

UNITED STATES
NUCLEAR REGULATORY COMMISSION

AFFIRMATION SESSION

PUBLIC MEETING

Nuclear Regulatory Commission
Commission Hearing Room
11555 Rockville Pike
Rockville, Maryland
October 19, 2023

The Commission met in open session, pursuant to notice at 8:55 AM., Christopher T. Hanson, Chair, presiding.

COMMISSIONERS PRESENT:

CHRISTOPHER T. HANSON, Chair

DAVID A. WRIGHT, Member of the Commission

ANNIE CAPUTO, Member of the Commission (via teleconference)

BRADLEY R. CROWELL, Member of the Commission

ALSO PRESENT:

BROOKE P. CLARK, General Counsel

TOMAS E. HERRERA, Acting Secretary of the Commission

DISCLAIMER

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[8:55 a.m.]

P R O C E E D I N G S

CHAIR HANSON: Good morning, everyone. Before we begin, today's mandatory hearing on the construction permit for the Kairos Power Testing Facility I call to order a Commission Affirmation Session.

Joining me are the other currently serving members of the Commission. May I have each Commissioner affirm their presence when I call their name:

Commissioner Wright: Present.

Commissioner Caputo: Present.

Commissioner Crowell: Here.

Mr. Acting Secretary, I believe we have one item for the Commission to affirm today. Would you lead us through?

TOMAS HERRERA: Yes, thank you. Today's item SECY-23-0082 – Pacific Gas and Electric Co. (Diablo Canyon Independent Spent Fuel Storage Installation), Appeal of LBP-23-7.

The Commission is being asked to act on a Memorandum and Order addressing Pacific Gas and Electric Company's appeal of the Atomic Safety and Licensing Board's decision in LBP-23-7. In that decision, the Board granted the San Luis Obispo Mothers for Peace's hearing request and admitted a single contention which challenged Pacific Gas and Electric Company's analysis of financial qualifications. Subsequently, Pacific Gas and Electric Company updated its application, appealed the Board's decision, and requested the Board to dismiss the contention

as moot. Mothers for Peace also moved to withdraw the contention. In LBP-23-8, the Board dismissed the contention and terminated the proceeding.

The Commission has voted to approve a Memorandum and Order in which it finds that Pacific Gas and Electric Company's appeal has become moot, vacates the Board's decision in LBP-23-7, and dismisses the appeal. Would you please affirm your votes after I call your name?

CHAIR HANSON: Aye.

COMMISSIONER WRIGHT: Aye.

COMMISSIONER CAPUTO: Aye.

COMMISSIONER CROWELL: Aye.

TOMAS HERRERA: Thank you very much, that's all I have.

CHAIR HANSON: Thank you Mr. Acting Secretary. Would any of the members of the Commission like to make comments regarding the decision just reached?

COMMISSIONER WRIGHT: No thank you

COMMISSIONER CAPUTO: No thank you

COMMISSIONER CROWELL: No

CHAIR HANSON: Thank you all for your participation, I will call the affirmation session to a close. Then I will now call to order today's hearing on the Construction Permit for Kairos Power Testing Facility.

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: October 19, 2023

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: Betty Thweatt

Reporter: Via Teleconference