

NUCLEAR REGULATORY COMMISSION

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COMMISSION MEETING

In the Matter of:

DISCUSSION OF DOE PETITION ON
CLINCH RIVER BREEDER REACTOR

DATE: December 9, 1981 PAGES: 1 thru 22
AT: Washington, D. C.

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NUCLEAR REGULATORY COMMISSION

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DISCUSSION OF DOE PETITION ON CLINCH RIVER BREEDER REACTOR

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Nuclear Regulatory Commission
Room 1130
1717 H Street, N.W.
Washington, D.C.

Wednesday, December 9, 1981

The Commission met, pursuant to notice, at 3:15 p.m.,

NUNZIO PALLADINO, Chairman, presiding.

PRESENT:

NUNZIO PALLADINO, Chairman
VICTOR GILINSKY, Commissioner
PETER BRADFORD, Commissioner
JOHN AHEARNE, Commissioner
THOMAS ROBERTS, Commissioner

ALSO PRESENT:

LEONARD BICKWIT
SAMUEL CHILK
WILLIAM J. DIRCKS
HAROLD DENTON
GUY CUNNINGHAM
PAUL CHECK
FORREST REMICK
DENNIS RATHBUN
MARTIN MALSCH

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P R O C E E D I N G S

CHAIRMAN PALLADINO: The meeting will please come to order.

With this meeting, we continue on the subject of the Clinch River Breeder Reactor. The matter we will discuss now is the procedure for handling the DOE Petition for an exemption under 10 CFR 50.12 of the Commission's Rules.

In particular, we must consider who is the appropriate body within NRC to make the exemption decision, the Commission, the staff or an adjudicatory board.

We will not make that decision today but we will review the considerations involved.

I should add the Commission has scheduled a meeting for December 11th to give the parties an opportunity to discuss or give their views on the procedures for handling the DOE exemption request.

Since scheduling that meeting, we have had a request from one of the parties to defer that meeting until after December 15th. I would suggest to the Commission that we honor that request. We do have an opportunity for scheduling the meeting on December 16th and we have reserved time for 10:00 a.m. on the 16th.

I think it might be appropriate for the Commission at this time to address whether or not it would be willing to defer the meeting until that time so we can give appropriate

1 notice to the parties involved.

2 Would you agree to meeting on the 16th rather than
3 the 11th?

4 (Chorus of ayes.)

5 CHAIRMAN PALLADINO: We will schedule the meeting
6 at which the parties will make their presentations.

7 COMMISSIONER BRADFORD: Were you going to come back
8 to that subject or did you intend to talk about the format,
9 what we expect them to address?

10 CHAIRMAN PALLADINO: I understand there have been
11 requests from some of the parties. I gather we are giving
12 all the parties an opportunity to make any comments as they
13 see fit with regard to the procedures they think we ought to
14 follow.

15 I would propose to look at our schedule a little more
16 closely and after we hear the parties, we schedule another
17 meeting at which we would make our decision.

18 COMMISSIONER AHEARNE: Are we asking these people
19 to come in and address the merits of the petition or how should
20 the Commission address the merits of the petition?

21 CHAIRMAN PALLADINO: This would be on the procedures
22 and not the merits. Later there will be an opportunity for
23 comments on the merits.

24 MR. BICKWIT: In our communications to the parties,
25 we have specifically asked them not to address the merits.

1 COMMISSIONER GILINSKY: Are we just talking about
2 whether the Commission takes it up or the Board takes it up?

3 COMMISSIONER BRADFORD: We have moved the meeting
4 from the 11th to the 16th and then we figure out what to do
5 with it.

6 CHAIRMAN PALLADINO: We had that meeting scheduled
7 for the 11th so the parties could make such comments on the
8 procedures to be used for handling the DOE exemption request.
9 We just noted we had a request to defer it until after
10 December 15th and I suggested we honor that. We just voted
11 we honor it by rescheduling that meeting at 10:00 a.m. on December
12 16th.

13 That is as far as we have gotten. I did indicate
14 we would not make a decision today. We do want to give the
15 parties an opportunity to comment on the procedures. We would
16 not make a decision on the procedures today. We want to wait
17 for the parties to make their comments.

18 Subsequently after the December 16th meeting we would
19 have a meeting at which time we would make that decision.

20 COMMISSIONER AHEARNE: By the parties, these are the
21 parties to the original proceeding?

22 MR. BICKWIT: That is correct.

23 COMMISSIONER AHEARNE: I gather because it was a
24 suspended proceeding rather than a new proceeding, those are
25 the parties involved? Therefore, there are no new parties

1 that can come in, is that correct?

