

UNITED STATES OF AMERICA  
NUCLEAR REGULATORY COMMISSION

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AFFIRMATION SESSION

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PUBLIC MEETING

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Nuclear Regulatory Commission  
Commission Hearing Room  
11555 Rockville Pike  
Rockville, Maryland  
June 17, 2010

The Commission met in open session, pursuant to notice, at 8:55 a.m.,

Gregory B. Jaczko, Chairman, presiding.

COMMISSIONERS PRESENT:

GREGORY B. JACZKO, Chairman of the Commission

KRISTINE L. SVINICKI, Member of the Commission

GEORGE APOSTOLAKIS, Member of the Commission

WILLIAM D. MAGWOOD, IV, Member of the Commission

WILLIAM C. OSTENDORFF, Member of the Commission

STAFF AND PRESENTERS SEATED AT THE COMMISSION TABLE:

STEPHEN G. BURNS, General Counsel

ANNETTE L. VIETTI-COOK, Secretary of the Commission

DISCLAIMER

This is an unofficial transcript of a meeting of the United States Nuclear Regulatory Commission on June 17, 2010 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 information 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.

[8:55 a.m.]

P R O C E E D I N G S

CHAIRMAN JACZKO: We will begin with three items for affirmation.

MS. VIETTI-COOK: Yes we have three items for affirmation. The first two items are on Entergy Nuclear Generation Co. and Entergy Nuclear Operations, (Pilgrim Nuclear Power Station). The Commission is being asked to act on a Memorandum and Order responding to intervenor Pilgrim Watch's petition for review of several Atomic Safety and Licensing Board decisions in this license renewal proceeding. On March 26, 2010, the Commission issued CLI-10-11, addressing Pilgrim Watch's challenge to LBP-07-13. Remaining are Pilgrim Watch's challenges to LBP-08-22, LBP-06-23, LBP-07-12, and several unpublished Board orders. The Commission, with Chairman Jaczko disapproving in part, has voted to approve a Memorandum and Order, which denies the balance of the petition for review. Commissioner Apostolakis did not participate in this matter. Would Chairman Jaczko and Commissioners Svinicki, Magwood, and Ostendorff please affirm your votes?

CHAIRMAN JACZKO: Aye.

COMMISSIONER SVINICKI: Aye.

COMMISSIONER MAGWOOD: Aye.

COMMISSIONER OSTENDORFF: Aye.

MS. VIETTI-COOK. On the second item regarding Pilgrim. The Commission is being asked to act on a Memorandum and Order responding to motion for reconsideration of CLI-10-11 by intervenor Pilgrim Watch. The Commission (with Chairman Jaczko disapproving in part) has voted to approve a Memorandum and Order which denies the motion for reconsideration. Commissioner Apostolakis did not participate in this matter. Would Chairman Jaczko and Commissioners Svinicki, Magwood and Ostendorff please affirm your votes?

CHAIRMAN JACZKO: Aye.

COMMISSIONER SVINICKI: Aye.

COMMISSIONER MAGWOOD: Aye.

COMMISSIONER OSTENDORFF: Aye.

MS. VIETTI-COOK. In the last item South Texas Project Nuclear Operating Co. (South Texas Project Units 3 and 4). The Commission is being asked to act on a Memorandum and Order responding to a joint appeal filed by the Sustainable Energy and Economic Development Coalition, the South Texas Association for Responsible Energy, and Public Citizen of the Atomic Safety and Licensing Board's ruling in LBP-10-2, declining to admit Contentions MS-1, MS-3, and MS-6. The Commission has voted to approve a Memorandum and Order which denies the appeal as premature, without prejudice to the Intervenors' ability to petition for review of the contention admissibility decision at the end of the case. Commissioner Magwood did not participate in this matter. Would Chairman Jaczko and Commissioners Svinicki, Apostolakis and Ostendorff please affirm your votes?

CHAIRMAN JACZKO: Aye.

COMMISSIONER SVINICKI: Aye.

COMMISSIONER APOSTOLAKIS: Aye.

COMMISSIONER OSTENDORFF: Aye.

MS. VIETTI-COOK: That's all I have. Thank you.

CERTIFICATE

This is to certify that the attached description of a meeting of the U.S. Nuclear Regulatory Commission entitled:

TITLE OF MEETING: Affirmation Session  
(PUBLIC MEETING)

PLACE OF MEETING: Rockville, Maryland

DATE OF MEETING: June 17, 2010

was held as herein appears, is a true and accurate record of the meeting, and that this is the original transcript thereof taken stenographically by me, thereafter reduced to typewriting by me or under the direction of the court reporting company.

Transcriber: **Antoinette Lewis**

Reporter: **(TAPE RECORDING)**

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*Thursday, September 09, 2010*