

UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

AFFIRMATION SESSION

PUBLIC MEETING

Nuclear Regulatory Commission

Commission Hearing Room

11555 Rockville Pike

Rockville, Maryland

Monday, April 26, 1999

The Commission met in open session, pursuant to notice, at 2:00 p.m., Shirley Ann Jackson, Chairman, presiding.

COMMISSIONERS PRESENT:

SHIRLEY ANN JACKSON, Chairman of the Commission

GRETA J. DICUS, Member of the Commission
(via telephone)

NILS J. DIAZ, Member of the Commission

EDWARD MCGAFFIGAN, JR., Member of the Commission

JEFFREY S. MERRIFIELD, Member of the Commission
(via telephone)

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STAFF AND PRESENTERS SEATED AT THE COMMISSION TABLE:

ANNETTE L. VIETTI-COOK, Secretary

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

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DISCLAIMER

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The transcript is intended solely for general information purposes. As provided by 10 CFR 9.103, it is not part of the formal or informal record of decision of the matters discussed. Expressions of opinion in this transcript do not necessarily reflect final determination or beliefs. No pleading or other paper may be filed with the Commission in any proceeding as the result of, or addressed to, any statement or argument contained herein, except as the Commission may authorize.

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[2:05 p.m.]

CHAIRMAN JACKSON: Good afternoon ladies and gentlemen. This is an Affirmation Session. We have six 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 would like to make?

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

MS. VIETTI-COOK: The first item is SECY-99-097 - Shieldalloy Metallurgical Corporation. The Commission is being asked to act on a Memorandum and Order responding to the appeal of certain citizens of Guernsey County, Ohio, ("Citizens") challenging the Presiding Officer's finding that they lack standing to challenge Shieldalloy Metallurgical Corporation's application to amend its materials license. The Commission has voted to approve a Memorandum and Order which denies the Citizens appeal and affirms the Presiding Officer's decision in LBP-99-12. Would the Commission in the room please affirm your vote?

CHAIRMAN JACKSON: Aye.

COMMISSIONER DIAZ: Aye.

COMMISSIONER MCGAFFIGAN: Aye.

MS. VIETTI-COOK: Commissioner Dicus, would you please affirm your vote?

COMMISSIONER DICUS: Aye.

MS. VIETTI-COOK: Commissioner Merrifield?

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COMMISSIONER MERRIFIELD: Aye.

MS. VIETTI-COOK: The next item is SECY-99-103 - International Uranium Corporation Petition for Review of LBP-99-5. The Commission is being asked to act on a Memorandum and Order responding to the State of Utah's request for Commission review of LBP-99-5 in which Utah's request to have the International Uranium Corporation's license amendment vacated was denied. The Commission has voted to approve an Order which grants review of LBP-99-5 and sets a briefing schedule. Would the Commissioners in the room please affirm your vote?

CHAIRMAN JACKSON: Aye.

COMMISSIONER DIAZ: Aye.

COMMISSIONER MCGAFFIGAN: Aye.

MS. VIETTI-COOK: Commissioner Dicus, would you please affirm your vote?

COMMISSIONER DICUS: Aye.

MS. VIETTI-COOK: Commissioner Merrifield?

COMMISSIONER MERRIFIELD: Aye.

MS. VIETTI-COOK: The next item is SECY-99-110 - Aharon Ben-Haim. The Commission is being asked to act on a Memorandum and Order responding to petitions from the NRC Staff and Dr. Aharon Ben-Haim for review of LBP-99-4. The Commission has voted to approve a Memorandum and Order which denies the NRC Staff's and Dr. Ben-Haim's petition for review. Would the Commissioners in the room please affirm your vote?

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CHAIRMAN JACKSON: Aye.

COMMISSIONER DIAZ: Aye.

COMMISSIONER MCGAFFIGAN: Aye.

MS. VIETTI-COOK: Commissioner Dicus, would you please affirm your vote?

COMMISSIONER DICUS: Aye.

MS. VIETTI-COOK: Commissioner Merrifield?

COMMISSIONER MERRIFIELD: Aye.

MS. VIETTI-COOK: The next item is SECY-99-111 - Proposed License to Export High Enriched Uranium for Production of Medical Isotopes at the Canadian Maple Reactors. The Commission is being asked to act on a Memorandum and Order responding to Nuclear Control Institute's petition for intervention and request for a hearing in this export license application proceeding. The Commission has voted to approve the Memorandum and Order which denies the petition for intervention and sets a date for public meeting on the application. Commissioner Dicus, would you please affirm your vote?

COMMISSIONER DICUS: Aye.

MS. VIETTI-COOK: Commissioner Merrifield, would you please affirm your vote?

COMMISSIONER MERRIFIELD: Aye.

MS. VIETTI-COOK: Commissioners in the conference room, would you please affirm your votes?

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CHAIRMAN JACKSON: Aye.

COMMISSIONER DIAZ: Aye.

COMMISSIONER MCGAFFIGAN: Aye.

MS. VIETTI-COOK: SECY-99-116 - North Atlantic Energy Service Corporation (Seabrook Station, Unit 1). The Commission is being asked to act on a Memorandum and Order terminating this proceeding on the grounds that the sole intervenor in this proceeding has withdrawn from the case. The Commission has voted to approve the Memorandum and Order terminating this proceeding. Commissioner Dicus, would you please affirm your vote?

COMMISSIONER DICUS: Aye.

MS. VIETTI-COOK: Commissioner Merrifield?

COMMISSIONER MERRIFIELD: Aye.

MS. VIETTI-COOK: Would the Commissioners in the conference room?

CHAIRMAN JACKSON: Aye.

COMMISSIONER DIAZ: Aye.

COMMISSIONER MCGAFFIGAN: Aye.

MS. VIETTI-COOK: SECY-99-120 - Boston Edison Company and Entergy Nuclear Generation Company (Pilgrim Nuclear Station). The Commission is being asked to act on a Memorandum and Order terminating this proceeding on the grounds that all petitioners have withdrawn from the case. The Commission has voted to approve a Memorandum and Order which terminates this proceeding. Commissioner Dicus, would you please affirm your vote?

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COMMISSIONER DICUS: Aye.

MS. VIETTI-COOK: Commissioner Merrifield, would you please affirm your vote?

COMMISSIONER MERRIFIELD: Aye.

MS. VIETTI-COOK: Commissioners in the conference room, would you please affirm your vote?

CHAIRMAN JACKSON: Aye.

COMMISSIONER DIAZ: Aye.

COMMISSIONER MCGAFFIGAN: Aye.

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

MS. VIETTI-COOK: No, thankfully.

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

[Whereupon, at 2:15 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: April 26, 1999

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)