2 MR. BICKWIT: It is conceivable that a new party could
3 come into the proceeding. The selection of these particular
4 people was made on the basis of the fact they are parties in
5 the current proceeding.

6 COMMISSIONER AHEARNE: That would be Tennessee, Oakridge,
7 DOE and the NRC staff?

8 MR. BICKWIT: The intervenor contingent. There are
9 aspects of the applicant contingent other than DOE. It is
10 DOE, Project Management and TVA.

11 CHAIRMAN PALLADINO: I would like to turn the meeting
12 over to Dr. Remick, Director of OPE, to review the DOE Petition
13 and outline the action options open to the Commission on that
14 Petition.

15 MR. REMICK: Thank you, Mr. Chairman. I have with
16 me, Dennis Rathbun from the Office of Policy Evaluation.

17 I thought it would be helpful to talk a little bit
18 about what is normally required in a construction permit and
19 an LWA-1 exemption to set the stage. You should have a handout
20 outlining this.

21 A construction permit is normally required before
22 there is the commencement of construction. This requires the
23 issuance of a final environmental statement by the staff, a
24 safety evaluation report by the staff, ACRS advice or a letter
25 and a hearing in which the hearing Board must make favorable

1 NEPA and full health and safety findings.

2 If those are all met, a construction permit can be
3 issued.

4 COMMISSIONER GILINSKY: This includes land clearing
5 and so on?

6 MR. REMICK: The commencement of construction does
7 include -- 50.10(c) indicates you must have a CP before
8 commencement of construction which includes site preparation.

9 Normally you require those things before doing it.
10 However, 50.10 also permits the Director of NRR to issue a
11 Limited Work Authorization-1 to permit site preparation
12 activities.

13 COMMISSIONER GILINSKY: What is the date of LWA-1?

14 MR. REMICK: 1974.

15 CHAIRMAN PALLADINO: What do you mean what is the
16 date?

17 COMMISSIONER GILINSKY: When it became a rule.

18 MR. REMICK: Prior to that time basically utilities
19 could undertake site preparation activities on their own. With
20 NEPA and so forth, it was not permitted unless they had an
21 LWA-1.

22 COMMISSIONER GILINSKY: Prior to NEPA.

23 MR. REMICK: Yes.

24 MR. BICKWIT: With an exemption from 50.10, they were
25 able to undertake that kind of construction with that kind

1 of exemption.

2 MR. REMICK: Before NEPA, they could undertake certain
3 site preparation activities without exemption?

4 MR. BICKWIT: No, they would need an exemption.

5 MR. MALSCH: They could do clearing and stuff.

6 MR. CUNNINGHAM: Prior to NEPA, the rule defined
7 commencement of construction differently and allowed certain site
8 preparation activities. It was post-NEPA that 50.10 --

9 MR. BICKWIT: 50.12 had a narrower application because
10 there was a narrower need for it.

11 MR. REMICK: A LWA-1 requires the FES from the staff
12 but instead of a full safety evaluation report --

13 COMMISSIONER BRADFORD: Excuse me, Forrest. What
14 was the application of 50.12? If I understood correctly, it
15 was not basic site preparation because that was not defined
16 as being commencement of construction. Was it some sort of
17 activity after you cleared the site?

18 MR. BICKWIT: Yes, going all the way up to safety
19 related construction of a preliminary sort. 50.12 was used
20 to allow construction itself, up to grade.

21 COMMISSIONER BRADFORD: Site preparation would have
22 already taken place?

23 MR. BICKWIT: Yes.

24 COMMISSIONER GILINSKY: What year did 50.12 become
25 a regulation?

1 MR. MALSCH: The exemption provision? The basic
2 provision to grant exemptions when authorized by law and not
3 endangering life or property has always been in Part 50.

4 After NEPA was enacted and the prohibition of activities
5 on site prior to a CP was broadened, at the same time additional
6 criteria were added to beef up the exemption granting process
7 to include environmental factors. That was in 1971-1972. Much
8 later on came the LWA regulation in 1974.

9 The way it works is before NEPA you could clear and
10 excavate and construct non-nuclear forces to the facility without
11 either a construction permit or an exemption. Exemptions were
12 granted prior to NEPA to allow actual construction of some
13 safety related items such as pouring foundation below grade.

