

UNITED STATES OF AMERICA  
NUCLEAR REGULATORY COMMISSION

\* \* \* \* \*

AFFIRMATION SESSION

\* \* \*

PUBLIC MEETING

\* \* \*

Nuclear Regulatory Commission  
Commission Hearing Room  
11555 Rockville Pike  
Rockville, Maryland  
August 17, 2006

The Commission met in open session, pursuant to notice, at 10:00 am, Dale E. Klein, presiding.

COMMISSIONERS PRESENT:

DALE E. KLEIN, Chairman of the Commission

EDWARD MCGAFFIGAN, JR., Member of the Commission

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

GREGORY B. JACZKO, Member of the Commission (via TELECON)

PETER B. LYONS, Member of the Commission

STAFF AND PRESENTERS SEATED AT THE COMMISSION TABLE:

KAREN D. CYR, General Counsel

EMILE L. JULIAN, Acting Secretary of the Commission

DISCLAIMER

This is an unofficial transcript of a meeting of the United States Nuclear Regulatory Commission on August 17, 2006 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.

[10:00 am]

P R O C E E D I N G S

CHAIRMAN KLEIN: Good morning. Are Commissioners Merrifield and Jaczko on the line?

MR. JULIAN: Yes they are.

COMMISSIONER MERRIFIELD: Yes.

COMMISSIONER JACZKO: Yes.

CHAIRMAN KLEIN: Any comments from my fellow Commissioners before we begin? Would you proceed?

MR. JULIAN: Thank you, Chairman Klein. The Commission is being asked to act on a Memorandum and Order responding to petitions for review of the Atomic Safety and Licensing Board's Third Partial Initial Decision in this proceeding, LBP-06-15, issued on May 31, 2006. The Nuclear Information and Resource Service and Public Citizen argue that the Board should have permitted them to argue that the decommissioning cost estimate based on the Department of Energy (DOE) option was inadequate. The Louisiana Energy Service petition for review calls for review of the allegedly altered standard for evaluation of decommissioning cost estimates. The Commission has voted to approve a Memorandum and Order which accepts review of the Board's decision in LBP-06-15 and affirms the Board's conclusion that LES has shown reasonable assurance of adequate decommissioning funding for the DOE option. Chairman Klein, Commissioner McGaffigan and Commissioner Lyons, may I have your affirmation for the vote?

CHAIRMAN KLEIN: Aye.

COMMISSIONER MCGAFFIGAN: Aye.

COMMISSIONER LYONS: Aye.

MR. JULIAN: Commissioner Merrifield? My have your affirmation for the vote?

COMMISSIONER MERRIFIELD: Aye.

MR. JULIAN: Commissioner Jaczko? May I have your affirmation?

COMMISSIONER JACZKO: Aye.

MR. JULIAN: Thank you. That concludes the affirmation.

CHAIRMAN KLEIN: Any other comments? Okay, the meeting is adjourned. Thank you.

MR. JULIAN: Thank you.

#### 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:	August 17, 2006

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)