

ORIGINAL

**UNITED STATES OF AMERICA**  
**NUCLEAR REGULATORY COMMISSION**

**Title:**

AFFIRMATION SESSION -- PUBLIC MEETING

**Location:**

Rockville, Maryland

**Date:**

Wednesday, July 26, 1995

**Pages:**

1 - 4

**SECRETARIAT RECORD COPY**

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1 UNITED STATES OF AMERICA  
2 NUCLEAR REGULATORY COMMISSION

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4 AFFIRMATION SESSION

5 PUBLIC MEETING

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8 Nuclear Regulatory Commission  
9 Commissioner's Conference Room  
10 11155 Rockville Pike  
11 Rockville, Maryland  
12

13 Wednesday, July 26, 1995  
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15 The Commission met in open session, pursuant to  
16 notice, at 11:22 a.m., Shirley Jackson, Chairman, presiding.  
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18 COMMISSIONERS PRESENT:

19 SHIRLEY JACKSON, Chairman

20 KENNETH C. ROGERS, Commissioner  
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1 STAFF SEATED AT THE COMMISSION TABLE:

2 JOHN HOYLE, Secretary of the Commission

3 KAREN CYR, General Counsel

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

[11:22 a.m.]

CHAIRMAN JACKSON: Good morning. 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, I ask Commissioner Rogers if he has any opening comments he would like to make.

COMMISSIONER ROGERS: No, none.

CHAIRMAN JACKSON: Then, Mr. Secretary, you may proceed.

SECRETARY HOYLE: Thank you, Chairman Jackson.

The paper is SECY 95-177, Georgia Institute of Technology appeal of a Licensing Board order.

The Commission is being requested to act on an order arising out of appeals of Licensing Board order by Georgia Tech and the NRC Staff. That Licensing Board order had granted a request for hearing and petition for leave to intervene by the Georgians against Nuclear Energy.

In June, the Commission issued a temporary housekeeping stay of discovery on gains, security contention, to allow the Commission to receive and consider the party's responses to three questions. Those responses have been received.

The Commission decision to issue an order today in

1 this case is taken by the Chairman under delegated authority  
2 voted by the Commission, as authorized by the NRC  
3 Reorganization Plan Number 1 of 1980. This decision was  
4 made after consultation with Commissioner Rogers.

5 The order being issued lifts the temporary stay of  
6 discovery, vacates the Licensing Board decision on the  
7 security contention, and remands that contention to the  
8 Board for reconsideration in light of new facts.

9 Chairman Jackson has stated her approval of this  
10 order. Commissioner Rogers has also stated his agreement  
11 with the order. I ask that you affirm your positions.

12 COMMISSIONER ROGERS: I affirm.

13 CHAIRMAN JACKSON: I do.

14 SECRETARY HOYLE: Thank you.

15 CHAIRMAN JACKSON: Thank you.

16 Is there anything else?

17 SECRETARY HOYLE: I have nothing further.

18 CHAIRMAN JACKSON: If not, we are adjourned.

19 [Whereupon, at 11:25 a.m., the affirmation session  
20 was concluded.]

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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 AND NOTICE  
PUBLIC MEETING

PLACE OF MEETING: Rockville, Maryland

DATE OF MEETING: Wednesday, July 26, 1995

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: Jennie Mahoney

Reporter: Mark Mahoney