14 COMMISSIONER BRADFORD: It was essentially the
15 equivalent of the LWA-2?

16 MR. MALSCH: Essentially the equivalent in terms of
17 scope of work. After NEPA was enacted, the prohibition of
18 what you could do on site without receiving a construction
19 permit was broadened so as to include site clearing and
20 excavation.

21 At the same time they added into the exemption process
22 some environmental criteria. The process or practice of granting
23 exemptions has continued.

24 COMMISSIONER GILINSKY: When were those added?

25 MR. MALSCH: 1971-1972.

1 MR. CUNNINGHAM: March of 1972.

2 MR. MALSCH: The practice of granting exemptions,
3 the broadened prohibition continued but now instead of looking
4 at the 50.12 about endangering life or property, it now includes
5 consideration and balancing of some environmental factors.

6 That practice of granting exemptions had continued
7 up until 1974 when the LWA was put in place.

8 COMMISSIONER GILINSKY: I read that 50.12 was only
9 used in the Davis-Besse case, that must be since some date.

10 MR. MALSCH: It has not been used often.

11 COMMISSIONER GILINSKY: Is it since the LWA rules
12 went into effect or since March of 1972?

13 MR. MALSCH: It was originally changed between 1972
14 and 1974. It was recently used.

15 MR. BICKWIT: Since 1974, it has been used twice,
16 the River Bend proceeding and the WPPSS proceeding. It was
17 granted in one case and denied in the other case.

18 COMMISSIONER BRADFORD: I think there are a number
19 of inconsistent allegations about that provision, how often
20 it has been used, some which obviously are wrong. We will
21 have to learn that as we go along. Len's description is at
22 least the third I have come across. I assume he is right.

23 COMMISSIONER AHEARNE: At some point I would hope
24 we get the correct description.

25 MR. BICKWIT: There is a reference in Congressman

1 Udall's letter, to my knowledge, the Commission has not granted
2 an exemption under 10 CFR 50.12 in a contested proceeding since
3 the adoption of LWA regulations, in April of 1974. The thrust
4 of that is right.

5 The only time you have had the granting of an exemption
6 has been in the River Bend proceeding. That was a contested
7 proceeding but the exemption itself was not contested.

8 The thrust of what he is saying is right.

9 COMMISSIONER AHEARNE: At some point will we be able
10 to get a piece of paper which says these exemptions were granted
11 and a date, what case and what they were?

12 MR. BICKWIT: Sure.

13 COMMISSIONER GILINSKY: There must be a computer that
14 can do that.

15 MR. BICKWIT: We have done it internally.

16 CHAIRMAN PALLADINO: I think that would be very helpful.

17 MR. REMICK: To issue a LWA-1 requires the issuance
18 of the FES. Instead of a full safety evaluation report, a
19 site suitability report covering the basis -ologies. It also
20 requires a hearing with favorable NEPA findings and the Board
21 must also make site suitability findings.

22 COMMISSIONER AHEARNE: This is a hearing focused
23 specifically on the LWA?

24 MR. REMICK: Yes.

25 COMMISSIONER AHEARNE: Would it be a CP hearing

1 underway and it breaks off?

2 MR. REMICK: It can be a CP hearing underway segmented
3 to look at LWA, the site suitability reports up to a certain
4 point. If the Board makes the NEPA findings and site
5 suitability findings then the Director of NRR can issue such
6 an LWA-1.

7 The Director of NRR can issue a Limited Work
8 Authorization-2 for foundation work of safety structures. This
9 requires the FES, the site suitability report, the hearing,
10 the Board must make favorable NEPA findings, site suitability
11 findings and also that there are no unresolved safety issues
12 related to those safety structures.

13 This is why Harold was talking about for an LWA-2,
14 they have to do more complete safety evaluations to determine
15 if there are unresolved safety issues related to the proposed
16 activities.

17 COMMISSIONER AHEARNE: Did NRC issue any LWA-2's?

18 MR. MALSCH: I think it was routine.

19 MR. REMICK: In addition, the Commission may grant
20 an exemption permitting the conduct of activities that are
21 prohibited by 50.10 prior to the issuance of a construction
22 permit. That exemption can be granted upon considering and
23 balancing the following factors, four factors. These are
24 abstracted and are not as completely written in 50.12.

25 Those include whether the proposed activities will

1 give rise to significant adverse environmental impacts; whether
2 adverse impacts can be redressed; whether alternatives will
3 be foreclosed and the effect of delay on public interest.

