

UNITED STATES OF AMERICA

NUCLEAR REGULATORY COMMISSION

AFFIRMATION SESSION

PUBLIC MEETING

Nuclear Regulatory Commission
Commissioners Conference Room
One White Flint North
11555 Rockville Pike
Rockville, Maryland

Friday, November 22, 1996

The Commission met in open session, pursuant to notice, at 1:30 p.m., Shirley A. Jackson, Chairman, presiding.

COMMISSIONERS PRESENT:

SHIRLEY A. JACKSON, Chairman of the Commission
KENNETH C. ROGERS, Member of the Commission
NILS J. DIAZ, Member of the Commission
EDWARD MCGAFFIGAN, JR., Member of the Commission

2

STAFF SEATED AT THE COMMISSION TABLE:

JOHN C. HOYLE, Secretary of the Commission
MARTIN G. MALSCH, Deputy General Counsel

3

DISCLAIMER

This is an unofficial transcript of a meeting of the United States Nuclear Regulatory Commission held on November 22, 1996 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 informational 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.

4

PROCEEDINGS

[1:30 p.m.]

CHAIRMAN JACKSON: Good afternoon ladies and gentlemen. This is an affirmation session. We have one item to come before us this afternoon.

Before I ask the Secretary to lead us through the item for affirmation, do any of my fellow commissioners have any opening comments they would like to make?

[No response.]

CHAIRMAN JACKSON: If not, then Mr. Secretary, please proceed.

MR. HOYLE: Thank you, Chairman. The paper is Secy-96-235. In this paper, the Commission is being asked to act on petitions requesting Commission

review of the Decision recently issued by the Director of the Office of Nuclear Materials Safety and Safeguards on the certification of gaseous diffusion plants. The Director's Decision was issued on September 19th and it dealt with continued operation by the U.S. Enrichment Corporation of the Diffusion Plants at Paducah, Kentucky and Piketon, Ohio. The Chairman and Commissioners Rogers, Diaz and McGaffigan have approved the Memorandum and Order which rejects one late filed petition, denies the two requests for reconsideration of two previously rejected petitions, and addresses the remaining contentions raised in the valid petitions. The Memorandum and

5

Order denies all remaining contentions in the petitions. I note that Commissioner Dicus does not participate in this matter. I ask you to affirm your votes.

CHAIRMAN JACKSON: Aye.

COMMISSIONER DIAZ: Aye.

COMMISSIONER ROGERS: Aye.

COMMISSIONER DICUS: Aye.

COMMISSIONER McGAFFIGAN: Aye.

MR. HOYLE: Thank you.

CHAIRMAN JACKSON: Is there anything else to come before us this afternoon?

MR. HOYLE: No, there isn't.

CHAIRMAN JACKSON: If not, we're adjourned.

[Whereupon, at 1:35 p.m., the affirmation was adjourned.]

6

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

PLACE OF MEETING: Rockville, Maryland

DATE OF MEETING: Friday, November 22, 1996

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: _____