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

June 2, 1989

MEMORANDUM FOR: William C. Parler, General Counsel

FROM: Samuel J. Chilk, Secretary

SUBJECT: STAFF REQUIREMENTS - AFFIRMATION/DISCUSSION
AND VOTE, 3:30 P.M., WEDNESDAY, MAY 24,
1989, COMMISSIONERS' CONFERENCE ROOM, ONE
WHITE FLINT NORTH, ROCKVILLE, MARYLAND
(OPEN TO PUBLIC ATTENDANCE)

I. Commission Response to Motion to Reconsider Seabrook Order
(CLI-89-8)

The Commission, by a 4-0 vote,* approved an Order responding to a May 22, 1989 petition from the Massachusetts Attorney General to reconsider the decision in CLI-89-8 to deny intervenors' application for a stay of issuance of the Seabrook low power license. The Order denied the motion to reconsider.

Commissioner Curtiss did not participate in this matter.

(Subsequently, on May 24, 1989, the Acting Secretary signed the Order).

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

* Section 201 of the Energy Reorganization Act, 42 U.S.C. Sec. 5841, provides that action of the Commission shall be determined by a "majority vote of the members present." Chairman Zech was not present when this item was affirmed.

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Accordingly, the formal vote of the Commission was 3-0 in favor of the decision. Chairman Zech, however, had previously indicated that he would approve this paper and had he been present he would have affirmed his prior vote.