

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 1, 2007

The Commission met in open session, pursuant to notice, at 9:25a.m.,

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

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 VIETTI-COOK, Secretary of the Commission

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.

[9:25 a.m.]

P R O C E E D I N G S

ANNETTE VIETTI-COOK: Commissioner Jaczko, you can hear me okay? Can you hear me okay, Commissioner Jaczko?

COMMISSIONER JACZKO: Yes.

ANNETTE VIETTI-COOK: Okay, this is on U.S. Enrichment Corporation. The Commission is being asked to act on a Memorandum and Order in the Matter of the U.S. Enrichment Corporation American Centrifuge Plant related to the mandatory hearing schedule. The Commission has voted to approve a Memorandum and Order which directs the Atomic Safety and Licensing Board to revise its

mandatory hearing schedule to begin the hearing no later than March 13, 2007 and to issue its decision by April 13, 2007. Commissioner Jaczko disapproved the Memorandum and Order. Would you please affirm your votes.

CHAIRMAN KLEIN: Aye.

COMMISSIONER MCGAFFIGAN: Aye

COMMISSIONER MERRIFIELD: Aye.

COMMISSIONER LYONS: Aye.

ANNETTE VIETTI-COOK: Commissioner Jaczko, would you please affirm your vote.

COMMISSIONER JACZKO: Aye.

ANNETTE VIETTI-COOK: The second item is on David Geisen. The Commission is being asked to act on a Memorandum and Order responding to an NRC staff petition for interlocutory review of an Atomic Safety and Licensing Board Order dated January 12, 2007, denying a Staff motion to hold this enforcement proceeding in abeyance. The Commission has voted to approve a Memorandum and Order which reverses the Board's denial of the Staff's motion to hold this enforcement proceeding in abeyance, grants the motion for abeyance, and vacates the January 23, 2007 housekeeping stay. Would you please affirm your votes.

CHAIRMAN KLEIN: Aye.

COMMISSIONER MCGAFFIGAN: Aye

COMMISSIONER MERRIFIELD: Aye.

COMMISSIONER LYONS: Aye.

ANNETTE VIETTI-COOK: Commissioner Jaczko, would you please affirm your vote.

COMMISSIONER JACZKO: Aye.

ANNETTE VIETTI-COOK: That's all I have. Thank you.

CHAIRMAN KLEIN: The meeting is 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 1, 2007

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: NANCY S. GREATHEAD

Reporter: (TAPE RECORDING)