

UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

AFFIRMATION SESSION

PUBLIC MEETING

Nuclear Regulatory Commission
Commission Hearing Room
11555 Rockville Pike
Rockville, Maryland
Tuesday, October 1, 2002

The Commission met in open session, pursuant to notice, at 9:25 a.m.

Richard A. Meserve, Chairman, presiding.

COMMISSIONERS PRESENT:

RICHARD A. MESERVE, Chairman

GRETA JOY DICUS, Member of the Commission

NILS J. DIAZ, Member of the Commission

EDWARD MCGAFFIGAN, JR., Member of the Commission

JEFFREY S. MERRIFIELD, Member of the Commission

STAFF AND PRESENTERS SEATED AT THE COMMISSION TABLE:

ANNETTE L. VIETTI-COOK, Secretary

KAREN D. CYR, Office of the General Counsel

DISCLAIMER

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The transcript is intended solely for general information purposes. As provided by 10 CFR 9.103, it is not part of the formal or informal record of decision of the matters discussed. Expressions of opinion in this transcript do not necessarily reflect final determination or beliefs. No pleading or other paper may be filed with the Commission in any proceeding as the result of, or addressed to, any statement or argument contained herein, except as the Commission may authorize.

[9:25 a.m.]

PROCEEDINGS

CHAIRMAN MESERVE: Good morning. Before we get started on this morning's meeting we do have two matters that we need to deal with, two affirmations. Madam Secretary you may proceed.

MS. VIETTI-COOK: The first matter is in the Private Fuel Storage on the Independent Spent Fuel Storage Installation consideration under NEPA of environmental justice issues. The Commission is being asked to act on a Memorandum and Order responding to a grant of review of the Licensing Board ruling denying (in part) summary disposition of consideration of environmental justice issues under NEPA. The Commission has voted to approve a Memorandum and Order which reverses the Board's partial denial of summary disposition on the environmental justice contention and directs the Board to grant summary disposition for Private Fuel Storage on this issue. Would you please affirm your votes?

CHAIRMAN MESERVE: Aye

COMMISSIONER DICUS: Aye

COMMISSIONER DIAZ: Aye

COMMISSIONER MCGAFFIGAN: Aye

COMMISSIONER MERRIFIELD: Aye

MS. VIETTI-COOK: The second matter International Uranium Corporation White Mesa Uranium Mill Appeal of LBP-02-12. The Commission is being asked to act on a Memorandum and Order responding to an appeal by the Glen Canyon Group of the Utah Chapter of the Sierra Club of the Presiding Officer's decision in LBP-02-13 related to the International Uranium Corporation's license amendment proceeding. The Commission has

voted to approve a Memorandum and Order which affirms the Presiding Officer's decision to reject the Sierra Club's petition to intervene for lack of standing. Would you please affirm your votes?

CHAIRMAN MESERVE: Aye

COMMISSIONER DIAZ: Aye

COMMISSIONER DICUS: Aye

COMMISSIONER MCGAFFIGAN: Aye

COMMISSIONER MERRIFIELD: Aye

MS. VIETTI-COOK: That's all I have.

CHAIRMAN MESERVE: Thank you Madam Secretary.

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: October 1, 2002

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: DARLENE K. WRIGHT

Reporter: (TAPE RECORDING)