

UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

Title: AFFIRMATION SESSION - PUBLIC MEETING

Location: Rockville, Maryland

Date: Tuesday, May 20, 1997

Pages: 1 - 4

ANN RILEY & ASSOCIATES, LTD.
1250 I St., N.W., Suite 300
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1 UNITED STATES OF AMERICA
2 NUCLEAR REGULATORY COMMISSION

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4 AFFIRMATION SESSION

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6 PUBLIC MEETING

7 ***

8 Nuclear Regulatory Commission
9 Commission Hearing Room
10 11555 Rockville Pike
11 Rockville, Maryland
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13 Tuesday, May 20, 1997
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15 The Commission met in open session, pursuant to
16 notice, at 3:32 p.m., the Honorable SHIRLEY A. JACKSON,
17 Chairman of the Commission, presiding.

18 COMMISSIONERS PRESENT:

19 SHIRLEY A. JACKSON, Chairman of the Commission

20 KENNETH C. ROGERS, Member of the Commission

21 GRETA J. DICUS, Member of the Commission

22 EDWARD McGAFFIGAN, JR., Member of the Commission
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1250 I Street, N.W., Suite 300
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1 STAFF AND PRESENTERS SEATED AT THE COMMISSION TABLE:

2 ANNETTE VIETTI-COOK, Assistant Secretary

3 KAREN D. CYR, General Counsel

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P R O C E E D I N G S

[3:32 p.m.]

CHAIRMAN JACKSON: All right.

Good afternoon again. This is an affirmation session. We have one item to come before us this afternoon.

Before I ask the Assistant Secretary to lead us through the item for affirmation, do any of my fellow commissioners have any opening comments?

[No response.]

CHAIRMAN JACKSON: If not, Ms. Vietti-Cook, please proceed.

MS. VIETTI-COOK: This is an affirmation on Ralph L. Tetrick.

The Commission is being asked to act on an order responding to the staff's petition for Commission review of both the Presiding Officer's Initial Decision, LBP-97-2, and his Order Denying Reconsideration, LBP-97-6. The Commission's order remands one issue, the correctness of Mr. Tetrick's response to Question 63 of the written exam, to the Presiding Officer and issues a temporary stay preserving the status quo until the case's final resolution.

The Commission has voted to approve the Memorandum and Order remanding the issue of Question 63 and issuing a "housekeeping" stay as attached.

Do you affirm your votes?

1 CHAIRMAN JACKSON: Aye.

2 COMMISSIONER ROGERS: Aye.

3 COMMISSIONER McGAFFIGAN: Aye.

4 COMMISSIONER DICUS: Aye.

5 CHAIRMAN JACKSON: Is there anything else to come
6 before us today?

7 MS. VIETTI-COOK: No.

8 CHAIRMAN JACKSON: If not, we are adjourned.

9 [Whereupon, at 3:33 p.m., the affirmation session
10 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: Tuesday, May 20, 1997

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: Christopher Cutchall

Reporter: Christopher Cutchall

UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

AFFIRMATION SESSION

PUBLIC MEETING

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

Wednesday, May 21, 1997

The Commission met in open session, pursuant to notice, at 9:30 a.m., the Honorable SHIRLEY A. JACKSON, Chairman of the Commission, presiding.

COMMISSIONERS PRESENT:

SHIRLEY A. JACKSON, Chairman of the Commission

KENNETH C. ROGERS, Member of the Commission

GRETA J. DICUS, Member of the Commission

EDWARD McGAFFIGAN, JR., Member of the Commission

STAFF AND PRESENTERS SEATED AT THE COMMISSION TABLE:

JOHN C. HOYLE, Secretary

KAREN D. CYR, General Counsel

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P R O C E E D I N G S

[9:30 a.m.]

CHAIRMAN JACKSON: Good morning Ladies and Gentlemen. This is an affirmation session. We have one item to come before us this morning.

Before I ask the Secretary to lead us through the item for affirmation, do any of my fellow Commissioners have any comments they wish to make?

[No response.]

CHAIRMAN JACKSON: If not, Mr. Secretary, please proceed.

SECY
97-046A

MR. HOYLE: Thank you, Chairman Jackson. The paper that we're being asked to affirm today contains a final rule on radiological criteria for license termination. In this rule, the Commission is being asked to provide specific radiological criteria for decommissioning of lands and structures at NRC regulated facilities. The rule is to establish a clear and consistent regulatory basis for determining the extent to which lands and structures must be remediated before decommissioning of a site can be considered complete and the license terminated. The final rule provides for a 25 millirem per year all pathways dose limit, coupled with a requirement to reduce radiological doses resulting from residual radioactivity to levels that are as low as reasonably achievable and the use of alternate criteria for certain difficult sites subject to Commission approval, and the solicitation of comments from the Environmental Protection

Agency and the general public. The rule would also require licensees proposing to decommissioning by restricting use of a site or through the use of alternate criteria to provide opportunities for participation by a broad cross-section of community interests who may be affected by the decommissioning. The Commission did not adopt a separate ground water protection standard. All Commissioners, including Commissioner Diaz, who is not here today, have voted to approve the publication and implementation of this final rule with some changes that will be reflected in the SRM.

I ask you to affirm your votes.

CHAIRMAN JACKSON: Aye.

COMMISSIONER ROGERS: Aye.

COMMISSIONER MCGAFFIGAN: Aye.

COMMISSIONER DICUS: Aye.

MR. HOYLE: Thank you.

CHAIRMAN JACKSON: Is there anything else to come before us this morning?

MR. HOYLE: No, there isn't.

CHAIRMAN JACKSON: If not, we are adjourned.

MR. HOYLE: Thank you.

[Whereupon, at 9:32 a.m., the affirmation session was adjourned.]

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Transcriber: Dulene F. Weigh