

February 5, 2004

MEMORANDUM FOR: John F. Cordes, Director
Office of Commission Appellate Adjudication

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

SUBJECT: STAFF REQUIREMENTS - AFFIRMATION SESSION, 10:45 A.M., THURSDAY, FEBRUARY 5, 2004,
COMMISSIONERS' CONFERENCE ROOM, ONE WHITE FLINT NORTH, ROCKVILLE, MARYLAND (OPEN TO
PUBLIC ATTENDANCE)

I. SECY-04-0015 - Private Fuel Storage (Independent Spent Fuel Storage Installation) Docket No. 72-22-ISFSI

The Commission¹ approved a Memorandum and Order responding to Petitions for Review filed by the State of Utah and Ohngo Gaudadeh Devia (OGD) which present numerous issues for consideration. The Memorandum and Order denies the review for the most part, but grants review and requests further briefs on two issues related to NEPA concerns raised in Utah contention U bases 2, and cost-benefit issues raised in Utah contentions CC and SS.

(Subsequently, on February 5, 2004, the Secretary signed the Memorandum and Order.)

cc: Chairman Diaz
Commissioner McGaffigan
Commissioner Merrifield
EDO
OGC
CFO
OCAA
OCA
OIG
OPA
Office Directors, Regions, ACRS, ACNW, ASLBP (via E-Mail)
PDR

¹ Section 201 of the Energy Reorganization Act, 42 U.S.C. Section 5841, provides that action of the Commission shall be determined by a "majority vote of the members present." Chairman Diaz and Commissioner McGaffigan were present in the Conference Room. Commissioner Merrifield participated in the meeting via speakerphone.