

UNITED STATES
NUCLEAR REGULATORY COMMISSION

AFFIRMATION SESSION

PUBLIC MEETING

Nuclear Regulatory Commission
Commission Hearing Room
11555 Rockville Pike
Rockville, Maryland
December 17, 2020

The Commission met in open session, pursuant to notice at 2:30 PM., Kristine L. Svinicki, Chairman, presiding.

COMMISSIONERS PRESENT:

KRISTINE L. SVINICKI, Chairman

JEFF M. BARAN, Member of the Commission (via teleconference)

ANNIE CAPUTO, Member of the Commission (via teleconference)

DAVID A. WRIGHT, Member of the Commission (via teleconference)

CHRISTOPHER T. HANSON, Member of the Commission (via teleconference)

ALSO PRESENT:

BROOKE CLARK, Acting General Counsel

ANNETTE VIETTI-COOK, Secretary of the Commission

DISCLAIMER

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[2:30 p.m.]

P R O C E E D I N G S

CHAIRMAN SVINICKI: Thank you operator, this is Chairman Kristine Svinicki at the Nuclear Regulatory Commission Headquarters. With me present are the Secretary of the Commission, and a representative of her staff, as well as the Acting General Counsel here present. I now gavel to order the Commission's affirmation session. My colleagues are participating remotely and therefore each affirmation item the Secretary will call their names affirmatively to confirm their presence and their votes. Madam Secretary, I believe we have three items for the Commission to affirm today would you please lead us through.

ANNETTE VIETTI-COOK: Yes, the first item is on SECY-20-0012/12A/12B, Interim Storage Partners, Limited Liability Company (Waste Control Specialist Consolidated Interim Storage Facility), Appeals of Licensing Board Panel-19-7: Fasken Proposed New Contention Based on Draft Environmental Impact Statement.

The Commission is being asked to act on a Memorandum and Order addressing an appeal from petitioners Beyond Nuclear, Incorporated; Fasken Land and Minerals Limited, and Permian Basin Land and Royalty Owners (together considered Fasken); and a coalition of petitioners known as the "Joint Petitioners," of an Atomic Safety and Licensing Board decision denying their request for a hearing in the Interim Storage Partners, Limited Liability Company application to build a Consolidated Interim Storage Facility in Andrews, Texas. The Memorandum and Order also addresses Fasken's motion to admit a new Contention 5 based on the draft Environmental Impact Statement.

The Commission has voted to approve a Memorandum and Order affirming the Board's decision denying the hearing requests and remanding Fasken's Contention 5 to the Board for

consideration.

Would you please affirm your vote when I call your name?

CHAIRMAN SVINICKI: Aye.

COMMISSIONER BARAN: Aye.

COMMISSIONER CAPUTO: Aye.

COMMISSIONER WRIGHT: Aye.

COMMISSIONER HANSON: Aye.

ANNETTE VIETTI-COOK: The second item I have for affirmation is
SECY-20-0019/19A, Interim Storage Partners, Limited Liability Company (Waste Control
Specialist Consolidated Interim Storage Facility), Sierra Club Appeal of Licensing Board Panel-
19-9 (Denying Motion to Amend and Granting Motion to Dismiss), Licensing Board Panel -19-7
(Denial of Contentions).

The Commission is being asked to act on a Memorandum and Order addressing Sierra
Club's appeal of two Atomic Safety and Licensing Board decisions related to the application of
Interim Storage Partners, Limited Liability Company for a license to construct and operate a
consolidated interim storage facility in Andrews County, Texas. The Board's decision Licensing
Board Panel-19-7 dismissed sixteen of seventeen proposed Sierra Club contentions, and
Licensing Board Panel-19-9 dismissed Sierra Club's sole admitted contention as moot.

The Commission has voted to approve a Memorandum and Order which dismisses as
moot Sierra Club's appeal of Contention 9 and affirms the Board with respect to all other
contentions.

Would you please affirm your vote when I call your name?

CHAIRMAN SVINICKI: Aye.

COMMISSIONER BARAN: Aye.

COMMISSIONER CAPUTO: Aye.

COMMISSIONER WRIGHT: Aye.

COMMISSIONER HANSON: Aye

ANNETTE VIETTI-COOK: The third item for affirmation is SECY-20-0073, Nuclear Development, Limited Liability Company (Bellefonte Nuclear Plant, Units 1 and 2), Request for Hearing in License Transfer Proceeding.

The Commission is being asked to act on a Memorandum and Order addressing the petition to intervene and request for a hearing submitted by the Blue Ridge Environmental Defense League and its chapter Bellefonte Efficiency and Sustainability Team (collectively, Petitioners) regarding the license transfer application filed by Nuclear Development, Limited Liability Company for the transfer of the construction permits for Bellefonte Nuclear Plant, Units 1 and 2.

The Commission has voted to approve a Memorandum and Order denying the Petitioners' request for a hearing and petition to intervene and terminating the proceeding.

Would you please affirm your vote when I call your name?

CHAIRMAN SVINICKI: Aye.

COMMISSIONER BARAN: Aye.

COMMISSIONER CAPUTO: Aye.

COMMISSIONER WRIGHT: Aye.

COMMISSIONER HANSON: Aye

ANNETTE VIETTI-COOK: That's all I have. Thank you very much.

CHAIRMAN SVINICKI: Thank you very much Madam Secretary. Before I close, does any member of the Commission wish to be recognized to make a statement on any of the decisions just affirmed by the Commission?

CHAIRMAN SVINICKI: Hearing none, I thank all colleagues and the Secretary of the Commission and the General Counsel. We are adjourned.

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)

PLACE OF MEETING: Rockville, Maryland

DATE OF MEETING: December 17, 2020

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: Marcia Pringle

Reporter: (TELECONFERENCE)