

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  
Friday, May 16, 2003

The Commission met in open session, pursuant to notice, at 10:55 a.m.

Nils J. Diaz, Chairman, presiding.

COMMISSIONERS PRESENT:

NILS J. DIAZ, Chairman

GRETA JOY DICUS, Member of the Commission

EDWARD MCGAFFIGAN, JR., Member of the Commission

JEFFREY S. MERRIFIELD, Member of the Commission (VIA TELECONFERENCE)

STAFF AND PRESENTERS SEATED AT THE COMMISSION TABLE:

ANNETTE VIETTI-COOK, Secretary of the Commission

KAREN D. CYR, Office of the General Counsel

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.

[10:55 a.m.]

P R O C E E D I N G S

CHAIRMAN DIAZ: Is Commissioner Merrifield on the phone?

MS. VIETTI-COOK: Yes.

CHAIRMAN DIAZ. Okay. I guess we're gathering for an affirmation. Madame Secretary?

MS. VIETTI-COOK: The Commission is being asked to act on a Memorandum and Order responding to San Luis Obispo Mothers for Peace and the Union of Concerned Scientists petition for rulemaking and request to suspend the proceeding related to the Pacific Gas & Electric Company application to build a dry cask independent spent fuel storage installation at its Diablo Canyon site. The

Commission has voted to approve a Memorandum and Order which denies the request to suspend the adjudication pending Commission consideration of the petition for rulemaking. Would you please affirm your votes?

CHAIRMAN DIAZ: Aye.

COMMISSIONER DICUS: Aye.

COMMISSIONER MCGAFFIGAN: Aye.

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

COMMISSIONER MERRIFIELD: Aye.

CHAIRMAN DIAZ: Madam Secretary, is there any other issue?

MS. VIETTI-COOK: No.

CHAIRMAN DIAZ: No, well thank you. We are adjourned.

#### 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 16, 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)