

UNITED STATES OF AMERICA  
NUCLEAR REGULATORY COMMISSION

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AFFIRMATION SESSION

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PUBLIC MEETING

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

Wednesday, December 20, 2000

The Commission met in open session, pursuant to notice, at 3:30

p.m.,

Richard A. Meserve, Chairman, presiding.

COMMISSIONERS PRESENT:

RICHARD A. MESERVE, Chairman

GRETA J. DICUS, Member of the Commission

NILS J. DIAZ, Member of the Commission

EDWARD MCGAFFIGAN, JR., Member of the Commission

JEFFREY S. MERRIFIELD, Member of the Commission

STAFF AND PRESENTERS SEATED AT THE COMMISSION TABLE:

ANNETTE L. VIETTI-COOK, Secretary

KAREN D. CYR, General Counsel

This is an unofficial transcript of a meeting of the United States Nuclear Regulatory Commission on December 20, 2000 in the Commission's office at One White Flint North, Rockville, Maryland. The meeting was open to public attendance and observation. This transcript has not been reviewed, corrected or edited, and it may contain inaccuracies.

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.

3

[3:30 p.m.]

### PROCEEDINGS

CHAIRMAN MESERVE: Good afternoon. We have one item before us for affirmation. Madam Secretary, you may proceed.

MS. VIETTI-COOK: The Commission is being asked to act on a Memorandum responding to a motion for clarification by the State of Utah related to the regulation allowing a petition for review after a partial initial decision by the Licensing Board, 10 CFR Section 2.786(b). The Commission has voted to approve a memorandum which provides that the rulings rejecting or dismissing bases or related contentions should be appealed immediately after the partial initial decision. Would you please affirm your votes?

CHAIRMAN MESERVE: Aye

COMMISSIONER DICUS: Aye.

COMMISSIONER DIAZ: Aye.

COMMISSIONER MCGAFFIGAN: Aye

COMMISSIONER MERRIFIELD: Aye

MS. VIETTI-COOK: That's all I have.

CHAIRMAN MESERVE: Very good. Thank you very much. We're adjourned. [3:35 p.m.]

4

### 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: December 20, 2000

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)