

ORIGINAL
UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

Title: **AFFIRMATION SESSION - PUBLIC MEETING**

Location: **Rockville, Maryland**

Date: **Friday, December 6, 1996**

Pages: **1 - 5**

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1250 I St., N.W., Suite 300

Washington, D.C. 20005

(202) 842-0034

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1 UNITED STATES OF AMERICA
2 NUCLEAR REGULATORY COMMISSION

3 - - -

4 AFFIRMATION SESSION

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6 PUBLIC MEETING

7
8 Nuclear Regulatory Commission
9 One White Flint North
10 Rockville, Maryland

11
12 Friday, December 6, 1996

13
14 The Commission met in open session, pursuant to
15 notice, at 11:31 a.m., Shirley A. Jackson, Chairman,
16 presiding.

17
18 COMMISSIONERS PRESENT:

19 SHIRLEY A. JACKSON, Chairman of the Commission
20 KENNETH C. ROGERS, Commissioner
21 GRETA J. DICUS, Commissioner
22 NILS J. DIAZ, Commissioner
23 EDWARD MCGAFFIGAN, JR., Commissioner
24
25

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1 ALSO PRESENT:

2 JOHN C. HOYLE, Secretary of the Commission

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P R O C E E D I N G S

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CHAIRMAN JACKSON: This is an affirmation session. We have two items to come before us this morning. Before I ask the Secretary to lead us through these items for affirmation, do any of my fellow Commissioners have any comments they would like to make? If not, Mr. Secretary, would you please proceed.

MR. HOYLE: Thank you, Chairman Jackson.

The first item is SECY-96-077. The Commission is being asked in this paper to approve two final rules that amend 10 CFR Part 52 to certify the U.S. Advanced Boiling Water Reactor (ABWR) and System 80+ designs by rulemaking.

Each of you has voted to approve the two rules as contained in the SECY paper with revisions recommended by the EDO in memoranda to the Commission of August 13 and October 21, and subject to some disapprovals and modification of several provisions of the rules.

Specifically, the Commission has voted to disapprove the inclusion of the new applicable regulations as identified in proposed Section 5(c) and instead has approved the inclusion of alternate language in the Statement of Considerations and in the rules.

The Commission did not support the extension of the backfit provisions of section 52.63 to technical specifications and other operational requirements. Instead,

1 it has voted to approve a revised Section 8(c) of each rule
2 that would apply to technical specifications and other
3 operational requirements in the Design Control Document.

4 Finally, you have voted in agreement to defer
5 consideration of specific design certification renewal
6 procedures until after the Commission has issued the final
7 design certification rulemakings.

8 I ask you to affirm your votes.

9 [All say aye.]

10 MR. HOYLE: Thank you.

11 The second paper we added this morning by
12 agreement. It has to do with Cleveland Electric
13 Illuminating Company. It's SECY-96-237.

14 The Commission is being asked to act on an order
15 that completes the Commission's review of the Atomic Safety
16 and Licensing Board's Memorandum and Order concerning Perry
17 Nuclear Plant in LBP-95-17. The Commission had earlier
18 granted review of the Board's order in response to a
19 petition from Cleveland Electric Illuminating Company.

20 All of you have voted to approve an order that
21 reverses and vacates the Board's order. May I ask you to
22 affirm your vote.

23 [All say aye.]

24 MR. HOYLE: That's all I have, Chairman Jackson.

25 CHAIRMAN JACKSON: If there are no further items,

1 we are adjourned.

2 [Whereupon, at 11:33 a.m., the affirmation session
3 was adjourned.]

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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 - PUBLIC MEETING

PLACE OF MEETING: Rockville, Maryland

DATE OF MEETING: Friday, December 6, 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: Michael Paulus

Reporter: Michael Paulus