

UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

AFFIRMATION SESSION

PUBLIC MEETING

Nuclear Regulatory Commission
Commission Hearing Room
11555 Rockville Pike
Rockville, Maryland
August 26, 2014

The Commission met in open session, pursuant to notice, at 10:00 a.m.,
Allison M. Macfarlane, Chairman, presiding.

COMMISSIONERS PRESENT:

ALLISON M. MACFARLANE, Chairman of the Commission

KRISTINE L. SVINICKI, Member of the Commission

WILLIAM D. MAGWOOD, IV, Member of the Commission (via telecom)

WILLIAM C. OSTENDORFF, Member of the Commission

STAFF AND PRESENTERS SEATED AT THE COMMISSION TABLE:

MARIAN ZOBLER, 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 August 26, 2014 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.]

PROCEEDINGS

ANNETTE VIETTI-COOK: Commissioner Magwood can you hear me Ok?

Commissioner Magwood: Yes, I can.

ANNETTE VIETTI-COOK: Ok, the first we are going to do the continued storage of spent fuel items, first.

The first items the Commission is being asked to act on a final rule amending 10 CFR Part 51 to revise the generic determination on the environmental impacts of continued storage of spent nuclear fuel beyond the licensed life for operation of a reactor.

The Commission (with Chairman Macfarlane approving in part and disapproving in part) has voted to approve the publication implementation publication of this final rule and its associated generic environmental impact statement, subject to the changes noted in the attachment.

ANNETTE VIETTI-COOK: Would you please affirm your votes?

CHAIRMAN MACFARLANE: Aye.

COMMISSIONER SVINICKI: Aye.

COMMISSIONER OSTENDORFF: Aye.

ANNETTE VIETTI-COOK: Commissioner Magwood would you please affirm your vote?

COMMISSIONER MAGWOOD: Aye.

ANNETTE VIETTI-COOK: Ok, the second Item is continued Storage of Spent Nuclear Fuel, as well.

The Commission is being asked to act on a Memorandum and Order lifting the suspension on final licensing decisions that the Commission imposed in CLI-12-16 and providing direction with respect to “continued storage” contentions that are currently held in abeyance in twenty-one adjudications before the Commission and the Atomic Safety and Licensing Boards.

The Commission has voted to approve a Memorandum and Order that lifts the suspensions imposed in CLI-12-16 as of the effective date of the Continued Storage Rule. Further, the Commission provides direction on the resolution of the pending “continued storage” contentions.

ANNETTE VIETTI-COOK: Would you please affirm your votes?

CHAIRMAN MACFARLANE: Aye.

COMMISSIONER SVINICKI: Aye.

COMMISSIONER OSTENDORFF: Aye.

ANNETTE VIETTI-COOK: Commissioner Magwood would you please affirm your vote?

COMMISSIONER MAGWOOD: Aye.

ANNETTE VIETTI-COOK: Ok, now I have two direct final rules.

The Commission is being asked to act on a direct final rule and companion proposed rule amending 10 CFR Parts 30, 37, 73, and 150 to remove the Safeguards Information – Modified Handling designation of the security-related information for large irradiators, manufacturers and distributors, and for transport of category 1 quantities of radioactive material.

The Commission has voted to approve the publication and implementation of this direct final rule and companion proposed rule, subject to the changes noted in the attachments.

ANNETTE VIETTI-COOK: Would you please affirm your votes?

CHAIRMAN MACFARLANE: Aye.

COMMISSIONER SVINICKI: Aye.

COMMISSIONER OSTENDORFF: Aye.

ANNETTE VIETTI-COOK: Commissioner Magwood would you please affirm your vote?

COMMISSIONER MAGWOOD: Aye.

ANNETTE VIETTI-COOK: The fourth item is a direct, is the Commission is being asked to act on a direct final rule and companion proposed rule amending 10 CFR Part 50.2 to add SHINE Medical Technologies, Inc.'s proposed accelerator-driven subcritical operating assemblies to the definition of a "utilization facility." This rule will allow the U.S. Nuclear Regulatory Commission staff to conduct an efficient and effective licensing review of the SHINE construction permit application and subsequent operating license application under 10 CFR Part 50, "Domestic Licensing of Production and Utilization Facilities."

The Commission has voted to approve the publication and implementation of this direct final rule, and the companion proposed rule, subject to the changes noted in the attachments.

ANNETTE VIETTI-COOK: Would you please affirm your votes?

CHAIRMAN MACFARLANE: Aye.

COMMISSIONER SVINICKI: Aye.

COMMISSIONER OSTENDORFF: Aye.

ANNETTE VIETTI-COOK: Commissioner Magwood would you please affirm your vote?

COMMISSIONER MAGWOOD: Aye.

ANNETTE VIETTI-COOK: That's all I have, Thank you for calling in.

CHAIRMAN MACFARLANE: Alright, 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: August 26, 2014

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: Patty Jimenez

Reporter: (TAPE RECORDING)