

UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

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Title: AFFIRMATION/DISCUSSION AND VOTE

Location: ROCKVILLE, MARYLAND

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(202) 234-4433

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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

Thursday, September 16, 1993

The Commission met in open session,
pursuant to notice, at 11:30 a.m., Ivan Selin,
Chairman, presiding.

COMMISSIONERS PRESENT:

IVAN SELIN, Chairman of the Commission
FORREST J. REMICK, Commissioner
KENNETH C. ROGERS, Commissioner

STAFF SEATED AT THE COMMISSION TABLE:

SAMUEL J. CHILK, Secretary
WILLIAM C. PARLER, General Counsel
JAMES M. TAYLOR, Executive Director
for Operations

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

(11:30 a.m.)

CHAIRMAN SELIN: All right. Mr.
Secretary?

SECRETARY CHILK: The one item before the
Commission is SECY-93-254, Vermont Yankee Nuclear
Power Corporation, Licensing Board memorandum
regarding termination of licensing amendment
proceeding.

The Commission is being asked to act on a
memorandum and order that provides additional guidance
for the staff and Licensing Board in reponse to the
issues in Licensing Board Panel 93-16.

All the Commissioners have approved the
memorandum and order, attached to our September the
16th memorandum. The memorandum and order notes that
the Licensing Board was correct in concluding that it
lacked jurisdiction to address the issue of the
withdrawal of the licensing amendment, however, the
Board erred in concluding that staff approval of
Vermont Yankee's withdrawal request had the effect of
"terminating the proceeding". The Board itself has
the jurisdiction to terminate the proceedings.

Ordinarily the Commission would remand the
proceeding to the Licensing Board with instructions to

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1 issue an order terminating the proceeding, however, in
2 the interest of efficiency, the Commission has
3 exercised its own authority and thereby takes that
4 action.

5 Would you please affirm your votes?

6 (Ayes.)

7 CHAIRMAN SELIN: Thank you.

8 (Whereupon, the above entitled matter was
9 adjourned at 11:32 a.m.)
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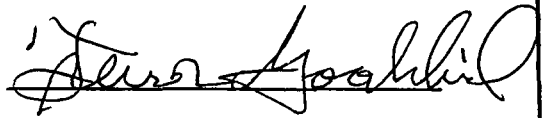
This is to certify that the attached events of a meeting
of the United States Nuclear Regulatory Commission entitled:

TITLE OF MEETING: AFFIRMATION/DISCUSSION AND VOTE

PLACE OF MEETING: ROCKVILLE, MARYLAND

DATE OF MEETING: SEPTEMBER 16, 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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Reporter's name: Trevor Goodchild

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