

UNITED STATES OF AMERICA  
NUCLEAR REGULATORY COMMISSION

\*\*\*

AFFIRMATION SESSION

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PUBLIC MEETING

\*\*\*Nuclear Regulatory Commission

Commission Hearing Room

11555 Rockville Pike

Rockville, Maryland

Thursday, May 27, 1999

The Commission met in open session, pursuant to notice, at 11:30 a.m., Shirley Ann Jackson, Chairman, presiding.

COMMISSIONERS PRESENT:

SHIRLEY ANN JACKSON, Chairman of the Commission

GRETA J. DICUS, Member of the Commission

EDWARD MCGAFFIGAN, JR., Member of the Commission

JEFFREY S. MERRIFIELD, Member of the Commission 2

STAFF AND PRESENTERS SEATED AT THE COMMISSION TABLE:

ANNETTE L. VIETTI-COOK, Secretary

KAREN D. CYR, General Counsel3

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.

P R O C E E D I N G S

[11:30 a.m.]

CHAIRMAN JACKSON: Good morning ladies and gentlemen. This is an Affirmation Session. We have two items to come before us this morning. 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?

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

MS. VIETTI-COOK: The Commission is being asked to act on a Final Rule amending various sections of 10 CFR Part 72, miscellaneous changes to licensing requirements for the independent storage of spent nuclear fuel and high level radioactive waste. These changes differentiate the requirements for the storage of spent fuel under wet and dry conditions, clarify requirements for the content and submission of various reports, and specify that quality assurance records must be maintained as permanent records when identified with activities and items important to safety. The Commission has voted to approve the publication and implementation of this final rule subject to the comments and changes provided in the attachment. Would you

please affirm your vote?

CHAIRMAN JACKSON: Aye.

COMMISSIONER DICUS: Aye.

COMMISSIONER MCGAFFIGAN: Aye.

COMMISSIONER MERRIFIELD: Aye.5

MS. VIETTI-COOK: Commissioner Diaz had previously voted to approve this paper and had he been present, would have affirmed his prior vote. The second item is in the matter of Hydro Resources, Inc. The Commission is being asked to act on a Memorandum and Order responding to filings by Eastern Navaho Dine??? against Uranium Mining and Southwest Research and Information Center. The Commission has voted to approve a Memorandum and Order which denies the intervenor's May 14, 1999 petition for interlocutory review of the presiding officer's April 21, 1999 Memorandum and Order questions concerning radioactive air emissions and grants intervenor's May 13, 1999 motion for reconsideration of the Commission's May 3, 1999 Order. Would you please affirm your vote?

CHAIRMAN JACKSON: Aye.

COMMISSIONER DICUS: Aye.

COMMISSIONER MCGAFFIGAN: Aye.

COMMISSIONER MERRIFIELD: Aye.

MS. VIETTI-COOK: Commissioner Diaz had previously voted to approve this paper as well and had he been present, would have affirmed his prior vote.

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

MS. VIETTI-COOK: No.

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

[Whereupon, at \_\_\_\_ a.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: May 27, 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)