proceeding. The Memorandum and Order takes limited review of the Board's decision for the express purpose of providing clarification, directs the staff to enhance its review and verification of Exelon's (formerly AmerGen) structural analysis license condition, denies Citizens' Petition for Review and its Motion to Reopen the Record, and terminates this proceeding.

Commissioner Jaczko disapproved the Memorandum and Order, in part, and provided a dissenting opinion.

(Subsequently, on April 1, 2009, the Secretary signed the Memorandum and Order.)

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." Commissioners Jaczko and Svinicki were present in the Conference Room. Chairman Klein and Commissioner Lyons participated in the meeting via speakerphone.

cc: Chairman Klein
Commissioner Jaczko
Commissioner Lyons
Commissioner Svinicki
EDO
OGC
CFO
OCA
OIG
OPA
Office Directors, Regions, ACRS, ASLBP (via E-Mail)
PDR