

UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

AFFIRMATION SESSION

PUBLIC MEETING

Nuclear Regulatory Commission
Commission Hearing Room
11555 Rockville Pike
Rockville, Maryland
April 10, 2014

The Commission met in open session, pursuant to notice, at 8:55 a.m.,
Allison M. Macfarlane, Chairman, presiding.

COMMISSIONERS PRESENT:

ALLISON M. MACFARLANE, Chairman of the Commission

KRISTINE L. SVINICKI, Member of the Commission

GEORGE APOSTOLAKIS, Member of the Commission

WILLIAM D. MAGWOOD, IV, Member of the Commission

WILLIAM C. OSTENDORFF, Member of the Commission

STAFF AND PRESENTERS SEATED AT THE COMMISSION TABLE:

MARIANNE ZOBLER, Deputy General Counsel

ANNETTE VIETTI-COOK, Secretary of the Commission

DISCLAIMER

This is an unofficial transcript of a meeting of the United States Nuclear Regulatory Commission on April 10, 2014 in the Commission's office at One White Flint North, Rockville, Maryland. The meeting was open to public attendance and observation. This transcript has not been reviewed, corrected or edited, and it may contain inaccuracies.

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.

[8:55 a.m.]

PROCEEDINGS

CHAIRMAN MACFARLANE: Alright, we have an affirmation session?

ANNETTE VIETTI-COOK: We have one item for affirmation. It is on Aerotest Operations, (Aerotest Radiography and Research Reactor). The commission is being asked to act on a memorandum and order responding to: (1) the hearing request of Aerotest Operations Inc. and Nuclear Labyrinth, LLC (together referred to as the companies), on three related NRC Staff actions denials of the license transfer and license renewal applications and issuance of a related enforcement order, and (2) the NRC staff's "motion to sever" the license transfer proceeding from the license renewal proceeding.

The commission has voted to approve a memorandum and order which: denies both the NRC staff's motion to sever and the companies' request to consolidate the three matters, grants the companies' hearing request on the denial of the license transfer application, defers consideration of the companies' hearing request on the denial of the license application, and the associated enforcement order, and provides further direction for the license transfer proceeding.

Would you please affirm your votes?

CHAIRMAN MACFARLANE: Aye.

COMMISSIONER SVINICKI: Aye.

COMMISSIONER APOSTOLAKIS: Aye

COMMISSIONER MAGWOOD: Aye

COMMISSIONER OSTENDORFF: Aye.

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

CHAIRMAN MACFARLANE: Ok. Alright.

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: April 10, 2014

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: Brenda Akstulewicz

Reporter: (TAPE RECORDING)