

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 30, 2008

The Commission met in open session, pursuant to notice, at 12:55 p.m.,

Dale E. Klein, Chairman, presiding.

COMMISSIONERS PRESENT:

DALE E. KLEIN, Chairman of the Commission

GREGORY B. JACZKO, Member of the Commission

PETER B. LYONS, Member of the Commission

KRISTINE L. SVINICKI, Member of the Commission

STAFF AND PRESENTERS SEATED AT THE COMMISSION TABLE:

STEPHEN BURNS, Acting General Counsel

ANNETTE VIETTI-COOK, Secretary of the Commission

DISCLAIMER

This is an unofficial transcript of a meeting of the United States Nuclear Regulatory Commission on April 30, 2008 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.

[12:55 p.m.]

P R O C E E D I N G S

CHAIRMAN KLEIN: Well, before we start with the afternoon presentations, we have two votes to affirm. Madam Secretary, would you begin?

MS. VIETTI-COOK: Indian Point Nuclear Generating Station, Units 2 and 3 license renewal docket. The Commission is being asked to act on a Memorandum and Order responding to a "petition for Commission review" of the Atomic Safety and Licensing Board's decision to cancel an oral argument on the admissibility of the proposed contentions in the Indian Point license renewal proceeding by a group of organizations – Westchester Citizen's Awareness Network, Sierra Club – Atlantic Chapter, Rockland County Conservation Association, Public Health and Sustainable Energy, and New York State Assemblyman Richard Brodsky. The Commission has voted to approve a Memorandum and Order which denies the petition. Would you please affirm your vote?

CHAIRMAN KLEIN: Aye.

COMMISSIONER JACZKO: Aye.

COMMISSIONER LYONS: Aye.

COMMISSIONER SVINICKI: Aye.

MS. VIETTI-COOK: The second Order is Pacific Gas and Electric Company, Diablo Canyon Independent Spent Fuel Storage Installation. The Commission is being asked to act on a Memorandum and Order responding to two filings by the San Luis Obispo Mothers for Peace. The first is a motion for reconsideration of CLI-08-05 and the second is a request for admission of the late-filled Contention 6. The Commission has voted to approve a Memorandum and Order which denies reconsideration of CLI-08-05 and declines to admit contention 6. In addition, the Memorandum and Order notes that the presiding officer has some scheduling flexibility in his resolution of Contention 1(b), and it schedules the Subpart K oral argument on Contention 2 for July 1, 2008, at 9:30 am. Commissioner Jaczko disapproved this order. Would you please affirm your vote?

CHAIRMAN KLEIN: Aye.

COMMISSIONER JACZKO: Aye.

COMMISSIONER LYONS: Aye.

COMMISSIONER SVINICKI: Aye.

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

CHAIRMAN KLEIN: 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: April 30, 2008

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)