

October 12, 2011

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

Stephen G. Burns  
General Counsel

FROM: Andrew L. Bates, Acting Secretary of the Commission **/RA/**

SUBJECT: STAFF REQUIREMENTS - AFFIRMATION SESSION, 8:55 A.M.,  
WEDNESDAY, OCTOBER 12, 2011, COMMISSIONERS'  
CONFERENCE ROOM, ONE WHITE FLINT NORTH,  
ROCKVILLE, MARYLAND (OPEN TO PUBLIC ATTENDANCE)

- I. SECY-11-0013/SECY-11-0013A – Pacific Gas and Electric Company (Diablo Canyon Nuclear Power Plant, Units 1 and 2), Applicant’s Notice of Appeal, Brief in Support of Appeal, of LBP-10-15 (Aug. 16, 2010); NRC Staff’s Petition for Interlocutory Review of Atomic Safety and Licensing Board Decision (LBP-10-15) Admitting an Out of Scope Safety Contention and Improperly Recasting an Environmental Contention (Aug. 19, 2010); Certified Question and Referred Ruling in LBP-10-15 (Aug. 4, 2010)

The Commission approved a Memorandum and Order responding to an appeal by Pacific Gas & Electric Company, the NRC Staff’s petition for interlocutory review, the San Luis Obispo Mothers for Peace petition for waiver, and matters certified and referred by the Board in LBP-10-15. The Memorandum and Order affirms in part and reverses in part the Board’s decision and denies the waiver petition.

(Subsequently, on October 12, 2011, the Acting Secretary signed the Memorandum and Order.)

- II. SECY-11-0081 - Shieldalloy Metallurgical Corporation Site (NRC-NJ Section 274 Agreement) – Commission Decision from Court of Appeals

The Commission approved a Memorandum and Order responding to a judicial remand that would reinstate New Jersey’s agreement-state authority over the decommissioning of the Newfield, New Jersey site owned by Shieldalloy Metallurgical Corporation. The Memorandum and Order reinstates the transfer of NRC’s regulatory authority over the Newfield site to New Jersey.

(Subsequently, on October 12, 2011, the Acting Secretary signed the Memorandum and Order.)

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