

UNITED STATES OF AMERICA  
NUCLEAR REGULATORY COMMISSION

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AFFIRMATION SESSION

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PUBLIC MEETING

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Nuclear Regulatory Commission  
Room 1F16  
11555 Rockville Pike  
Rockville, Maryland

Wednesday, January 22, 1997

The Commission met in open session, pursuant to notice, at 10:00 a.m., the Honorable SHIRLEY A. JACKSON, Chairman of the Commission, presiding.

COMMISSIONERS PRESENT:

- SHIRLEY A. JACKSON, Chairman of the Commission
- KENNETH C. ROGERS, Member of the Commission
- GRETA J. DICUS, Member of the Commission
- EDWARD McGAFFIGAN, JR., Member of the Commission

STAFF:

- JOHN C. HOYLE, Secretary
- WILLIAM J. OLMSTEAD, Associate General Counsel

P R O C E E D I N G S

[11:57 a.m.]

CHAIRMAN JACKSON: Good morning, ladies and gentlemen.

This is an affirmation session. We have two items to come before the Commission this morning.

Before I ask the Secretary to lead us through the items for affirmation, do any of my fellow commissioners have any opening comments?

COMMISSIONER DICUS: No, thank you.

CHAIRMAN JACKSON: If not, please proceed,  
Mr. Hoyle.

MR. HOYLE: The first item is SECY 96-268. This paper presents an immediately effective final rule amending 10 CFR Part 71 to correct a recently discovered defect in the rule for shipments of fissile material.

All of you have voted to approve the publication of this final rule.

CHAIRMAN JACKSON: Aye.

COMMISSIONER ROGERS: Aye.

COMMISSIONER DICUS: Aye.

COMMISSIONER MCGAFFIGAN: Aye.

MR. HOYLE: The second item is SECY 97-04. The Commission is being asked in this paper to act on an order responding to petitions filed by the State of Oklahoma,

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Native Americans for a Clean Environment and the Cherokee Nation for Commission review of the Atomic Safety and Licensing Board's memorandum and order of November 5 approving a settlement agreement between the NRC staff and General Atomics.

All of you have voted to approve the order granting the petitions for review and setting a briefing schedule. May I ask you to affirm your votes?

CHAIRMAN JACKSON: Aye.

COMMISSIONER ROGERS: Aye.

COMMISSIONER DICUS: Aye.

COMMISSIONER MCGAFFIGAN: Aye.

MR. HOYLE: I will mention that Commissioner Diaz, who is absent today, has voted for both of these papers.

COMMISSIONER MCGAFFIGAN: Madam Chairman, could I just say on the first item Babcock and Wilcox deserves some real credit for bringing that issue to our attention and the staff deserves a lot of credit for very promptly responding.

CHAIRMAN JACKSON: And we publicly thank both of them, to the extent we have a public this morning.

If there are no other items to come before us, we are adjourned.

[Whereupon, at 11:58 a.m., the affirmation session was adjourned.]