

# 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 9, 1994

The Commission met in open session,  
pursuant to notice, at 11:48 a.m., Ivan Selin,  
Chairman, presiding.

COMMISSIONERS PRESENT:

IVAN SELIN, Chairman of the Commission  
KENNETH C. ROGERS, Commissioner  
FORREST J. REMICK, Commissioner  
E. GAIL de PLANQUE, Commissioner

STAFF SEATED AT THE COMMISSION TABLE:

JOHN HOYLE, Acting Secretary

WILLIAM C. PARLER, General Counsel

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

11:48 a.m.

CHAIRMAN SELIN: Good morning, ladies and gentlemen.

We now have an affirmation session with three items to come before us this morning.

Mr. Hoyle, would you proceed, please?

MR. HOYLE: The first item for affirmation is SECY-94-112, Licensee Submittal of Data in Computer-Readable Form.

The Commission is being asked to approve final amendments to its regulations in 10 CFR to require certain licensees to submit data to the NRC in computer-readable format. These are the licensees who transfer, receive or adjust their inventories of uranium or thorium source material or foreign origin and each specific licensee who transfers or receives one gram or more of contained uranium-235, uranium-233, or plutonium.

All Commissioners have approved these amendments and I ask you to affirm your votes.

CHAIRMAN SELIN: Aye.

COMMISSIONER ROGERS: Aye.

COMMISSIONER REMICK: Aye.

COMMISSIONER de PLANQUE: Aye.

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1 MR. HOYLE: The second item is SECY-94-  
2 131. The title is Advanced Medical Systems.

3 The Commission is being asked to approve  
4 an order in this paper responding to an appeal by  
5 Advanced Medical Systems, Incorporated, from an Atomic  
6 Safety and Licensing Board decision (LBP-90-17) which  
7 sustained the NRC staff's imposition of an immediately  
8 effective suspension order on AMS for alleged  
9 violations of its license.

10 All Commissioners have approved an order  
11 denying this appeal. May I ask you to affirm your  
12 votes?

13 CHAIRMAN SELIN: Aye.

14 COMMISSIONER ROGERS: Aye.

15 COMMISSIONER REMICK: Aye.

16 COMMISSIONER de PLANQUE: Aye.

17 MR. HOYLE: The third item is SECY-94-144,  
18 Intervention Petitions Challenging Proposed Fuel  
19 Shipments to Temelin Reactors in the Czech Republic.

20 The Commission is being asked in this  
21 paper to respond to three petitions for leave to  
22 intervene and for a hearing on the license application  
23 filed by Westinghouse Electric Corporation to export  
24 nuclear fuel to the Czech Republic for use in the  
25 nuclear facility at Temelin.

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1           Commissioners Rogers, Remick, and de  
2 Planque have approved an order denying the petition  
3 because, as petitioners conceded, the petitions were  
4 late filed and the Commission has not found a good  
5 cause or other justification to warrant overlooking  
6 their lateness. Moreover, the Order concludes that  
7 the petitioners lack standing and have not established  
8 any right to a hearing, and that a discretionary  
9 hearing would not be in the public interest.

10           Chairman Selin recused himself from  
11 participating in this matter.

12           I ask Commissioners Rogers, Remick, and de  
13 Planque to confirm your votes.

14           COMMISSIONER ROGERS: Aye.

15           COMMISSIONER REMICK: Aye.

16           COMMISSIONER de PLANQUE: Aye.

17           MR. HOYLE: Thank you. That's all I have  
18 for today.

19           CHAIRMAN SELIN: In that case, we stand  
20 adjourned.

21           (Whereupon, at 11:50 a.m., the above-  
22 entitled matter was adjourned.)  
23  
24  
25

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PLACE OF MEETING: ROCKVILLE, MARYLAND

DATE OF MEETING: JUNE 9, 1994

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.

Carol Lynch

Reporter's name: Peter Lynch

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