

UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

AFFIRMATION SESSION

PUBLIC MEETING

Nuclear Regulatory Commission
Commission Hearing Room
11555 Rockville Pike
Rockville, Maryland

Monday, August 4, 1997

The Commission met in open session, pursuant to notice, at 2:05 p.m.,
Shirley Ann Jackson, Chairman, presiding.

COMMISSIONERS PRESENT:

- SHIRLEY ANN JACKSON, Chairman of the Commission
- GRETA J. DICUS, Member of the Commission
- NILS J. DIAZ, Member of the Commission
- EDWARD MCGAFFIGAN, JR., Member of the Commission

2

STAFF AND PRESENTERS SEATED AT THE COMMISSION TABLE:

- JOHN C. HOYLE, Secretary
- STEPHEN G. BURNS, Associate General Counsel for Hearings,
Enforcement and Administration

3

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Regulatory Commission on August 4, 1997 in the Commission's office at One White
Flint North, Rockville, Maryland. The meeting was open to public attendance and
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contain inaccuracies.

The transcript is intended solely for general information purposes. As
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Commission in any proceeding as the result of, or addressed to, any statement or
argument contained herein, except as the Commission may authorize.

4

P R O C E E D I N G S

[2:05 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 colleagues
have any opening comments? If not, Mr. Secretary, please proceed.

MR. HOYLE: Thank you, Chairman Jackson. The item is SECY-97-141.
In this paper, the Commission is being asked to act on an Order in response to an
appeal of a Licensing Board Order that concluded that the appellant had lacked
standing and that therefore denied his petition to intervene in the Atlas Corporation
case. The Commission's Order concludes that the Presiding Officer gave the appellant

four reasonable opportunities to meet his burden of proof on the issue of standing, but that he nevertheless failed to provide the necessary factual details that would support his claim of standing. Each of you has voted to approve the attached Order to my memorandum of the 29th, denying the appeal and affirming the Licensing Board issuance 97-9. May I ask you to affirm your votes please?

[A chorus of ayes.]

MR. HOYLE: Thank you.

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

MR. HOYLE: No, there isn't.

CHAIRMAN JACKSON: If not, we're adjourned.

[Whereupon, at 2:07 p.m., the affirmation session was adjourned.]

5

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: Monday, August 4, 1997

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:

Reporter: (TAPE RECORDING)