



UNITED STATES
NUCLEAR REGULATORY COMMISSION
WASHINGTON, D.C. 20555-0001

January 31, 2019

SECRETARY

IN RESPONSE, PLEASE
REFER TO: M190131

MEMORANDUM FOR: Andrew P. Averbach
Solicitor

FROM: Annette L. Vietti-Cook, Secretary 

SUBJECT: STAFF REQUIREMENTS - AFFIRMATION SESSION, 1:25 P.M.,
THURSDAY, JANUARY 31, 2019, COMMISSIONERS'
CONFERENCE ROOM, ONE WHITE FLINT NORTH,
ROCKVILLE, MARYLAND (OPEN TO PUBLIC ATTENDANCE)

- I. SECY-18-0116 – POWERTECH (USA), INC. (DEWEY-BURDOCK IN SITU URANIUM RECOVERY FACILITY), RESPONSE TO REMAND FROM D.C. CIRCUIT IN OGLALA SIOUX TRIBE V. NRC

The Commission, with Commissioner Baran dissenting, approved a Memorandum and Order responding to the U.S. Court of Appeals for the District of Columbia Circuit's remand. The Memorandum and Order leaves Powertech's license in place. The order requires Powertech to notify the Board and the parties no less than 60 days prior to commencing any activities at the Dewey-Burdock site under its NRC license, if the adjudicatory proceeding regarding Contention 1A remains pending at the time.

(Subsequently, on January 31, 2019, the Secretary signed the Memorandum and Order.)

cc: Chairman Svinicki
Commissioner Baran
Commissioner Burns
Commissioner Caputo
Commissioner Wright
EDO
OGC
CFO
OCAA
OCA
OIG
OPA
ODs, RAs, ACRS, ASLBP (via E-Mail)
PDR