

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  
September 29, 2010

The Commission met in open session, pursuant to notice, at 12:55 p.m.,  
Gregory B. Jaczko, Chairman, presiding.

COMMISSIONERS PRESENT:

GREGORY B. JACZKO, Chairman of the Commission

KRISTINE L. SVINICKI, Member of the Commission

GEORGE APOSTOLAKIS, Member of the Commission

WILLIAM D. MAGWOOD, IV, Member of the Commission

WILLIAM C. OSTENDORFF, Member of the Commission

STAFF AND PRESENTERS SEATED AT THE COMMISSION TABLE:

STEPHEN G. BURNS, 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 September 29, 2010 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 JACZKO: I think we have three items for affirmation before we begin the GSI-191 meeting.

MS. VIETTI-COOK: This is on the South Texas Nuclear Project. The Commission is being asked to act on a Memorandum and Order responding to an NRC staff appeal and request for stay of LBP-10-2. The Commission has voted to approve a Memorandum and Order which reverses the Board's ruling regarding access to draft ISG-016, remands the matter to the Board for further proceedings, and denies the staff's stay application as moot. Commissioner Magwood did not participate in this matter. Would Chairman Jaczko and Commissioners Svinicki, Apostolakis, and Ostendorff please affirm your votes?

CHAIRMAN JACZKO: Aye.

COMMISSIONER SVINICKI: Aye.

COMMISSIONER APOSTOLAKIS: Aye.

COMMISSIONER OSTENDORFF: Aye.

MS. VIETTI-COOK: This is on the Comanche Peak Nuclear Power Plant. The Commission is being asked to act on a Memorandum and Order responding to an NRC staff appeal and request for stay of LBP-10-5. The Commission has voted to approve a Memorandum and Order which reverses the Board's ruling regarding access to draft ISG-016, remands the matter to the Board for further proceedings, and denies the staff's stay application as moot. Commissioner Magwood did not participate in this matter. Would Chairman Jaczko and Commissioners Svinicki, Apostolakis, and Ostendorff please affirm your votes?

CHAIRMAN JACZKO: Aye.

COMMISSIONER SVINICKI: Aye.

COMMISSIONER APOSTOLAKIS: Aye.

COMMISSIONER OSTENDORFF: Aye.

MS. VIETTI-COOK: This is on the Bellefonte Nuclear Plant. The Commission is being asked to act on a Memorandum and Order responding to an appeal by the Southern Alliance for Clean Energy, the Blue Ridge Environmental Defense League (BREDL), and BREDL's Bellefonte Efficiency and Sustainability Team chapter (together, Petitioners) of LBP-10-7, as well as Petitioners' motion for additional time in which to file the appeal. The Commission (with Chairman Jaczko concurring in part and dissenting in part) has voted to approve a Memorandum and Order which denies Petitioners' motion for extension of time and dismisses their appeal. Would you please affirm your votes?

CHAIRMAN JACZKO: Aye.

COMMISSIONER SVINICKI: Aye.

COMMISSIONER APOSTOLAKIS: Aye.

COMMISSIONER MAGWOOD: Aye.

COMMISSIONER OSTENDORFF: Aye.

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: September 29, 2010

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)