



SECRETARY

UNITED STATES
NUCLEAR REGULATORY COMMISSION
WASHINGTON, D.C. 20555-0001

September 15, 2020

IN RESPONSE, PLEASE
REFER TO: M200915A

MEMORANDUM FOR: Jody C. Martin, Director
Office of Commission Appellate Adjudication

Margaret M. Doane
Executive Director for Operations

FROM: Annette L. Vietti-Cook, Secretary

SUBJECT: STAFF REQUIREMENTS - AFFIRMATION SESSION, 9:55 A.M.,
TUESDAY, SEPTEMBER 15, 2020, COMMISSIONERS'
CONFERENCE ROOM, ONE WHITE FLINT NORTH,
ROCKVILLE, MARYLAND (OPEN TO PUBLIC VIA WEBCAST)

I. SECY-20-0011 – EL PASO ELECTRIC CO. (PALO VERDE NUCLEAR GENERATING STATION), REQUEST FOR HEARING IN LICENSE TRANSFER PROCEEDING

The Commission¹ approved a Memorandum and Order responding to Public Citizen's petition for leave to intervene and request for hearing in the license transfer proceeding concerning an application filed by El Paso Electric Company (EPE) on behalf of itself and IIF US Holding 2 LP. The application seeks NRC approval of an indirect transfer of EPE's non-operating interest in the renewed facility operating licenses for Palo Verde Nuclear Generating Station Units 1, 2, and 3 and the associated general license for the independent spent fuel storage installation to IIF US Holding 2 LP. The Memorandum and Order denies Public Citizen's request for hearing and petition to intervene and terminates this proceeding.

Subsequently, on September 15, 2020, the Secretary signed the Memorandum and Order.

¹ Section 201 of the Energy Reorganization Act, 42 U.S.C. Section 5841, provides that action of the Commission shall be determined by a majority vote of the members present. Chairman Svinicki, and Commissioners Baran, Wright, and Hanson were present in the Conference Room. Commissioner Caputo participated in the meeting via speakerphone.

II. SECY-20-0043 - DIRECT FINAL RULE: REACTOR VESSEL MATERIAL SURVEILLANCE PROGRAM (RIN 3150-AK07; NRC 2017 0151)

The Commission² approved a direct final rule and companion proposed rule that amends Appendix H, "Reactor Vessel Material Surveillance Program Requirements," to Part 50 of Title 10 of the *Code of Federal Regulations* (10 CFR), "Domestic Licensing of Production and Utilization Facilities," subject to the enclosed changes. Specifically, the direct final rule makes optional the testing of specimens that do not provide meaningful information to assess the integrity of the reactor vessel; extends the timeframe for licensees to submit the summary technical report of each capsule withdrawal and the test results from 1 year to 18 months; and clarifies the requirements for the design of surveillance programs and the capsule withdrawal schedules for reactor vessels purchased after 1982. Additionally, the Commission has certified that this rule will not have a significant impact on a substantial number of small entities.

Following incorporation of these changes, the *Federal Register* notice should be reviewed by the Regulatory Analysis and Rulemaking Support Branch in the Office of Nuclear Material Safety and Safeguards and forwarded to the Office of the Secretary for signature and publication.

Enclosures: As stated

cc: Chairman Svinicki
Commissioner Baran
Commissioner Caputo
Commissioner Wright
Commissioner Hanson
EDO
OGC
CFO
OCAA
OCA
OIG
OPA
ODs, RAs, ACRS, ASLBP (via E-Mail)
PDR

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