

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 1, 2009

The Commission met in open session, pursuant to notice, at 1:00 p.m.,

Dale E. Klein, Chairman, presiding.

COMMISSIONERS PRESENT:

DALE E. KLEIN, Chairman of the Commission (VIA TELECON)

GREGORY B. JACZKO, Member of the Commission

PETER B. LYONS, Member of the Commission (VIA TELECON)

KRISTINE L. SVINICKI, Member of the Commission

STAFF AND PRESENTERS SEATED AT THE COMMISSION TABLE:

JOSEPH R. GRAY, Acting 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 1, 2009 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.

[1:00 p.m.]

P R O C E E D I N G S

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

MS. VIETTI-COOK: Yes. This is on AmerGen Energy Company License Renewal for Oyster Creek Nuclear Generating Station. The Commission is being asked to act on a Memorandum and Order responding to a Petition for Review from the Nuclear Information and Resource Service, Jersey Shore Nuclear Watch, Inc., Grandmothers, Mothers and More for Energy Safety, New Jersey Public Interest Research Group, New Jersey Sierra Club, and New Jersey Environmental Federation (collectively referred to as Citizens) of the Atomic Safety and Licensing Board's Initial Decision, LBP-07-17, and numerous interlocutory decisions in the Oyster Creek License Renewal Proceeding. The Commission, with Commissioner Jaczko disapproving in part, has voted to approve a Memorandum and Order, which takes limited review of the Board's decision for the express purpose of providing clarification, directs the staff to enhance its review and verification of Exelon's (formerly AmerGen) structural analysis license condition, denies Citizens' Petition for Review and its Motion to Reopen the Record, and terminates this proceeding. Would the Commissioners in the Commission Hearing Room affirm their votes?

COMMISSIONER JACZKO: Aye.

COMMISSIONER SVINICKI: Aye.

MS. VIETTI-COOK. Chairman, would you please affirm your vote?

CHAIRMAN KLEIN: Aye.

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

COMMISSIONER LYONS: Aye.

MS. VIETTI-COOK. OK, that's all I have. Thank you very much.

CHAIRMAN KLEIN: OK, thank you. 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: April 1, 2009

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)