

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
April 11, 2007

The Commission met in open session, pursuant to notice, at 10:15 a.m.,

Edward McGaffigan, Jr., presiding.

COMMISSIONERS PRESENT:

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

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

DISCLAIMER

This is an unofficial transcript of a meeting of the United States Nuclear Regulatory Commission on April 11, 2007 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.

[10:15 a.m.]

P R O C E E D I N G S

COMMISSIONER LYONS: Madam Secretary.

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

COMMISSIONER MERRIFIELD: I can hear you fine.

ANNETTE VIETTI-COOK: The first item is Final Rule to Update 10 CFR Part 52. The Commission is being asked to act on a final rule amending 10 CFR Part 52. The final rule enhances effectiveness and efficiency of the Part 52 licensing processes, and clarifies the applicability of requirements to each of the processes: early site permit (ESP), standard design approval, standard design certification, combined license (COL), and manufacturing license.

The Commission has voted to approve the publication and implementation of this final rule, subject to the changes and comments noted in the attachment. In addition, the Commission certifies that this rule will not have a significant economic impact on a substantial number of small entities. Would you please affirm your votes?

COMMISSIONER MCGAFFIGAN: Aye.

COMMISSIONER JACZKO: Aye.

COMMISSIONER LYONS: Aye.

ANNETTE VIETTI-COOK: Commissioner Merrifield, would you please affirm your vote separately?

COMMISSIONER MERRIFIELD: Aye.

ANNETTE VIETTI-COOK: Chairman Klein had previously indicated that he would approve this final rule and had he been present he would have affirmed his prior vote.

The second item is on Entergy Nuclear Vermont Yankee, Entergy Nuclear Operations, Vermont Yankee Nuclear Power Station. The Commission is being asked to act on a Memorandum and Order addressing the Atomic Safety and Licensing Board's admission of Contention 1 in the Vermont Yankee License Renewal proceeding. (See LBP-06-20). The Commission has voted to approve a Memorandum and Order which reverses LBP-06-20 insofar as it admitted Contention 1 for litigation. Would you please affirm your votes?

COMMISSIONER MCGAFFIGAN: Aye.

COMMISSIONER JACZKO: Aye.

COMMISSIONER LYONS: Aye.

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

COMMISSIONER MERRIFIELD: Aye.

ANNETTE VIETTI-COOK: The Chairman had previously indicated that he would approve this Order and had he been present he would have affirmed his prior vote. That's all I have. Thank you for calling in Commissioner Merrifield.

COMMISSIONER LYONS: Thank you. 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: April 11, 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 GREATHEAD

Reporter: (TAPE RECORDING)