

# 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  
One White Flint North  
Rockville, Maryland

Thursday, June 8, 1989

The Commission met in open session, pursuant  
to notice, at 11:30 a.m., Lando W. Zech, Jr.,  
Chairman, presiding.

COMMISSIONERS PRESENT:

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

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STAFF SEATED AT THE COMMISSION TABLE:

SAMUEL J. CHILK, Secretary

WILLIAM C. PARLER, General Counsel

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

11:30 a.m.

CHAIRMAN ZECH: Good morning, ladies and gentlemen.

This is an affirmation session and we have two items to come before us this morning.

Before I ask the Secretary to walk us through the items, do any of my fellow commissioners have any opening comments they'd like to make?

(No response)

CHAIRMAN ZECH: If not, Mr. Secretary, you may proceed.

SECRETARY CHILK: Before I do that, Mr. Chairman, one of the items, SECY-89-175, dealing with this licensing status of Limerick, requires the Commission to vote to hold on less than one week's notice for consideration. May I have that vote please?

(Ayes.)

SECRETARY CHILK: Thank you.

First paper before the Commission, SECY-89-140, entitled NEPA Review Procedures for Geologic Repositories in High Level Waste. In this paper the Commission is being asked to approve a final rule, adopting procedures for the implementation of the

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1 National Environmental Policy Act with respect to  
2 geologic repositories for high level radioactive  
3 waste.

4 In accordance with the Nuclear Waste Policy  
5 Act of 1982 as amended, the rule provides for the  
6 Commission to adopt, to the extent practicable, a  
7 final environmental impact statement prepared by the  
8 Department of Energy that accompanies the  
9 recommendations of the President for repository  
10 development.

11 The rule recognizes that the primary  
12 responsibility for evaluating environmental impacts  
13 lies with the Department of Energy; and, consistent  
14 with this view, it sets out the standards and  
15 procedures that would be used in determining whether  
16 adoption of the Department's final environmental  
17 impact statement is practicable.

18 All commissioners have the rule -- approved  
19 the rule with the modifications attached to our June  
20 7th memorandum.

21 May I ask you to affirm your votes please?

22 (Ayes.)

23 SECRETARY CHILK: Thank you.

24 The second item, SECY-89-175, is a  
25 scheduling order for responses to applicant's request

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1 for clarification of the licensing status of Limerick,  
2 Unit 2.

3 In this paper the Commission is being asked  
4 to act on an order responding to a June 5th, 1989  
5 motion by the Philadelphia Electric Company requesting  
6 clarification of the licensing status of the Limerick  
7 Generating Station, Unit 2.

8 All commissioners have approved an order as  
9 attached to our June 8th memorandum. In that order  
10 the order states that, in order that the Commission be  
11 -- Commission can consider the position of all the  
12 parties properly, the order sets forth a schedule for  
13 responses to the applicant's motion.

14 The intervenor, Limerick Ecology Action,  
15 shall file by June 16th, 1989; the NRC staff by June  
16 20th, 1989; and PECO shall file this reply by June the  
17 23rd, 1989.

18 The order also directs that, pending the  
19 resolution of PECO's motion, the NRC staff will not  
20 issue any authorization for operation of Limerick Unit  
21 2 beyond those steps necessary for fuel loading and  
22 precriticality testing.

23 Would you please affirm your vote?

24 (Ayes.)

25 CHAIRMAN ZECH: Is there anything else to

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1       come before us this morning?

2               SECRETARY CHILK: I have nothing else.

3               CHAIRMAN ZECH: If not, we stand adjourned.

4               (Whereupon, at 11:35 a.m. the meeting of the  
5       Nuclear-Regulatory-Commission was adjourned.)

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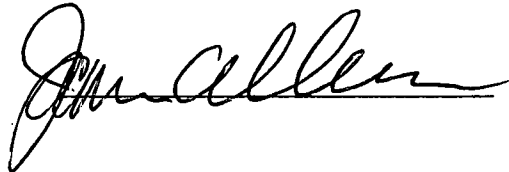
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TITLE OF MEETING: Affirmation/Discussion and Vote

PLACE OF MEETING: Rockville, Maryland

DATE OF MEETING: June 8, 1989

were transcribed by me. I further certify that said transcription  
is accurate and complete, to the best of my ability, and that the  
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Reporter's name: Joe Bookbinder

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