



OFFICE OF THE
SECRETARY

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

IN RESPONSE, PLEASE
REFER TO: M850613

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June 21, 1985

MEMORANDUM FOR: Herzel H.E. Plaine, General Counsel

William J. Dircks, Executive Director
for Operations

FROM: Samuel J. Chilk, Secretary *[Signature]*

SUBJECT: STAFF REQUIREMENTS - AFFIRMATION/DISCUSSION
AND VOTE, 10:00 A.M., THURSDAY, JUNE 13, 1985,
COMMISSIONERS' CONFERENCE ROOM, D.C. OFFICE
(OPEN TO PUBLIC ATTENDANCE)

I. SECY-85-139B - Revised Disposition of Hearing Requests
Regarding Edlow International Nuclear Materials License

The Commission, by a 5-0* vote, approved an order that dismisses the request for a hearing on Edlow International Company's renewal of a license to store uranium hexafluoride and uranium ore concentrate at its warehouse facility in East St. Louis, Illinois as moot since Edlow has now withdrawn its license renewal request.

(Subsequently, on June 14, 1985 the Secretary signed the Order.)

II. SECY-85-173 - Delegation of FOIA Appeal Function to the
Secretary of the Commission

The Commission, by a 4-1** vote (Commissioner Asselstine disapproving), approved a rule change to 10 CFR Part 9 to delegate authority to the Secretary of the Commission to deny Freedom of Information Act appeals. The Secretary is to act only after receiving the concurrence of the Office of the General Counsel.

* Section 201 of the Energy Reorganization Act. 42 USC §5841, provides that action of the Commission shall be determined by a "majority vote of the members present." Chairman Palladino was not present when this item was affirmed. Accordingly, the formal vote of the Commission was 4-0 in favor of the decision. Chairman Palladino, however, had previously indicated that he would approve this paper and had he been present he would have affirmed his prior vote.

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The Commission also approved the proposed manual chapter changes. You should forward the Federal Register Notice for publication and update the NRC manual with the proposed changes.
(OGC/ADM/SECY) (SECY Suspense: 7/8/85)

III. SECY-85-158 - Final Amendments to 10 CFR Part 0, "Conduct of Employees"

The Commission, by a vote of 5-0,*** approved changes to 10 CFR Part 0 to codify in NRC's regulation provisions of the Ethics in Government Act of 1978 (18 U.S.C. 207) relating to reporting of financial assets by senior NRC officials as well as several other amendments relating to employee conduct.

(Subsequently, on June 17, 1985 the Secretary signed the Federal Register Notice.)

cc: Chairman Palladino
Commissioner Roberts
Commissioner Asselstine
Commissioner Bernthal
Commissioner Zech
Commission Staff Offices
PDR - Advance
DCS - 016 Phillips

** Section 201 of the Energy Reorganization Act, 42 USC §5841, provides that action of the Commission shall be determined by a "majority vote of the members present." Chairman Palladino was not present when this item was affirmed. Accordingly, the formal vote of the Commission was 3-1 in favor of the decision. Chairman Palladino, however, had previously indicated that he would approve this paper and had he been present he would have affirmed his prior vote.

*** Section 201 of the Energy Reorganization Act, 42 USC §5841, provides that action of the Commission shall be determined by a "majority vote of the members present." Chairman Palladino was not present when this item was affirmed. Accordingly, the formal vote of the Commission was 4-0 in favor of the decision. Chairman Palladino, however, had previously indicated that he would approve this paper and had he been present he would have affirmed his prior vote.