

UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

Title: AFFIRMATION/DISCUSSION AND VOTE

Location: ROCKVILLE, MARYLAND

Date: APRIL 20, 1989

Pages: 5 PAGES

~~SECRET~~ SECRETARIAT RECORD COPY

NEAL R. GROSS AND CO., INC.

COURT REPORTERS AND TRANSCRIBERS
1323 Rhode Island Avenue, Northwest
Washington, D.C. 20005
(202) 234-4433

DISCLAIMER

This is an unofficial transcript of a meeting of the United States Nuclear Regulatory Commission held on April 20, 1989 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 informational 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.

NEAL R. GROSS
COURT REPORTERS AND TRANSCRIBERS
1323 RHODE ISLAND AVENUE, N.W.
WASHINGTON, D.C. 20005

(202) 234-4433

(202) 232-6600

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

* * *

AFFIRMATION/DISCUSSION AND VOTE

* * *

PUBLIC MEETING

* * *

Nuclear Regulatory Commission
One White Flint North
Rockville, Maryland

Thursday, April 20, 1989

The Commission met in open session, pursuant to
notice, at 3:30 p.m., the Honorable LANDO W. ZECH, JR.,
Chairman of the Commission, 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

1 STAFF AND PRESENTERS SEATED AT THE COMMISSION TABLE:

2 SAMUEL J. CHILK, Secretary

3 WILLIAM C. PARLER, General Counsel

4

5

6

7

8

9

10

11

12

13

14

15

16

17

18

19

20

21

22

23

24

25

P R O C E E D I N G S

(3:30 p.m.)

CHAIRMAN ZECH: Good afternoon, ladies and gentlemen.

This is an affirmation session. We have two items to come before us this afternoon. Before I ask the Secretary to walk us through those two items, do any of my fellow Commissioners have any comments to make?

(No response.)

If not, Mr. Secretary, you may proceed.

MR. CHILK: Mr. Chairman, the Sunshine Act requires that the Commission vote to hold this meeting on less than one week's notice, and I wonder if I might have that vote.

(Chorus of ayes.)

MR. CHILK: Thank you.

The first affirmation item is a Commission vote on the full power operating license for Shoreham Nuclear Power Plant. The Commission is being asked to act on a request to authorize the Director of Nuclear Reactor Regulation to issue a full power operating license to the Shoreham Nuclear Power Plant.

Chairman Zech, Commissioners Roberts, Carr, and Rogers have approved authorizing the staff to issue the full power license for Shoreham, subject to the completion

1 of any remaining prerequisites. In addition, the
2 Commission is directing the NRC staff to keep the
3 Commission currently informed of material developments
4 relating to the executory agreement between LILCO and New
5 York State and to make such additional readiness reviews
6 as the passage of time dictates and the staff deems
7 appropriate. These conditions to remain in effect until
8 the time that Shoreham facility has reached commercial
9 operation.

10 Commissioner Curtiss did not participate in this
11 matter.

12 Would you please affirm your votes?

13 (Chorus of ayes.)

14 MR. CHILK: The second item, Mr. Chairman, is
15 SECY-89-115, Issues Raised by Joseph L. Macktal in the
16 Comanche Peak Proceedings including a Motion to Reconsider
17 Commission Licensing Issuance 88-12.

18 In this paper, the Commission is being asked to
19 act on an order responding to a motion for "limited
20 intervention" and a motion to reconsider the Commission's
21 December 21, 1988 Order issued as Commission Licensing
22 Issuance 88-12, denying another petition to intervene in
23 the Comanche Peak Proceedings.

24 Chairman Zech, Commissioners Roberts, Carr, and
25 Rogers have approved the order denying the motions. The

1 Commission also notes in the order that Mr. Macktal has
2 challenged the settlement agreement between himself and
3 Brown and Root Corporation before the Department of Labor
4 and that Department of Labor is the appropriate forum for
5 such action. Further, the order emphasizes this
6 Commission's decision in CLI-88-12 was not intended as a
7 Commission "stamp of approval" on the disputed settlement
8 agreement and the Commission withdraws any comment in CLI-
9 88-12 regarding the legality of that agreement.

10 Commissioner Curtiss was not available to
11 participate in this.

12 Would you please affirm your votes?

13 (Chorus of ayes.)

14 CHAIRMAN ZECH: Anything else to come before us
15 this afternoon?

16 MR. CHILK: I have nothing else, sir.

17 CHAIRMAN ZECH: If not, We stand adjourned.

18 (Whereupon, at 3:34 p.m., the meeting was
19 adjourned.)

20

21

22

23

24

25

CERTIFICATE OF TRANSCRIBER

This is to certify that the attached events of a meeting
of the United States Nuclear Regulatory Commission entitled:

TITLE OF MEETING: AFFIRMATION/DISCUSSION AND VOTE

PLACE OF MEETING: ROCKVILLE, MARYLAND

DATE OF MEETING: APRIL 20, 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: Phyllis Young

NEAL R. GROSS
COURT REPORTERS AND TRANSCRIBERS
1323 RHODE ISLAND AVENUE, N.W.
WASHINGTON, D.C. 20005