

UNITED STATES
NUCLEAR REGULATORY COMMISSION
WASHINGTON, D.C. 20555

March 12, 1990

MEMORANDUM FOR: William C. Parler, General Counsel

FROM: Samuel J. Chilk, Secretary

SUBJECT: STAFF REQUIREMENTS - AFFIRMATION/DISCUSSION
AND VOTE, 11:30 A.M., THURSDAY, MARCH 1,
1990,. COMMISSIONERS' CONFERENCE ROOM, ONE
WHITE FLINT NORTH, ROCKVILLE, MARYLAND
(OPEN TO PUBLIC ATTENDANCE)

I. SECY-90-014 - Draft Commission Opinion in Seabrook (On
Question Certified in ALAB-922)

The Commission, by a 3-0 vote, with Chairman Carr and Commissioners Roberts and Rogers approving and with Commissioners Curtiss and Remick abstaining, approved an order which responds to a question certified to the Commission by the Atomic Safety and Licensing Appeal Board in ALAB-922.

The order indicates that the Commission determined that certain testimony of the Massachusetts Attorney General, which seeks to address the dose reduction/dose consequences that will arise under the New Hampshire Radiological Emergency Response Plan, was not admissible for the purpose mentioned by the Appeal Board nor for any other purpose.

(Subsequently, on March 1, 1990, the Secretary signed the Order.)

II. SECY-90-037/037A - Seabrook Immediate Effectiveness
Decision/Full Power License

The Commission, by a vote of 3-0, with Chairman Carr and Commissioners Roberts and Rogers approving and Commissioners Curtiss and Remick abstaining, approved an order allowing the Atomic Safety and Licensing Board's authorization in LBP-89-32 of issuance of a full power license to become effective.

In addition to providing the Commission's decision on its immediate effectiveness review of the Seabrook station, the order denied the November 17, 1989, motion of Intervenor Massachusetts Attorney General, Seacoast Antipollution League and New England Coalition Against Nuclear Pollution to vacate those portions of LBP-89-32 which authorized the license. The order also denied the December 1, 1989, stay motion by the same intervenors and the Town of Hampton.

As a courtesy to the parties to permit the filing of judicial stay motions, the effective date of the decision is March 8, 1990. If motions for a stay are filed with the U.S. Court of Appeals by that date, the decision's effective date will be one week after the relevant motions are filed.

(Subsequently, the Secretary signed the Order on March 1, 1990.)

cc: Chairman Carr
Commissioner Roberts
Commissioner Rogers
Commissioner Curtiss
Commissioner Remick
EDO
GPA
ACRS
PDR - Advance
DCS - P1-24