

UNITED STATES OF AMERICA  
NUCLEAR REGULATORY COMMISSION

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AFFIRMATION SESSION

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PUBLIC MEETING

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Nuclear Regulatory Commission  
Commission Hearing Room  
11555 Rockville Pike  
Rockville, Maryland

Friday, July 23, 1999

The Commission met in open session, pursuant to notice, at 2:00 p.m.,  
Greta Joy Dicus, Chairman, presiding.

COMMISSIONERS PRESENT:

GRETA J. DICUS, Member of the Commission

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

TRIP B. ROTHSCILD, Assistant General Counsel for Legal Counsel,  
Legislation and Special Projects

## DISCLAIMER

This is an unofficial transcript of a meeting of the United States Nuclear Regulatory Commission on July 23, 1999 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.

[2:00 p.m.]

## PROCEEDINGS

CHAIRMAN DICUS: Do any of my colleagues have any opening comments you would like to make?

COMMISSIONER MERRIFIELD: No.

CHAIRMAN DICUS: Okay, and if not, Madam Secretary, you may proceed.

MS. VIETTI-COOK: The Commission is being asked to act on a memorandum and order in response to a petition to intervene filed by Local 29 International Brotherhood of Electrical Workers with regards to a proposed transfer of interests in the Beaver Valley Power Station from Duquesne Light Company to First Energy Corporation. The Commission has voted to approve a memorandum and order which denies the petition to intervene. The Local 29's petition will be treated as a set of comments on the license transfer application pursuant to 10 CFR Section 2.1305. Would you please affirm your votes?

CHAIRMAN DICUS: Aye.

COMMISSIONER MCGAFFIGAN: Aye.

COMMISSIONER MERRIFIELD: Aye.

MS. ANNETTE VIETTI-COOK: Commissioner Diaz had previously indicated that he would approve this paper, and had he been present, he would have affirmed his prior vote. The second item is the Commission is being asked to act on a Memorandum and Order to petitions for review of four partial initial decisions related to

the materials license issued by Hydro Resources, Inc. The Commission has voted to approve a memorandum and order which partially affirms the decisions in LBP-99-001, LBP-99-009, and LBP-99-010. The Commission will address the bifurcation issue in a later decision. The memorandum and order requests the parties submit briefs on LBP-99-013. After reviewing the briefs, the Commission will consider whether to hold oral argument. Would you please affirm your votes?

CHAIRMAN DICUS: Aye.

COMMISSIONER MCGAFFIGAN: Aye.

COMMISSIONER MERRIFIELD: Aye.

MS. VIETTI-COOK: Again, Commissioner Diaz had previously indicated he would approve this paper, and had he been present, he would have affirmed his prior vote.

CHAIRMAN DICUS: Do we have anything else to come before us?

MS. VIETTI-COOK: No.

CHAIRMAN DICUS: Therefore, we're adjourned.

[Whereupon, at 2:03 p.m., the affirmation session was adjourned.]

## 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: July 23, 1999

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: Debra K. Weigh

Reporter: (TAPE RECORDING)