4 Those are the four factors under 50.12.

5 As Harold indicated, the status of these various
6 requirements, the application was docketed in April of 1975
7 and the co-applicants are the Department of Energy, Tennessee
8 Valley Authority, and Project Management Corporation, which
9 is a corporation representing a large number of utilities.

10 Adjudicatory proceeding was initiated in June of 1975.
11 The parties to the best of my knowledge at that time were DOE,
12 TVA and PMC, the National Resources Defense Council, State
13 of Tennessee, Roane County and the City of Oak Ridge.

14 As Harold indicated, the FES was issued in early 1977;
15 the site suitability report in March of 1977. The proceeding
16 was to start in June of 1977 but suspended in April of that
17 year.

18 CHAIRMAN PALLADINO: Do you ask the parties to confirm
19 that they are still parties? Do you just assume they are still
20 parties?

21 MR. BICKWIT: You assume they are still parties unless
22 they withdraw.

23 COMMISSIONER AHEARNE: Roane County did withdraw?

24 MR. BICKWIT: Yes.

25 MR. REMICK: The Commission received an exemption

1 request on 30 November, the contents of that exemption request
2 were a cover letter from Secretary Edwards summarizing the
3 specific request. This was backed up by a site preparation
4 activities report, so called SPAR. In that, it addresses the
5 four factors under 50.12. It updates what are the proposed
6 site preparation activities under the exemption request and
7 it revises the proposed environmental or alleged environmental
8 impact on these proposed site preparation activities.

9 A separate document came in which is a legal
10 memorandum which is in support of the request and covers various
11 legal aspects associated with the four factors, et cetera.

12 In that request, basically it requests prompt
13 consideration by the Commission itself, requesting the Commission
14 to consider the exemption. It asks for conduct of site clearing,
15 grubbing, sometimes referred to as grading, although I think
16 there is a difference between the two; excavation and construction
17 of temporary support and service facilities and then some
18 permanent services like a permanent road and so forth, with
19 the request they be able to begin the site preparation activities
20 in March, 1982.

21 Basically, in effect the request is an exemption from
22 the hearing requirements for an LWA-1, specified in 50.10,
23 in other words, they ask for permission to do the site preparation
24 activities which would normally be approved under the LWA-1
25 and since the FES and site suitability report exist, basically

1 what they are asking for is not require the findings of the
2 Board, that they address the four factors under 50.12.

3 As we see the options for the Commission, primarily
4 the question boils down to who is to prepare the initial decision
5 on the DOE exemption request.

6 We see that could be done by the Commission itself
7 and their subsets under that. You could do it with OPE/OGC
8 assistance. According to the general counsel, since there
9 are no ex parte bars here, you could do it with staff assistance,
10 a combination of staff and OPE/OGC or you might wish to give
11 it to a licensing board to make a record and perhaps certify
12 that record to the Commission.

13 My understanding is apparently the manual, the NRC
14 Manual, delegates the responsibility for exemption to the Director
15 of NRR, so they could ask the Director of NRR to handle the
16 exemption request.

17 The Commission could still retain review.

18 CHAIRMAN PALLADINO: It delegates?

19 MR. BICKWIT: It delegates it but all delegations
20 are subject to the inherent authority of the Commission to
21 take it back at any point.

22 COMMISSIONER AHEARNE: You are saying right at the
23 moment Harold could go out and sign it?

24 MR. BICKWIT: Yes.

25 MR. DENTON: I have no such plans!

(Laughter.)

MR. REMICK: The Commission could refer it to a licensing board to handle.

We indicate there are a number of issues. We think policy is inherent in the exemption request. DOE stresses both Congress' and the President's policies in favor of expediting the completion of CRBR.

You have received letters dated yesterday from Congressman Udall as well as from Congressmen Dingell and Ottinger who are opposed to the DOE request for expedited handling of the request.

There are timing considerations which DOE stresses the expeditious project completion and they would like to begin in March of 1982.

There is a question of the impact of the changes. They outline the changes and indicate those changes result in insignificant impact on the environment. These are questions I think should addressed on the merits.

The steps that we see that the Commission would need to take are decide who they wish to make the initial decision. You have already covered the NRDC letters of the 7th and 8th and you have made a decision on that.

If the Commission should decide it wishes to make the initial decision, I think it should decide which roles it wishes its various staffs to play in that.

1 If the Commission decides that either the Commission
2 or the staff is to make the initial decision, it should consider
3 whether it wishes to request comments on the DOE exemption
4 request and what comments it wishes to receive.

