UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION
***
AFFIRMATION SESSION
***
PUBLIC MEETING ***
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Nuclear Regulatory Commission
Room 1F-16
One White Flint North
11555 Rockville Pike
Rockville, Maryland
Friday, June 6, 1998
The Commission met in open session, pursuant to
notice, at 11:29 a.m., the Honorable SHIRLEY A. JACKSON,
Chairman of the Commission, presiding.
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COMMISSIONERS PRESENT:
SHIRLEY A. JACKSON, Chairman of the Commission
NILS J. DIAZ, Member of the Commission
EDWARD McGAFFIGAN, JR., Member of the Commission
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STAFF AND PRESENTERS SEATED AT THE COMMISSION TABLE:
STEVE BURNS
JOE COLVIN, CEO and President of the Nuclear
Energy Institute
GEORGE HAIRSTON, CEO and President of the Southern
Company
ROBIN JONES, Vice President for Nuclear Power,
EPRI
PAT McDONALD, Executive Director, Advanced Reactor
Corp.
JOHN TAYLOR, Vice President Emeritus for Nuclear
Power, EPRI
ANNETTE VIETTI-COOK, Assistant Secretary
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PROCEEDINGS
[11:29 a.m.]
CHAIRMAN JACKSON: All right. May we come to
order?
order?  Good morning, ladies and gentlemen, this is an
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Good morning, ladies and gentlemen, this is an affirmation session. We have four items to come before us
Good morning, ladies and gentlemen, this is an affirmation session. We have four items to come before us this morning. Before I ask the Assistant Secretary to lead

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               CHAIRMAN JACKSON: If not, Madame Assistant
      Secretary, please proceed.
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               MR. VIETTI-COOK: The first item is SECY-98-118,
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      Private Fuel Storage, ruling by Chief Judge of the Atomic
      Safety and Licensing Board Panel to establish a second
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      board. The Commission is being asked to act on an order
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     responding to a petition by the Applicant, Private Fuel
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      Storage for interlocutory review of a ruling by the Chief
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      Judge of the Atomic Safety and Licensing Board Panel to
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     establish a second panel to consider all matters concerning
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     the physical security plan for Private Fuel Storage's
     proposed independent fuel storage installation at Skull
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     Valley, Utah.
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               The Commission has voted to approve the order with
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      the attached edits which grants interlocutory review and
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     reverses the Chief Judge's decision to reassign jurisdiction
     over the security plan contingence to a newly established
      second board.
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               I ask that you affirm your votes.
               [A chorus of ayes.]
               MR. VIETTI-COOK: Commissioner Dicus previously
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      gave approval to this item and if present, she would have
     affirmed her vote as well.
              The second item is SECY-98-112, proposed license
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      to export high enriched uranium for production of medical
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     isotopes at the Canadian NRU and Maple Reactors. The
     Commission is being asked to act on an order responding to a
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     request by the Nuclear Control Institute for leave to
     intervene in a hearing on two separate applications for
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      licenses to export highly enriched uranium to Canada.
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               The Commission has voted to approve the order with
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      the attached changes denying the request for a hearing and
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     authorizing issuance of the two export licenses.
               I ask that you affirm your votes.
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               [A chorus of ayes.]
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               MR. VIETTI-COOK: Again, Commissioner Dicus
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      approved the order.
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               The third item is SECY-98-109, Hydro Resources,
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     Incorporated, memorandum and order denying motion for stay
     and request for prior hearing, lifting temporary stay
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      denying motions to strike and for leave to reply.
               The Commission is being asked to issue an order
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     responding to both a petition for review of LBP 98-05 and
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      separate motion for stay which was filed directly with the
     Commission in April. In LBP 98-05, the presiding officer
     denied an earlier motion filed with him in January to stay
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      the staff's grant of Hydro Resources, Incorporated materials
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      license application until the completion of a hearing in
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      this proceeding.
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               Petitioners now seek Commission review of LBP
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     98-05 and also request the Commission to stay the
      effectiveness of staff's grant of the materials license
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      until the Commission has ruled upon their petition for
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      review of LBP 98-05.
               On April 16th, 1998, the Commission, in CLI 98-04
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     granted a temporary stay of LBP 98-05. The Commission has
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     voted to approve an order with the attached editorial
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     changes denying the petition for review, dismissing the stay
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      motion as moot and lifting the temporary stay granted in CLI
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               I ask that you affirm your votes.
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               [A chorus of ayes.]
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23 MR. VIETTI-COOK: Commissioner Dicus approved this 24 order as well. 25 The fourth item is SECY-98-124, Hydro Resources, 1 Incorporated, memorandum and order, denial of motion to 2 disqualify presiding officer. The Commission is being asked to act on an order responding to a motion by the Eastern Navajo Dine against uranium mining in the Southwest Research 5 and Information Center to disqualify the presiding officer from sitting in its subpart (1) proceeding. The presiding 6 7 officer referred the disqualification motion in LBP 98-11 to 8 the Commission pursuant to 10 CFR Section 2.703(c). The Commission has voted to approve the order denying the Petitioner's motion to disqualify the presiding 10 11 officer. I ask that you affirm your votes. 12 13 [A chorus of ayes.] 14 MR. VIETTI-COOK: Commission Dicus approved this 15 order as well. CHAIRMAN JACKSON: Is there anything else to come 16 17 before us today? 18 MR. VIETTI-COOK: No. CHAIRMAN JACKSON: If not, we are adjourned. 19 20 21 [Whereupon, at 11:34 a.m., the affirmation session 22 was concluded.] 23 24

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