

# DEFENSE NUCLEAR FACILITIES SAFETY BOARD

## General Counsel Closed Meeting Certification

Defense Nuclear Facilities Safety Board  
625 Indiana Avenue NW Suite 700, Washington, DC 20004

January 5, 2023  
1:30 P.M.

Pursuant to the Government in the Sunshine Act (5 U.S.C. § 552b(f)(1)) and the Defense Nuclear Facilities Safety Board's (Board) implementing regulations (10 C.F.R. § 1704.5(d)), I publicly certify that, in my opinion, this meeting may be closed to the public. The Board is invoking Exemption 3 to close the meeting (5 U.S.C. § 552b(c)(3), 10 C.F.R. § 1704.4(c)). The Board has determined that it is necessary to close the meeting to the public since conducting an open meeting is likely to disclose matters that are specifically exempted from disclosure by statute. Specifically, the deliberations will pertain to potential Recommendations which, under 42 U.S.C. § 2286d(b) and (h)(3), may not be made publicly available until after they have been received by the Secretary of Energy or the President, respectively.

*Kevin Lyskowski*

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Kevin Lyskowski, General Counsel