



SECRETARY

UNITED STATES
NUCLEAR REGULATORY COMMISSION
WASHINGTON, D.C. 20555-0001

June 2, 2016

IN RESPONSE, PLEASE
REFER TO: M160602A

MEMORANDUM FOR: Brooke P. Clark, Director
Office of Commission Appellate Adjudication

FROM: Annette L. Vietti-Cook, Secretary **/RA/**

SUBJECT: STAFF REQUIREMENTS - AFFIRMATION SESSION, 8:55 A.M.,
THURSDAY, JUNE 2, 2016, COMMISSIONERS' CONFERENCE
ROOM, ONE WHITE FLINT NORTH, ROCKVILLE, MARYLAND
(OPEN TO PUBLIC ATTENDANCE)

I. SECY-16-0031 – ENTERGY NUCLEAR VERMONT YANKEE, LLC AND ENTERGY
NUCLEAR OPERATIONS, INC. (VERMONT YANKEE NUCLEAR POWER STATION),
NRC STAFF'S MOTION TO VACATE LBP-15-24

The Commission (with Commissioner Baran dissenting) approved a Memorandum and Order addressing the NRC Staff's motion to vacate as moot the Board's decision in LBP-15-24, which granted the State of Vermont's request for a hearing. The Memorandum and Order grants the Staff's motion.

(Subsequently, on June 2, 2016, the Secretary signed the Memorandum and Order.)

II. SECY-16-0037 - PACIFIC GAS & ELECTRIC CO. (DIABLO CANYON NUCLEAR
POWER PLANT, UNITS 1 AND 2); APPEAL OF LBP-15-27

The Commission approved a Memorandum and Order addressing the appeal of Atomic Safety and Licensing Board Order LBP-15-27 by Friends of the Earth. The Memorandum and Order affirms the Board's decision.

(Subsequently, on June 2, 2016, the Secretary signed the Memorandum and Order.)

III. SECY-16-0038 – ENTERGY NUCLEAR OPERATIONS, INC. (INDIAN POINT
NUCLEAR GENERATING UNITS 2 AND 3)—PETITIONS FOR REVIEW OF LBP-11-17
AND LBP-10-13

The Commission approved a Memorandum and Order reversing Atomic Safety and Licensing Board Order LBP-11-17, which granted summary disposition of Contention NYS-35/36 in favor of New York. The Memorandum and Order reverses the Board's decision, finds that summary disposition was appropriate in favor of Entergy and the NRC Staff, and dismisses Contention NYS-35/36. Additionally, the Commission directs the NRC license renewal Staff to refer the pending potentially cost-beneficial Severe Accident Mitigation Alternatives to the appropriate

Office of Nuclear Reactor Regulation staff for review and disposition, as appropriate, separate from this license renewal proceeding and directs the Board to dismiss Contention NYS-40. Chairman Burns did not participate in this matter.

(Subsequently, on June 2, 2016, the Secretary signed the Memorandum and Order.)

IV. SECY-16-0045 - PACIFIC GAS AND ELECTRIC CO. (DIABLO CANYON NUCLEAR POWER PLANT, UNITS 1 AND 2), PETITIONS FOR REVIEW

The Commission approved a Memorandum and Order addressing San Luis Obispo Mothers for Peace's petitions for review of two Atomic Safety and Licensing Board decisions: LBP-15-29, in which the Board granted summary disposition of Contention EC-1, dismissed a proposed contention, and terminated the proceeding; and an August 2015 decision in which the Board dismissed two proposed contentions. The Memorandum and Order denies the petitions for review.

(Subsequently, on June 2, 2016, the Secretary signed the Memorandum and Order.)

cc: Chairman Burns
Commissioner Svinicki
Commissioner Ostendorff
Commissioner Baran
EDO
OGC
CFO
OCAA
OCA
OIG
OPA
ODs, RAs, ACRS, ASLBP (via E-Mail)
PDR