

UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

AFFIRMATION SESSION

PUBLIC MEETING

Nuclear Regulatory Commission
Room 1F16
11555 Rockville Pike
Rockville, Maryland

Wednesday, January 22, 1997

The Commission met in open session, pursuant to notice, at 10:00 a.m., the Honorable SHIRLEY A. JACKSON, Chairman of the Commission, presiding.

COMMISSIONERS PRESENT:

- SHIRLEY A. JACKSON, Chairman of the Commission
- KENNETH C. ROGERS, Member of the Commission
- GRETA J. DICUS, Member of the Commission
- EDWARD McGAFFIGAN, JR., Member of the Commission

STAFF:

- JOHN C. HOYLE, Secretary
- WILLIAM J. OLMSTEAD, Associate General Counsel

P R O C E E D I N G S

[11:57 a.m.]

CHAIRMAN JACKSON: Good morning, ladies and gentlemen.

This is an affirmation session. We have two items to come before the Commission this morning.

Before I ask the Secretary to lead us through the items for affirmation, do any of my fellow commissioners have any opening comments?

COMMISSIONER DICUS: No, thank you.

CHAIRMAN JACKSON: If not, please proceed,
Mr. Hoyle.

MR. HOYLE: The first item is SECY 96-268. This paper presents an immediately effective final rule amending 10 CFR Part 71 to correct a recently discovered defect in the rule for shipments of fissile material.

All of you have voted to approve the publication of this final rule.

CHAIRMAN JACKSON: Aye.

COMMISSIONER ROGERS: Aye.

COMMISSIONER DICUS: Aye.

COMMISSIONER MCGAFFIGAN: Aye.

MR. HOYLE: The second item is SECY 97-04. The Commission is being asked in this paper to act on an order responding to petitions filed by the State of Oklahoma,

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Native Americans for a Clean Environment and the Cherokee Nation for Commission review of the Atomic Safety and Licensing Board's memorandum and order of November 5 approving a settlement agreement between the NRC staff and General Atomics.

All of you have voted to approve the order granting the petitions for review and setting a briefing schedule. May I ask you to affirm your votes?

CHAIRMAN JACKSON: Aye.

COMMISSIONER ROGERS: Aye.

COMMISSIONER DICUS: Aye.

COMMISSIONER MCGAFFIGAN: Aye.

MR. HOYLE: I will mention that Commissioner Diaz, who is absent today, has voted for both of these papers.

COMMISSIONER MCGAFFIGAN: Madam Chairman, could I just say on the first item Babcock and Wilcox deserves some real credit for bringing that issue to our attention and the staff deserves a lot of credit for very promptly responding.

CHAIRMAN JACKSON: And we publicly thank both of them, to the extent we have a public this morning.

If there are no other items to come before us, we are adjourned.

[Whereupon, at 11:58 a.m., the affirmation session was adjourned.]