

UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

Title: AFFIRMATION/DISCUSSION AND VOTE

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UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

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AFFIRMATION/DISCUSSION AND VOTE

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PUBLIC MEETING

Nuclear Regulatory Commission
One White Flint North
Rockville, Maryland

Friday, June 4, 1993

The Commission met in open session,
pursuant to notice, at 3:37 p.m., Ivan Selin,
Chairman, presiding.

COMMISSIONERS PRESENT:

IVAN SELIN, Chairman of the Commission
KENNETH C. ROGERS, Commissioner
JAMES R. CURTISS, Commissioner
FORREST J. REMICK, Commissioner
E. GAIL de PLANQUE, Commissioner

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STAFF SEATED AT THE COMMISSION TABLE:

SAMUEL J. CHILK, Secretary

MARTIN MALSCH, Deputy General Counsel for Licensing
and Regulation

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P-R-O-C-E-E-D-I-N-G-S

11:37 p.m.

CHAIRMAN SELIN: Good morning, ladies and gentlemen.

We have an affirmation session this morning. Two items are to come before us.

I think, Mr. Chilk, you may lead us through this session.

SECRETARY CHILK: Two items, Mr. Chairman.

The first is SECY-93-120, Randall C. Orem, Commission action on settlement agreement approved in Licensing Board proceeding 92-18. The Commission in this paper is being asked to act on a memorandum and order detailing the Commission's review of a settlement agreement between the NRC staff and Doctor Randall C. Orem.

Commissioners Rogers, Remick, and de Planque have approved the order which indicates that the Commission will not overturn a settlement agreement, however the Commission is providing guidance on certain matters of regulatory policy.

The Chairman and Commissioner Curtiss have disapproved the stipulation in the settlement agreement by which none of the facts associated with the proceeding would be held against Doctor Orem in

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1 future licensing actions. The Chairman's and
2 Commissioner Curtiss' views are attached to the order.

3 Would you please affirm your votes?

4 CHAIRMAN SELIN: Aye.

5 COMMISSIONER ROGERS: Aye.

6 COMMISSIONER CURTISS: Aye.

7 COMMISSIONER REMICK: Aye.

8 COMMISSIONER de PLANQUE: Aye.

9 COMMISSIONER REMICK: I'd like to make a
10 comment on that. I would have appreciated seeing the
11 dissenting views so I could determine if I wanted to
12 add additional comments myself. I do not in this
13 case, but it would have been helpful to have seen the
14 dissenting views prior to this time.

15 COMMISSIONER de PLANQUE: I would agree
16 with that.

17 SECRETARY CHILK: So noted.

18 SECY-93-155, Oncology Services Corporation
19 Petition for review of LBP-93-6. The Commission is
20 being asked to act on an order responding to the
21 petition filed by Oncology Services Corporation
22 seeking interlocutory review of the Atomic Safety and
23 Licensing Board's memorandum and order which granted
24 the Nuclear Regulatory Commission staff motion to stay
25 this enforcement proceeding through June 23, 1993.

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1 All Commissioners have approved an order
2 granting interlocutory review, but postponing any
3 further consideration of the matter until after the
4 Licensing Board resolves any further request for a
5 stay.

6 Would you please affirm your vote?

7 CHAIRMAN SELIN: Aye.

8 COMMISSIONER ROGERS: Aye.

9 COMMISSIONER CURTISS: Aye.

10 COMMISSIONER REMICK: Aye.

11 COMMISSIONER de PLANQUE: Aye.

12 SECRETARY CHILK: I have nothing further.

13 CHAIRMAN SELIN: Thank you very much.

14 The meeting is adjourned.

15 (Whereupon, at 11:40 a.m., the above-
16 entitled matter was adjourned.)
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PLACE OF MEETING: ROCKVILLE, MARYLAND

DATE OF MEETING: JUNE 4, 1993

were transcribed by me. I further certify that said transcription
is accurate and complete, to the best of my ability, and that the
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Carol Lynch

Reporter's name: Peter Lynch

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