

UNITED STATES OF AMERICA
 NUCLEAR REGULATORY COMMISSION

AFFIRMATION SESSION

PUBLIC MEETING

Nuclear Regulatory Commission

Commission Hearing Room

11555 Rockville Pike

Rockville, Maryland

Wednesday, December 23, 1998

The Commission met in open session, pursuant to notice, at 9:00 a.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 (VIA TELEPHONE)

EDWARD McGAFFIGAN, JR., Member of the Commission

JEFFREY S. MERRIFIELD, Member of the Commission 2

STAFF AND PRESENTERS SEATED AT THE COMMISSION TABLE:

JOHN C. HOYLE, Secretary

JOSEPH R. GRAY, Associate General Counsel for Licensing and Regulation³

DISCLAIMER

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P R O C E E D I N G S

[9:10 a.m.]

CHAIRMAN JACKSON: Good morning ladies and gentlemen. This is an Affirmation Session. We have one item to come before us this morning. Before I ask the Secretary to lead us through the item for affirmation, do any of my colleagues have any opening comments they wish to make?

VOICE: No.

VOICE: No.

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

MR. HOYLE: Thank you, Chairman Jackson. Let me reconfirm that Commissioner Diaz is on the phone.

CHAIRMAN JACKSON: Oh, good morning.

COMMISSIONER DIAZ: Good morning.

CHAIRMAN JACKSON: How are you?

COMMISSIONER DIAZ: I'm fine. (unintelligible)

COMMISSIONER MCGAFFIGAN: Good morning.

COMMISSIONER DICUS: Good morning.

COMMISSIONER MERRIFIELD: Good morning.

COMMISSIONER DIAZ: Good morning.

MR. HOYLE: We have one item this morning, it's SECY-98-283. It concerns the Baltimore Gas & Electric Company (Calvert Cliffs Nuclear Power Plant, Units 1 and 2). The Commission is being asked in this paper to act on an Order

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responding to an appeal of LBP-98-26 by the National Whistleblowers Center. The Licensing Board Order had dismissed the proceeding on the ground that the Center had failed to submit contentions by October 1 deadline prescribed by the Board and it failed to satisfy the Commission's standards for acceptance of late filed contentions. Each of you has voted to approve the Memorandum and Order with revisions which affirms the Board's dismissal of the proceeding. Let me have you affirm your votes, please.

CHAIRMAN JACKSON: Aye.

COMMISSIONER DICUS: Aye.

COMMISSIONER MCGAFFIGAN: Aye.

COMMISSIONER MERRIFIELD: Aye.

COMMISSIONER DIAZ: Aye.

MR. HOYLE: Thank you, Commissioner Diaz.

CHAIRMAN JACKSON: Is there anything else to come before us today? Mr. Secretary?

MR. HOYLE: No, there isn't, Chairman Jackson.

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

MR. HOYLE: Thank you. [Whereupon, at 9:13 a.m., the affirmation session was adjourned.] 6

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: Wednesday, December 23, 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)