

UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

AFFIRMATION SESSION

PUBLIC MEETING

Nuclear Regulatory Commission
Commission Hearing Room
11555 Rockville Pike
Rockville, Maryland
December 14, 2004

The Commission met in open session, pursuant to notice, at 12:55pm,
Nils J. Diaz, Chairman, presiding.

COMMISSIONERS PRESENT:

NILS J. DIAZ, Chairman

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 of the Commission

KAREN D. CYR, General Counsel

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[12:55pm]

P R O C E E D I N G S

CHAIRMAN DIAZ: Good afternoon. Madam Secretary, I believe you have some items for affirmation?

MS. VIETTI-COOK: Yes. This first item is the final amendments to 10 CFR Part 50, Appendix E, relating to the Nuclear Regulatory Commission review of changes to emergency action levels paragraph IV.B and the exercise requirements for co-located licensees paragraph IV.F.2. The Commission is being asked to act on a final rule amending 10 CFR Part 50, Appendix E, to revise current regulations on NRC approval of licensee changes to emergency action levels and clarify exercise requirements for co-located licensees. The Commission has voted to approve the publication and implementation of this final rule subject to the changes noted in the attachment. Would you please affirm your votes?

CHAIRMAN Diaz: Aye

COMMISSIONER MCGAFFIGAN: Aye.

COMMISSIONER MERRIFIELD: Aye.

MS. ANNETTE VIETTI-COOK: The second item is the State of Alaska Department of Transportation and Public Facilities confirmatory order modifying the license and intervenor's Motion for Reconsideration of CLI-04-26. The Commission is being asked to act on a Memorandum and Order responding to a Motion for Reconsideration of CLI-04-26 from Robert Farmer. The Commission has voted to approve a Memorandum and Order which denies Mr. Farmer's Motion for Reconsideration of CLI-04-26. Would you please affirm your votes?

CHAIRMAN Diaz: Aye

COMMISSIONER MCGAFFIGAN: Aye.

COMMISSIONER MERRIFIELD: Aye.

MS. VIETTI-COOK: The third item is Hydro Resources, Inc. Petition for Review of LBP-04-23 regarding the final environmental impact statement supplementation. The Commission is being asked to act on a Memorandum and Order responding to Petitions for Review of LBP-04-23 by Eastern Navajo Dine Against Uranium Mining and Southwest Research and Information Center. The Commission has voted to approve a Memorandum and Order which denies the Petitions for Review of LBP-04-23. Would you please affirm your votes?

CHAIRMAN Diaz: Aye

COMMISSIONER MCGAFFIGAN: Aye.

COMMISSIONER MERRIFIELD: Aye.

MS. VIETTI-COOK: That's it.

CHAIRMAN DIAZ: Thank you Madam Secretary.

