

UNITED STATES OF AMERICA  
NUCLEAR REGULATORY COMMISSION

\* \* \* \* \*

AFFIRMATION SESSION

\* \* \*

PUBLIC MEETING

\* \* \*

Nuclear Regulatory Commission  
Commission Hearing Room  
11555 Rockville Pike  
Rockville, Maryland  
Thursday, January 23, 2003

The Commission met in open session, pursuant to notice, at 1:55 p.m.

Richard A. Meserve, Chairman, presiding.

COMMISSIONERS PRESENT:

RICHARD A. MESERVE, Chairman

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, Office of the General Counsel

DISCLAIMER

This is an unofficial transcript of a meeting of the United States Nuclear Regulatory Commission on January 23, 2003 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.

[1:55 p.m.]

P R O C E E D I N G S

CHAIRMAN MESERVE: Good afternoon. Before we get started on the subject of today's hearing, I know we have another piece of business that we need to transact. It's an affirmation. Madam Secretary, proceed.

MS. VIETTI-COOK: The Commission is being asked to act on a Memorandum and Order related to the Licensing Board's referral of terrorism contentions in the matter of Pacific Gas & Electric's application to build a dry cask independent spent fuel storage installation. The Commission has voted to approve a Memorandum and Order which accepts the Board's referral and affirms its rejection of the terrorism contentions for different reasons than those the Board expressed. Would you please affirm your votes?

CHAIRMAN MESERVE: Aye

COMMISSIONER DIAZ: Aye

COMMISSIONER MCGAFFIGAN: Aye

COMMISSIONER MERRIFIELD: Aye

MS. VIETTI-COOK: Commissioner Dicus had previously indicated she would approve this Order and had she been present she would have affirmed her prior vote.

That's all I have.

CHAIRMAN MESERVE: Thank you Madam Secretary.

#### 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:	January 24, 2003

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)