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UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

AFFIRMATION SESSION

SECRETARIAT RECORD COPY

PUBLIC MEETING

Nuclear Regulatory Commission
Commissioners Conference Room
One White Flint North
11555 Rockville Pike
Rockville, Maryland

Wednesday, October 2, 1996

The Commission met in open session, pursuant to notice, at 11:00 a.m., Shirley A. Jackson, Chairman, presiding.

COMMISSIONERS PRESENT:

SHIRLEY A. JACKSON, Chairman of the Commission
KENNETH C. ROGERS, Member of the Commission
GRETA J. DICUS, Member of the Commission
NILS J. DIAZ, Member of the Commission
EDWARD MCGAFFIGAN, Jr., Member of the Commission

STAFF SEATED AT THE COMMISSION TABLE:

JOHN C. HOYLE, Secretary

KAREN D. CYR, General Counsel

P R O C E E D I N G S

[11:00 a.m.]

CHAIRMAN JACKSON: Well, good morning. It must be because of the number of affirmations we have this morning that we have more of an audience than we usually have. This is an affirmation session. We have six affirmation items to come before us this morning. Unless any of my fellow Commissioners have any comments that they would like to make, I'd ask the Secretary to lead us through.

SECRETARY HOYLE: Thank you. Ok, the first paper is SECY-96-100. The Commission is being asked in this paper to approve a final rulemaking which clarifies the applicability of Part 20 of the Commission's rules and Part 35 concerning patient release criteria. These amendments provide a significant expansion of discussion on breastfeeding and revised criteria for release of patients administered radioactive material for medical use. All the Commissioners have approved the publication and implementation of this final rule subject to the staff revising statements of consideration and other supporting documents to be consistent with the dose limit as specified in the final rule and the guidance documents should be published at the same time as the rule. All of you have voted to approve this paper. I ask you to affirm your votes.

[Chorus of ayes.]

SECRETARY HOYLE: The second one is SECY-96-118. In this paper, the Commission is being asked to act on a rulemaking that revises the basic reactor siting criteria to reflect advances in earth sciences and earthquake engineering. Part 100 would be revised to contain a new section on non-seismic siting criteria as well as revisions to the geologic and seismic siting criteria. A new Appendix S to Part 50 will provide earthquake engineering criteria. All Commissioners have approved the publication and implementation of this final rule with some additional modifications in the Executive Director's Memorandum to the Commission dated July 10. I ask you to affirm your votes.

[Chorus of ayes.]

SECRETARY HOYLE: The third is SECY-96-136. This is another rulemaking, final rule, that amends 10 CFR Part 60 to address measures necessary to protect public health and safety for a broad range of normal and accident conditions during the operational period of a geologic repository. The final rule addresses measures that are required to provide defense-in-depth against the consequences of a design basis event. All Commissioners have approved publication of this rule. I ask you to affirm your votes.

[Chorus of ayes.]

SECRETARY HOYLE: The next paper is SECY-96-152. This is a final rulemaking designed to make NRC regulations more compatible with the Agreement States that have already upgraded radiography requirements. The primary changes involve requirements for use of two qualified individuals whenever radiographic operations occur outside a permanent facility, mandatory certification of radiographers, a radiation safety officer, and additional training for radiographers assistants. All Commissioners have approved this rule with some changes that you've all seen and approved. I ask you to affirm your votes.

[Chorus of ayes.]

SECRETARY HOYLE: The next one is SECY-96-185. The Commission is being asked to act on an Order responding to the Citizens Against Nuclear Trash's Petition for Commission Review of an April 26 Atomic Safety and Licensing Board Partial Initial Decision. The Commission approves in this paper an Order denying in part and granting in part the Petition for Review and directing that the emergency plan, the Safety Analysis Report, and the Safety Evaluation Report be amended to reflect the clarified role for the on-site fire brigade. This has to do with the Louisiana Energy Services case. All of you have approved the revised Order and I ask you to affirm your votes.

[Chorus of ayes.]

SECRETARY HOYLE: Secy-96-209 is the final one. This has to do with Yankee Atomic Electric Company. The Commission is being asked to act on an Order to (1) establish a filing schedule for any Petition for Review and responses thereto regarding the Licensing Board's Order granting Yankee Atomic Electric Company's motion for summary disposition, and (2) extending the Board's 12 day housekeeping stay of the effectiveness of its recent Board Order pending further Order of the Commission. The Commission has approved the proposed Order with some changes that the Solicitor had sent to you in a memorandum dated October 1. I ask you to affirm your votes.

[Chorus of ayes.]

SECRETARY HOYLE: That's all I have, Madam Chairman.

CHAIRMAN JACKSON: Is there anything else to come before us today? If not, we stand adjourned.

[Whereupon, at 11:10 a.m., the affirmation session was concluded.]

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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

PLACE OF MEETING: Rockville, Maryland

DATE OF MEETING: Wednesday, October 2, 1996

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 E. Wright