

TRANSMITTAL TO: X Document Control Desk, 016 Phillips  
 ADVANCED COPY TO: \_\_\_\_\_ The Public Document Room  
 DATE: 12/10/92  
 FROM: SECY Correspondence & Records Branch

Attached are copies of a Commission meeting transcript and related meeting document(s). They are being forwarded for entry on the Daily Accession List and placement in the Public Document Room. No other distribution is requested or required.

Meeting Title: Affirmation/Discussion & Vote

Meeting Date: 12/8/92 Open X Closed \_\_\_\_\_

Item Description\*:

Copies  
Advanced  
to PDR

DCS  
Copy

1. TRANSCRIPT

1

1

2. Secy-92-368

2

1

3. Secy-92-376

2

1

4. \_\_\_\_\_

5. \_\_\_\_\_

6. \_\_\_\_\_

140017

\* PDR is advanced one copy of each document, two of each SECY paper.  
 C&R Branch files the original transcript, with attachments, without SECY papers.

9212160248 921208  
 PDR 10CFR  
 PT9.7 PDR

4/86

*LEOP*

UNITED STATES OF AMERICA  
NUCLEAR REGULATORY COMMISSION

Title: AFFIRMATION/DISCUSSION AND VOTE

Location: ROCKVILLE, MARYLAND

Date: DECEMBER 8, 1992

Pages: 4 PAGES

NEAL R. GROSS AND CO., INC.

COURT REPORTERS AND TRANSCRIBERS  
1323 Rhode Island Avenue, Northwest  
Washington, D.C. 20005  
(202) 234-4433

# DISCLAIMER

This is an unofficial transcript of a meeting of the United States Nuclear Regulatory Commission held on December 8, 1992 in the Commission's office at One White Flint North, Rockville, Maryland. The meeting was open to public attendance and observation. This transcript has not been reviewed, corrected or edited, and it may contain inaccuracies.

The transcript is intended solely for general informational purposes. As provided by 10 CFR 9.103, it is not part of the formal or informal record of decision of the matters discussed. Expressions of opinion in this transcript do not necessarily reflect final determination or beliefs. No pleading or other paper may be filed with the Commission in any proceeding as the result of, or addressed to, any statement or argument contained herein, except as the Commission may authorize.

NEAL R. GROSS  
COURT REPORTERS AND TRANSCRIBERS  
1323 RHODE ISLAND AVENUE, N.W.  
WASHINGTON, D.C. 20005

(202) 234-4433

(202) 232-6600

1 UNITED STATES OF AMERICA  
2 NUCLEAR REGULATORY COMMISSION

3 \* \* \*

4 AFFIRMATION/DISCUSSION AND VOTE

5  
6 \* \* \*

7 PUBLIC MEETING

8 \* \* \*

9 Nuclear Regulatory Commission

10 One White Flint North

11 Rockville, Maryland

12  
13 Tuesday

14 December 8, 1992

15  
16 The Commission met in open session, pursuant to  
17 notice, at 11:30 a.m., the Honorable IVAN SELIN, Chairman  
18 of the Commission, presiding.

19  
20 COMMISSIONERS PRESENT:

21 IVAN SELIN, Chairman of the Commission

22 KENNETH C. ROGERS, Member of the Commission

23 JAMES R. CURTISS, Member of the Commission

24 FORREST J. REMICK, Member of the Commission

25 NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS  
1323 RHODE ISLAND AVENUE, N.W.  
WASHINGTON, D.C. 20005

1 STAFF AND PRESENTERS SEATED AT THE COMMISSION TABLE:

2 SAMUEL J. CHILK, Secretary

3 WILLIAM C. PARLER, General Counsel

4

5

6

7

8

9

10

11

12

13

14

15

16

17

18

19

20

21

22

23

24

25

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVENUE, N.W.

WASHINGTON, D.C. 20005

PROCEEDINGS

(11:32 a.m.)

CHAIRMAN SELIN: I'd like to call this vast crowd to order, please. Good morning.

This is an affirmation session. We have two items to come before us this morning, and I'd ask the Secretary to lead us through the items.

MR. CHILK: The first item, Mr. Chairman, is SECY 92-376. It's a Final Rule on Exclusion of Attorneys from Interviews Under Subpoena.

The Commission is being asked to approve amendments to its regulations, to provide for the exclusion of counsel from subpoena interviews, when that counsel represents multiple interests in the investigation and there is concrete evidence that the counsel's presence at the interview would obstruct or impede the investigation. All Commissioners have approved the Final Rule.

May I have your votes?

(Chorus of ayes.)

MR. CHILK: 92-368 is the second item. It's a Final Rule Amending 10 CFR Part 52.

The Commission is being asked to approve amendments to 10 CFR Part 52, which conform the rule to the language of the recently enacted Energy Policy Act of

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVENUE, N.W.

WASHINGTON, D.C. 20005



1 1992. This rule is being adopted in final form at this  
2 time, to incorporate the provisions of the Act.  
3 Nevertheless, any interested member of the public who  
4 believes the Commission has not accurately conformed Part  
5 52 to the Act, is invited submit comments on this matter  
6 within 60 days of publication of this rule.

7 The Chairman, Commissioners Rogers, Remick, and  
8 de Planque, have approved the rule changes as attached to  
9 our memorandum of December the 8th. Commissioner Curtiss  
10 has approved in part and disapproved in part. He would  
11 seek public comment through a notice and comment  
12 rulemaking on whether and how to amend 10 CFR Part  
13 52.97(b) to incorporate the so-called "Sholly authority"  
14 for changes to the combined construction and operating  
15 license. Commissioner Curtiss' separate views on this  
16 matter are attached, and will be included in the final  
17 rulemaking notice. Commissioner Remick also has  
18 additional views.

19 Would you please affirm your votes?

20 (Chorus of ayes.)

21 MR. CHILK: I have nothing else, sir.

22 CHAIRMAN SELIN: Thank you very much.

23 (Whereupon, at 11:35 a.m., the meeting was  
24 adjourned.)  
25

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVENUE, N.W.

WASHINGTON, D.C. 20005

CERTIFICATE OF TRANSCRIBER

This is to certify that the attached events of a meeting  
of the United States Nuclear Regulatory Commission entitled:

TITLE OF MEETING: AFFIRMATION/DISCUSSION AND VOTE

PLACE OF MEETING: ROCKVILLE, MARYLAND

DATE OF MEETING: DECEMBER 8, 1992

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.

Phyllis Young

Reporter's name: PHYLLIS YOUNG

NEAL R. GROSS  
COURT REPORTERS AND TRANSCRIBERS  
1323 RHODE ISLAND AVENUE, N.W.  
WASHINGTON, D.C. 20005