

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

Thursday, December 21, 2000

The Commission met in open session, pursuant to notice, at 11:45

a.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

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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.

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[11:45 a.m.]

### PROCEEDINGS

CHAIRMAN MESERVE: Good morning. This is an affirmation session. We have one item before us. Madam Secretary, you may proceed.

MS. VIETTI-COOK: The Commission is being asked to act on a Memorandum and Order responding to a motion to stay appellate proceedings and a motion to reopen the record of LBP-00-26 concerning Contention 4 submitted by Connecticut Coalition Against Millstone and the Long Island Coalition Against Millstone. The Commission is voting to approve a Memorandum and Order which remands the motion to reopen to the Board for its consideration. The Commission will await responses to the Motion for stay of appellate proceedings before acting on that motion. Commissioner Diaz supported extension of the period for review of LBP-00-26 until January 31, 2001, but disapproves the Memorandum and Order because he favors further deliberation on the issues it addresses. 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: With that, we're adjourned. [11:50 a.m.]

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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: December 21, 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)