

IN RESPONSE, PLEASE  
REFER TO: M981023

October 23, 1998

MEMORANDUM FOR: John F. Cordes, Acting Director  
Office of Commission Appellate Adjudication

FROM: John C. Hoyle, Secretary /s/

SUBJECT: STAFF REQUIREMENTS - AFFIRMATION SESSION, 11:45  
A.M., FRIDAY, OCTOBER 23, 1998, COMMISSIONERS'  
CONFERENCE ROOM, ONE WHITE FLINT NORTH,  
ROCKVILLE, MARYLAND (OPEN TO PUBLIC ATTENDANCE)

I. SECY-98-227 - NORTHEAST NUCLEAR ENERGY COMPANY (MILLSTONE  
NUCLEAR POWER STATION, UNIT NO. 3), DOCKET NO. 50-423-LA-2,  
MEMORANDUM AND ORDER (RESOLVING STANDING ISSUE), LBP-98-22 (SEPT.  
2, 1998)

The Commission approved a Memorandum and Order denying a petition from the Citizens Regulatory Commission (CRC) seeking intervention and opposing Northeast's amendment in LBP-98-22. The Commission has voted to approve the Memorandum and Order which affirms the Atomic Safety and Licensing Board's decision, denies the petition for intervention, and terminates the proceeding.

(Subsequently, on October 23, 1998, the Secretary signed the Order.)

II. SECY-98-233 - YANKEE ATOMIC ELECTRIC COMPANY (YANKEE NUCLEAR  
POWER STATION), DOCKET NO. 50-029-LA, MEMORANDUM AND ORDER  
(DECISION ON STANDING), LBP-98-12, 47 NRC 343 (JUNE 12, 1998)

The Commission approved a Memorandum and Order responding to appeals by the Franklin Regional Planning Board, the New England Coalition on Nuclear Pollution, Inc., and the Citizens Awareness Network from the Atomic Safety and Licensing Board's Decision in LBP-98-12. In LBP-98-12, the Board concluded that petitioners had failed to establish standing and terminated the proceeding. The Memorandum and Order affirmed in part and reversed in part the Board's decision in LBP-98-12. The Memorandum and Order grants standing to the New England Coalition on Nuclear Pollution, Inc. and the Citizens Awareness Network and denies standing to the Franklin Regional Planning Board.

(Subsequently, on October 23, 1998, the Secretary signed the Order.)

III. SECY-98-240 - HYDRO RESOURCES, INC.: PRESIDING OFFICER'S MEMORANDUM AND ORDER SETTING SCHEDULE AND RULING ON BIFURCATION, SEPTEMBER 22, 1998

The Commission approved a Memorandum and Order responding to a petition from the Eastern Navajo Diné against Uranium Mining and Southwest Research and Information Center seeking Commission interlocutory review of one aspect of the Presiding Officer's September 22, 1998, Memorandum and Order on scheduling and requesting the Commission to stay the ongoing licensing proceeding. The Memorandum and Order denied the petition for interlocutory review and denied as moot the motion to stay proceedings pending appellate review.

(Subsequently, on October 23, 1998, the Secretary signed the Order.)

cc: Chairman Jackson  
Commissioner Diaz  
Commissioner McGaffigan  
EDO  
OGC  
OCAA  
OCA  
OIG  
OPA  
Office Directors, Regions, ACRS, ACNW, ASLBP (via E-Mail)  
PDR - Advance  
DCS - P1-17