

UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

AFFIRMATION SESSION

PUBLIC MEETING

Nuclear Regulatory Commission
Commission Hearing Room
11555 Rockville Pike
Rockville, Maryland

Thursday, April 30, 1998

The Commission met in open session, pursuant to notice, at 1:52 p.m.,
Shirley Ann Jackson, Chairman, presiding.

COMMISSIONERS PRESENT:

- SHIRLEY ANN JACKSON, Chairman of the Commission
- GRETA J. DICUS, Member of the Commission
- NILS J. DIAZ, Member of the Commission
- EDWARD McGAFFIGAN, JR., Member of the Commission

STAFF AND PRESENTERS SEATED AT THE COMMISSION TABLE:

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

DISCLAIMER

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PROCEEDINGS

[1:52 p.m.]

CHAIRMAN JACKSON: Good afternoon. This is an affirmation session. We have three items to come before us this afternoon. Before I ask the Secretary to lead us through the items for affirmation, do any of my colleagues have any opening comments they wish to make? If not, Mr. Secretary, please proceed.

MR. HOYLE: Thank you, Chairman Jackson. The first paper is SECY-98-040. This is a final rule regarding requirements for shipping packages used to transport vitrified high level waste. This rule amends Part 71 of the Commission's regulations to add vitrified high level waste contained in a sealed canister designed to maintain waste containment during handling activities

associated with transport to the forms of plutonium which are exempt from the double containment packaging requirements for transportation of plutonium. This amendment responds to a petition for rulemaking submitted by the Department of Energy. All Commissioners have voted to approve the publication and the implementation of this final rule. May I have you affirm your votes, please?.

CHAIRMAN JACKSON: Aye.

COMMISSIONER DICUS: Aye.

COMMISSIONER DIAZ: Aye.

COMMISSIONER MCGAFFIGAN: Aye.

MR. HOYLE: Thank you. The second one is SECY-98-091 regarding the Louisiana Energy Services case. The Commission is being asked to act on an

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order responding to a motion by Louisiana Energy Services to withdraw its License application to construct and operate the Claiborne Enrichment Center and to terminate the proceeding. All of you have voted to approve an order granting the LES motion to withdraw its license application and terminate this proceeding. This order will render all remaining issues in this case moot. May I ask you to affirm your votes?

CHAIRMAN JACKSON: Aye.

COMMISSIONER DICUS: Aye.

COMMISSIONER DIAZ: Aye.

COMMISSIONER MCGAFFIGAN: Aye.

MR. HOYLE. Thank you. The third item is SECY-98-002A regarding the International Uranium Case. The Commission is being asked to act on an order responding to the challenge of three petitioners to the Presiding Officer's denial of standing in LBP-97-12 and 97-14. The Commission has voted to approve an order that I provided you this morning which affirms the decision of the Presiding Officer in these two LBP orders to deny the standing of the petitioners. May I ask you to affirm your votes, please?

CHAIRMAN JACKSON: Aye.

COMMISSIONER DICUS: Aye.

COMMISSIONER DIAZ: Aye.

COMMISSIONER MCGAFFIGAN: Aye.

MR. HOYLE: Thank you.

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CHAIRMAN JACKSON: Mr. Secretary, is there anything else to come before us this afternoon?

MR. HOYLE: There's nothing.

CHAIRMAN JACKSON: If not, we're adjourned. Thank you.

[Whereupon, at 1:58 p.m., the affirmation session was adjourned.]

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CERTIFICATE

This is to certify that the attached description of a meeting of the U.S. Nuclear Regulatory Commission entitled:

TITLE OF MEETING: Affirmation Session
(PUBLIC MEETING)

PLACE OF MEETING: Rockville, Maryland

DATE OF MEETING: Thursday, April 30, 1998

was held as herein appears, is a true and accurate record of the meeting, and that this is the original transcript thereof taken stenographically by me, thereafter reduced to typewriting by me or under the direction of the court reporting company.

Transcriber: DARLENE K. WRIGHT

Reporter: (TAPE RECORDING)