5 There is one other matter that the EDO has asked me
6 to address and that is there probably should be an acknowledgement
7 letter that the exemption request has been received and whether
8 the Commission wishes anything specifically in that acknowledge-
9 ment letter.

10 CHAIRMAN PALLADINO: I would propose we acknowledge
11 it without comment. We are not in a position to make a comment,
12 pro, con or even a neutral one.

13 COMMISSIONER AHEARNE: I gather this is no surprise
14 to any department.

15 MR. REMICK: I assume not.

16 MR. DIRCKS: You might want to lay out the schedule.

17 COMMISSIONER AHEARNE: At the moment I gather the
18 only thing we can say is we have scheduled a meeting on
19 December 16th.

20 CHAIRMAN PALLADINO: Then we want to discuss a possible
21 subsequent meeting.

22 COMMISSIONER GILINSKY: It is getting prompt
23 consideration.

24 CHAIRMAN PALLADINO: Yes, we could say we are giving
25 it prompt consideration.

1 MR. REMICK: Mr. Chairman, that covers our presentation.

2 CHAIRMAN PALLADINO: I guess we are open for questions
3 on the subject.

4 COMMISSIONER AHEARNE: I gather as far as what decisions,
5 we will have to wait until after the December 16th meeting.

6 COMMISSIONER BRADFORD: Unless we want to decide now.

7 CHAIRMAN PALLADINO: I think we indicated earlier
8 we would wait until the parties had a chance to make their
9 comments on the procedures. The procedures could have quite
10 an impact on the direction of the decision.

11 COMMISSIONER GILINSKY: Can we express a view?
12 I think the Commission ought to deal with this. That is my
13 view!

14 MR. REMICK: What subset?

15 COMMISSIONER GILINSKY: The Commission should be able
16 to take it up and decide the question of the exemption.

17 CHAIRMAN PALLADINO: What staff work if any would
18 you want to see developed, and the staff work may be done by
19 OPE, OGC and other staff.

20 COMMISSIONER AHEARNE: I would opt for 1(a)(C), combined
21 staff and OPE/OGC, assuming Len's view about no ex parte
22 problem being present. I agree with Vic. I do not think there
23 is anyone other than the Commission who ought to decide this
24 issue. It is going to end up fundamentally being a major policy
25 question. That is what our role is supposed to be.

1 MR. BICKWIT: You are going to detail staff to OGC
2 and OPE?

3 COMMISSIONER GILINSKY: I would be inclined to rely
4 on the staff reports to the Commission directly. It is
5 obviously going to be things we are going to ask for help on,
6 information from others and from Bill.

7 COMMISSIONER AHEARNE: Has this provision been used
8 before?

9 MR. BICKWIT: 50.12? Yes. Shearon Harris and River
10 Bend were examples.

11 COMMISSIONER AHEARNE: The paper you will be providing
12 will outline that?

13 MR. BICKWIT: Yes.

14 COMMISSIONER GILINSKY: We certainly would want to
15 have a chronology on the use.

16 MR. BICKWIT: 50.12 has not been used frequently.
17 We have four examples in the research we have done, two of
18 which resulted in the granting and two in the denial of the
19 exemptions.

20 CHAIRMAN PALLADINO: What sort of things did those
21 exemptions cover? Similar types of activities?

22 MR. BICKWIT: Yes, in some cases and in some, more
23 minor.

24 CHAIRMAN PALLADINO: I do not think we want to focus
25 on a decision. If people want to express their views, there

1 is nothing I can do to stop those expressions.

2 No matter which way we go, I presume we will want
3 to send whatever order is developed out for comments.

4 MR. BICKWIT: I would think there is a possible legal
5 barrier to not asking for comments. There is a suggestion
6 in case law that due process requires some comment.

7 COMMISSIONER BRADFORD: Not asking for comment on
8 the procedure or the substance?

9 MR. BICKWIT: On the substance.

10 COMMISSIONER BRADFORD: If in fact there is a strong
11 Commission preference for 1(a)(c), and I must say I am inclined
12 that way myself, I am not sure what the point is of asking
13 the parties to comment on the 16th and advise us on the various
14 procedural options.

15 CHAIRMAN PALLADINO: They asked, or NRDC asked for
16 the privilege of commenting on it.

17 COMMISSIONER GILINSKY: Maybe we should hear from
18 them on the merits.

19 MR. BICKWIT: With respect to the procedures, they
20 may have some arguments that have not been presented to you
21 or which you have not considered.

