

October 19, 2005

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

FROM: Annette L. Vietti-Cook, Secretary **/RA/**

SUBJECT: STAFF REQUIREMENTS - AFFIRMATION SESSION, 2:15 P.M.,
WEDNESDAY, OCTOBER 19, 2005, COMMISSIONERS'
CONFERENCE ROOM, ONE WHITE FLINT NORTH,
ROCKVILLE, MARYLAND (OPEN TO PUBLIC ATTENDANCE)

I. SECY-05-0140 -LOUISIANA ENERGY SERVICES, L.P. (National Enrichment Facility),
Intervenors' Petition for Review of LBP-05-13 (Decision on Environmental Contentions)

The Commission¹ approved a Memorandum and Order affirming in part and reversing in part the Board decision in LBP-05-13 rejecting the amended contention of the Nuclear Information Resource Service (NIRS) and Public Citizen (PC) on the environmental impacts of waste disposal and remanded the contention to the Board for further consideration and appropriate action.

(Subsequently, on October 19, 2005, the Secretary signed the Memorandum and Order.)

II. SECY-05-0173 - LOUISIANA ENERGY SERVICES, L.P. (National Enrichment Facility),
Licensing Board's Referral of Memorandum and Order Rejecting Amended and
Supplemental Contentions

The Commission¹ approved a Memorandum and Order declining review of the Board's August 4, 2005 ruling which rejected the admission of two late-filed amended contentions and one late-filed supplemental contention by Nuclear Information and Resource Service and Public Citizen (NIRS/PC)

(Subsequently, on October 19, 2005, the Secretary signed the Memorandum and Order.)

III. SECY-05-0184 - Private Fuel Storage (Independent Spent Fuel Storage Installation)
Docket No. 72-22-ISFSI; Review of Board's September 15, 2005 order regarding
safeguards redactions

¹ Section 201 of the Energy Reorganization Act, 42 U.S.C. Section 5841, provides that action of the Commission shall be determined by a "majority vote of the members present." Chairman Diaz and Commissioners McGaffigan, Merrifield, and Jaczko were present in the Conference Room. Commissioner Lyons participated in the meeting via speakerphone.

The Commission¹ approved a Memorandum and Order which denies the NRC staff's motion as moot, and vacates the Licensing Board's September 15, 2005, Redaction Order.

(Subsequently, on October 19, 2005, the Secretary signed the Memorandum and Order.)

cc: Chairman Diaz
Commissioner McGaffigan
Commissioner Merrifield
Commissioner Jaczko
Commissioner Lyons
EDO
OGC
CFO
DOC
OCAA
OCA
OIG
OPA
Office Directors, Regions, ACRS, ACNW, ASLBP (via E-Mail)
PDR