

1 UNITED STATES OF AMERICA
2 NUCLEAR REGULATORY COMMISSION

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4 Affirmation Session

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6 PUBLIC MEETING

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8 Nuclear Regulatory Commission
9 Commission Hearing Room
10 11555 Rockville Pike
11 Rockville, Maryland

12
13 Thursday, August 7, 1997

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15 The Commission met in open session, pursuant to
16 notice, at 10:49 a.m., the Honorable SHIRLEY A. JACKSON,
17 Chairman of the Commission, presiding.

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19 COMMISSIONERS PRESENT:

- 20 SHIRLEY A. JACKSON, Chairman of the Commission
- 21 GRETA J. DICUS, Member of the Commission
- 22 EDWARD McGAFFIGAN, JR., Member of the Commission
- 23 NILS J. DIAZ, Member of the Commission

1 STAFF AND PRESENTERS SEATED AT COMMISSION TABLE:

- 2 JOHN C. HOYLE, Secretary
- 3 KAREN D. CYR, General Counsel

1 P R O C E E D I N G S

2 [10:49 a.m.]

3 CHAIRMAN JACKSON: Now we have an affirmation
4 session. You can stay and be part of our audience, if you
5 wish.

6 Good morning, ladies and gentlemen. This is an
7 affirmation session.

8 Am I allowed to start 11 minutes early?

9 We have two items to come before us this morning.
10 Before I ask the Secretary to lead us through the items for

11 affirmation, do any of my colleagues have any opening
12 comments they would like to make?
13 [No response.]
14 CHAIRMAN JACKSON: If not, Mr. Secretary, please
15 proceed.

16 MR. HOYLE: Thank you, Chairman Jackson.
17 The first of the two is SECY 97-165. In this
18 paper, the Commission is being asked to act on an order
19 responding to the staff's petition for review of two Atomic
20 Safety and Licensing Board issuances, 97-2 and 97-6. Both
21 of these have to do with a senior reactor operator license
22 for Mr. Ralph Tetrick.

23 The Commission has voted to approve the order
24 which grants the petition for review and reverses the
25 Presiding Officer's decision requiring an issuance of an SRO

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1 license to Mr. Tetrick based upon the rounding of
2 Mr. Tetrick's written examination scores.

3 Chairman Jackson, Commissioners Dicus and Diaz
4 would disapprove this order.

5 I ask you to affirm your votes.

6 [A chorus of ayes.]

7 MR. HOYLE: Thank you.

8 The second one is acting on an order responding to
9 an appeal from the Native American Petitioners in the Energy
10 Fuels Nuclear, Incorporated, case, appeal of a Presiding
11 Officer's order, 97-12, rejecting the Native American
12 Petitioners' claims for standing. The order proposes to
13 instruct the Presiding Officer to pass upon the motions to,
14 one, reconsider his decision and, two, to reopen the record.

15 The order indicates that the Commission believes
16 the Presiding Officer's greater familiarity with the prior
17 proceeding and pleadings in this case renders him better
18 equipped than the Commission to make prompt initial rulings
19 on the merits of these motions.

20 All of you have voted to approve the order. I ask
21 you to affirm your votes.

22 [A chorus of ayes.]

23 MR. HOYLE: Thank you.

24 CHAIRMAN JACKSON: Is there anything else to come
25 before us this morning?

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1 MR. HOYLE: No, there isn't.

2 CHAIRMAN JACKSON: If not, we stand adjourned.

3 [Whereupon, at 10:52 a.m., the affirmation session
4 was concluded.]

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