

UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

Title: AFFIRMATION/DISCUSSION AND VOTE

Location: ROCKVILLE, MARYLAND

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UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

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AFFIRMATION/DISCUSSION AND VOTE

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PUBLIC MEETING

Nuclear Regulatory Commission
1 White Flint North
Rockville, Maryland

Friday, March 3, 1989

The Commission met in open session, pursuant to notice, at 4:00 p.m., Lando W. Zech, Jr., Chairman, presiding.

COMMISSIONERS PRESENT:

LANDO W. ZECH, JR., Chairman of the Commission
THOMAS M. ROBERTS, Member of the Commission
KENNETH C. ROGERS, Member of the Commission
KENNETH M. CARR, Member of the Commission

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STAFF SEATED AT THE COMMISSION TABLE:

SAMUEL J. CHILK, Secretary

MARTIN MALSCH, Deputy General Counsel

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

4:00 p.m.

COMMISSIONER ZECH: Good afternoon, ladies and gentlemen.

This is an affirmation session. We have one item to bring before us this afternoon. Before I ask the Secretary to walk us through that item, do any of my fellow Commissioners have any comments to make?

If not, Mr. Secretary, you may proceed.

SECRETARY CHILK: The matter before the Commission, Mr. Chairman, is SECY-89-77, the Shoreham Sanction Decision.

The Commission is being asked in this paper to act on an order which details the Commission's decision on the imposition on sanctions in the Shoreham proceeding.

Chairman Zech and Commissioner Roberts, Carr, and Rogers have approved an order which concludes that the Intervenor's conduct in this proceeding not only permits the imposition of a heavy sanction, but compels it. Accordingly, the order dismisses Suffolk County, the state of New York, and the town of Southampton as parties from all proceedings pending before the Commission or any of its subordinate adjudicatory boards.

1 All contested proceedings are now at an end.
2 The proceeding on the 1988 emergency planning exercise
3 before the OL-5 Licensing Board is terminated.

4 As this decision constitutes the final
5 adjudicatory decision in this matter, the Commission
6 also directs that the following actions to assure that
7 no safety issues remain unexamined before the issuance
8 of an operating license for the Shoreham facility.
9 The Director of Nuclear Reactor Regulations shall
10 evaluate each contention which remains outstanding as
11 a result of this decision and explain to the
12 Commission in a public meeting whether, and if so how,
13 each has been resolved. Only after the conclusion of
14 such a briefing, after the necessary findings of 10
15 CFR Section 50.57 have been made, and after the
16 affirmative Commission vote to authorize issuance will
17 any license above five percent power be issued for the
18 Shoreham facility.

19 Commissioner Curtiss did not participate in
20 this matter.

21 Will you please affirm your votes?

22 (Ayes.)

23 COMMISSIONER ZECH: Anything else to come
24 before us today, Mr. Secretary?

25 SECRETARY CHILK: I have nothing, sir.

1 COMMISSIONER ZECH: All right. Thank you
2 very much.

3 We stand adjourned.

4 (Whereupon, at 4:03 p.m., the above-entitled
5 matter was concluded.)
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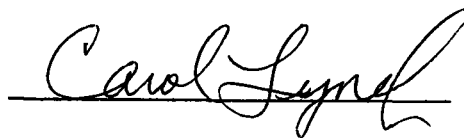
This is to certify that the attached events of a meeting
of the United States Nuclear Regulatory Commission entitled:

TITLE OF MEETING: AFFIRMATION SESSION & VOTE ON THE DECISION
REGARDING THE SHOREHAM PROCEEDINGS

PLACE OF MEETING: ROCKVILLE, MARYLAND

DATE OF MEETING: MARCH 3, 1989

were transcribed by me. I further certify that said transcription
is accurate and complete, to the best of my ability, and that the
transcript is a true and accurate record of the foregoing events.



Reporter's name: Peter Lynch

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