

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
September 9, 2005

The Commission met in open session, pursuant to notice, at 9:00 a.m.,

Nils J. Diaz, Chairman, presiding.

COMMISSIONERS PRESENT:

NILS J. DIAZ, Chairman of the Commission

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

GREGORY B. JACZKO, Member of the Commission

PETER B. LYONS, Member of the Commission

STAFF AND PRESENTERS SEATED AT THE COMMISSION TABLE:

KAREN CYR, General Counsel

ANNETTE L. VIETTI-COOK, Secretary of the Commission

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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.

[9:00 am]

P R O C E E D I N G S

CHAIRMAN DIAZ: Madam Secretary?

MS. VIETTI-COOK: Private Fuel Storage Installation Spent Fuel Storage Installation. The Commission is being asked to act on a Memorandum and Order responding to the State of Utah's petition for review of a series of Licensing Board orders concerning the hazard from a potential aircraft crash into Private Fuel Storage's proposed Independent Spent Fuel Storage Installation. The Commission has voted to approve a Memorandum and Order which denies the petition for review and authorizes the NRC staff to issue a license to construct and operate the Private Fuel Storage facility. Commissioner Jaczko joined in the Commission's decision to the extent the decision addresses the issues raised by the State of Utah, but dissented on issuance of the license to construct and operate the Private Fuel Storage facility at this time. Would the Commissioners in the room affirm your votes?

CHAIRMAN DIAZ: Aye.

COMMISSIONER JACZKO: Aye.

COMMISSIONER LYONS: Aye.

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

COMMISSIONER MERRIFIELD: Aye.

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

CHAIRMAN DIAZ: All right, thank you very much. Any other comments from my fellow Commissioners? If not, 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:	September 9, 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 K. WRIGHT

Reporter: (TAPE RECORDING)