

UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

AFFIRMATION SESSION

PUBLIC MEETING

Nuclear Regulatory Commission
Commission Hearing Room
11555 Rockville Pike
Rockville, Maryland
November 30, 2010

The Commission met in open session, pursuant to notice, at 10:00 a.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 November 30, 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.

[10:00 a.m.]

P R O C E E D I N G S

CHAIRMAN JACZKO: We have three items for Affirmation.

MS. VIETTI-COOK: The first item is the Final Rule: Decommissioning Planning. The Commission is being asked to act on a final rule amending Parts 20, 30, 40, 50, 70, and 72 of Title 10 of the Code of Federal Regulations to improve licensees' decommissioning planning activities during active facility operations, thereby reducing the likelihood that any currently operating facility will become a legacy site. The Commission, with Chairman Jaczko and Commissioner Svinicki disapproving in part, has voted to approve the publication and implementation of this final rule subject to the attached changes. Would you please affirm your votes?

CHAIRMAN JACZKO: Aye.

COMMISSIONER SVINICKI: Aye.

COMMISSIONER APOSTOLAKIS: Aye.

COMMISSIONER MAGWOOD: Aye.

COMMISSIONER OSTENDORFF: Aye.

MS. VIETTI-COOK: The second item is Tennessee Valley Authority Watts Bar Nuclear Plant, Unit 2. The Commission is being asked to act on a Memorandum and Order responding to a petition for interlocutory review of the Southern Alliance for Clean Energy of an Atomic Safety and Licensing Board decision, LBP-10-12, in the Watts Bar operating license proceeding. The Commission has voted to approve a Memorandum and Order, which denies the petition. Would you please affirm your votes?

CHAIRMAN JACZKO: Aye.

COMMISSIONER SVINICKI: Aye.

COMMISSIONER APOSTOLAKIS: Aye.

COMMISSIONER MAGWOOD: Aye.

COMMISSIONER OSTENDORFF: Aye.

MS. VIETTI-COOK: The third and last item is Entergy Nuclear Operations, Incorporated Indian Point Nuclear Generating Units 2 and 3. The Commission is being asked to act on a Memorandum and Order responding to a petition for interlocutory review by Entergy Nuclear Operations, Incorporated and the NRC Staff of LBP-10-13, which admitted, in part, new and amended contentions filed by intervenor the State of New York. The Commission has voted to approve a Memorandum and Order, which denies the petitions for interlocutory review of LBP-10-13 without prejudice. Commissioner Apostolakis did not participate in this matter. Would Chairman Jaczko, Commissioner Svinicki, Commissioner Magwood and Commissioner Ostendorff please affirm your votes?

CHAIRMAN JACZKO: Aye.

COMMISSIONER SVINICKI: Aye.

COMMISSIONER MAGWOOD: Aye.

COMMISSIONER OSTENDORFF: Aye.

MS. VIETTI-COOK: That's all I have. 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: November 30, 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: Antoinette Lewis

Reporter: (TAPE RECORDING)