

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
October 23, 2008

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

Dale E. Klein, Chairman, presiding.

COMMISSIONERS PRESENT:

DALE E. KLEIN, Chairman of the Commission

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

PETER B. LYONS, Member of the Commission

KRISTINE L. SVINICKI, 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

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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

CHAIRMAN KLEIN: Madam Secretary, I believe we have an affirmation today. Would you please proceed?

MS. VIETTI-COOK: Commissioner Jaczko, can you hear me okay?

COMMISSIONER JACZKO: Yes.

MS. VIETTI-COOK: Okay, this is on Pacific Gas and Electric Company, Diablo Canyon Independent Spent Fuel Storage Installation. The Commission is being asked to act on a Memorandum and Order resolving on the merits Contention 2 of the San Luis Obispo Mothers for Peace, as admitted by the Commission in CLI-08-01. The Commission has voted to approve a Memorandum and Order which rejects Contention 2 on the merits and declines to require the NRC staff to prepare an environmental impact statement. Commissioner Jaczko disapproved the Memorandum and Order. Would you please affirm your votes?

CHAIRMAN KLEIN: Aye.

COMMISSIONER LYONS: Aye.

COMMISSIONER SVINICKI: Aye.

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

COMMISSIONER JACZKO: Aye.

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

CHAIRMAN KLEIN: Thank you. Meeting's 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: October 23, 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)