

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
March 5, 2009

The Commission met in open session, pursuant to notice, at 2:25 p.m.,

Dale E. Klein, Chairman, presiding.

COMMISSIONERS PRESENT:

DALE E. KLEIN, Chairman of the Commission

GREGORY B. JACZKO, Member of the Commission

PETER B. LYONS, Member of the Commission

KRISTINE L. SVINICKI, Member of the Commission

STAFF AND PRESENTERS SEATED AT THE COMMISSION TABLE:

KAREN CYR, General Counsel

ANNETTE L. VIETTI-COOK, Secretary of the Commission

DISCLAIMER

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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.

[2:25 p.m.]

P R O C E E D I N G S

CHAIRMAN KLEIN: Madam Secretary, I believe we have two affirmations today.

MS. VIETTI-COOK: Yes. The first item is Dominion Nuclear Connecticut, Millstone Power Station Unit 3. The Commission is being asked to act on a Memorandum and Order responding to an appeal by the Connecticut Coalition Against Millstone and Nancy Burton of the Atomic Safety and Licensing Board's unpublished decision denying several motions which, among other topics, denied their request to file several new or amended contentions in this power uprate license amendment proceeding. The Commission has voted to approve a Memorandum and Order which denies the Connecticut Coalition Against Millstone and Nancy Burton's appeal and affirms the Board's decision. Would you please affirm your votes?

CHAIRMAN KLEIN: Aye.

COMMISSIONER JACZKO: Aye.

COMMISSIONER LYONS: Aye.

COMMISSIONER SVINICKI: Aye.

MS. VIETTI-COOK. The second item is Entergy Nuclear Operations, Indian Point Nuclear Generating Station, Units 2 and 3. The Commission is being asked to act on a Memorandum and Order responding to a Petition for Interlocutory Review of the Atomic Safety and Licensing Board's December 18, 2008 Memorandum and Order which denied Entergy's motion for reconsideration of an earlier Board order admitting an environmental contention for litigation. The Commission has voted to approve a Memorandum and Order, which denies Entergy's Petition for Interlocutory Review. Would you please affirm your votes?

CHAIRMAN KLEIN: Aye.

COMMISSIONER JACZKO: Aye.

COMMISSIONER LYONS: Aye.

COMMISSIONER SVINICKI: Aye.

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

CHAIRMAN KLEIN: Any comments? Meeting's 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 MEETING)

PLACE OF MEETING: Rockville, Maryland

DATE OF MEETING: March 5 , 2009

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: Darlene K. Wright

Reporter: (TAPE RECORDING)