

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  
February 22, 2005

The Commission met in open session, pursuant to notice, at 1:25 pm, Nils J. Diaz, Chairman, presiding.

COMMISSIONERS PRESENT:

NILS J. DIAZ, Chairman

EDWARD MCGAFFIGAN, JR., Member of the Commission

JEFFREY S. MERRIFIELD, Member of the Commission

GREGORY B. JACZKO, Member of the Commission

PETER B. LYONS, Member of the Commission

STAFF AND PRESENTERS SEATED AT THE COMMISSION TABLE:

ANNETTE L. VIETTI-COOK, Secretary of the Commission

KAREN D. CYR, General Counsel

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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.

[1:25 p.m.]

P R O C E E D I N G S

CHAIRMAN DIAZ: Madam Secretary?

MS. VIETTI-COOK: This is the matter of Safety Light Corporation Materials Licensing Suspension. The Commission is being asked to act on an Order in its supervisory role over licensing and enforcement proceedings. The Commission has voted to approve an Order which lifts the immediate effectiveness of the staff's December 10, 2004 license suspension order. Would you please affirm your votes?

CHAIRMAN DIAZ: Aye

COMMISSIONER MCGAFFIGAN: Aye.

COMMISSIONER MERRIFIELD: Aye.

COMMISSIONER JACZKO: Aye.

COMMISSIONER LYONS: Aye.

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

CHAIRMAN DIAZ: Any other business?

COMMISSIONER MERRIFIELD: Mr. Chairman, I normally do not make it a practice to making comments at Affirmations, but I will make a brief exception in this case. I appreciate the Commission agreeing to the order as we have issued it today. For my own personal part, I did have some discomfort with what I thought was some potential for some overzealousness in terms of enforcement in this particular action given the immediate effectiveness of this order as it came out when the staff originally issued it. But I'm glad we're going to have an opportunity to take a look at it and I do thank the Chairman for his effort in that regard.

CHAIRMAN DIAZ: Thank you so much. Duly noted. We're 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:  | February 22, 2005   |

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 WRIGHT

Reporter: (TAPE RECORDING)