22 CHAIRMAN PALLADINO: No matter how we want to proceed
23 on who does it, we should have some sort of order and some
24 comment on the procedure. I would expect after the procedure
25 is settled, there should be some comment period for the

1 parties to provide input on the merits. I presume that would
2 come after we make the decision as to who will do it.

3 Would those be written comments on the merits or oral?

4 MR. BICKWIT: They could be either. You would have
5 legal problems if you do not have one or the other.

6 CHAIRMAN PALLADINO: I was trying to do with this
7 project what we had done for the earlier project. I had written
8 we would hear the parties on the procedures then the Commission
9 would make a decision on the procedure then prepare an order
10 for comment, then receive comments, then I guess we would have
11 to analyze those comments and then request comments and they
12 could be oral if it is necessary to expedite by the parties
13 and everything has been heard, the Commission decides
14 whatever the decision is, whether or not the exemption would
15 be granted.

16 I would propose perhaps we might try to write up
17 something like this so we can have it before us. Right now
18 it is just scribblings on a piece of paper.

19 COMMISSIONER AHEARNE: And suggested time periods?

20 CHAIRMAN PALLADINO: The time periods would depend
21 on the decision on the procedures. You would get one timetable
22 if the Commission is to make the decision and a different
23 timetable if the Board is to make the decision.

24 COMMISSIONER BRADFORD: I think we should be able
25 to make the decision on the procedures pretty quickly after

1 the 16th.

2 CHAIRMAN PALLADINO: If the Commission is that prepared,
3 it may be on the 16th we hear the parties and if the Commission
4 is prepared after hearing the parties to proceed in one direction
5 or another, we could do it on the 16th. Would there be any
6 problem with that?

7 MR. BICKWIT: Certainly not.

8 CHAIRMAN PALLADINO: I would suggest we schedule it
9 that way, schedule a possible decision on the 16th.

10 COMMISSIONER GILINSKY: If we have questions on the
11 merits, who do we address them to? Suppose I want to ask about
12 the petition, what sort of mechanism do we have?

13 MR. BICKWIT: What I understand the Commission is
14 going to do on the 16th or thereafter is decide how to confront
15 the merits.

16 COMMISSIONER BRADFORD: There are no ex parte barriers
17 between now and then?

18 MR. BICKWIT: I believe there are none.

19 COMMISSIONER GILINSKY: I was interested in knowing
20 how DOE came up with the numbers on the amount to be saved
21 if there were an exemption.

22 MR. BICKWIT: The only exception I would make to the
23 statement that there are no ex parte bars is if you had an
24 issue that is contested in the suspended proceeding and you
25 want to hear from a party other than the staff, there is a

1 possibility of an ex parte bar. If you are determined to get
2 answers on the merits before you decide how to address the
3 merits, it can be done with that caveat.

4 CHAIRMAN PALLADINO: Thinking ahead, will we need
5 staff certification on any of the aspects of the four points?
6 Does the staff have to concur?

7 MR. BICKWIT: If you choose an option with the Commission
8 making the final decision, then the Commission makes the decision.
9 The staff could dissent from it.

10 CHAIRMAN PALLADINO: Could it also ask for the staff's
11 opinion on these four points?

12 MR. BICKWIT: I would assume that was contemplated.
13 If you went out to the parties, you would not ignore the staff
14 as a party.

15 CHAIRMAN PALLADINO: When we send out for comments,
16 we could ask the staff to respond?

17 MR. BICKWIT: Yes.

18 CHAIRMAN PALLADINO: I guess we could specifically
19 ask any group to respond?

20 MR. BICKWIT: That is my view.

21 CHAIRMAN PALLADINO: Any other comments?

22 (No response.)

23 CHAIRMAN PALLADINO: Thank you. We are adjourned.

24 (Whereupon, the meeting was adjourned at 3:55 p.m.)
25

NUCLEAR REGULATORY COMMISSION

This is to certify that the attached proceedings before the
COMMISSION MEETING

in the matter of: DISCUSSION OF DOE PETITION ON
CLINCH RIVER BREEDER REACTOR

Date of Proceeding: December 9, 1981

Docket Number: _____

Place of Proceeding: Washington, D. C.

were held as herein appears, and that this is the original transcript
thereof for the file of the Commission.

Marilyn M. Nations

Official Reporter (Typed)

Marilyn M. Nations

Official Reporter (Signature)