

UNITED STATES
NUCLEAR REGULATORY COMMISSION

AFFIRMATION SESSION

PUBLIC MEETING

Nuclear Regulatory Commission
Commission Hearing Room
11555 Rockville Pike
Rockville, Maryland
May 30, 2019

The Commission met in open session, pursuant to notice at 8:55 AM,
Kristine L. Svinicki, Chairman, presiding.

COMMISSIONERS PRESENT:

KRISTINE L. SVINICKI, Chairman of the Commission

JEFF BARAN, Member of the Commission

ANNIE CAPUTO, Member of the Commission

DAVID A. WRIGHT, Member of the Commission

STAFF AND PRESENTERS SEATED AT THE COMMISSION TABLE:

ANNETTE VIETTI-COOK, Secretary of the Commission

MARIAN ZOBLER, General Counsel

DISCLAIMER

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[8:55 AM]

P R O C E E D I N G S

CHAIRMAN SVINICKI: Well, good morning everyone. In case there is any confusion, I hope not. We are actually convening to do an affirmation first. We will be affirming one order of business and then we will begin the meeting on research topics. Madam Secretary, I believe we have one item for affirmation, would you please lead the commission through.

ANNETTE VIETTI-COOK: This is on SECY-17-0073 Crow Butte Resources, Inc. (In SITU LEACH URANIUM RECOVERY FACILITY), the Commission is being asked to act on a Memorandum and Order responding to Crow Butte Resources, LLC's petition for review of LBP-15-11 and LBP-16-13 as these decisions relate to Contention 12B.

The Commission, with Commissioner Baran dissenting, has voted to approve a Memorandum and Order that grants, in part, Crow Butte's petition for review, which pertains to Contention 12B; takes review of LBP-15-11 and reverses the Atomic Safety and Licensing Board's determination on the admissibility of Contention 12B; vacates the Board's merits decision on Contention 12B in LBP-16-13; and does not reach Crow Butte's petition for review with respect to LBP-16-13. As a matter of discretion, the Commission considered whether to direct the Staff to take further action to address the environmental issues raised by Contention 12B but declined to do so because the environmental record in this case is sufficient to satisfy the National Environment Policy Act with respect to those issues. Would you please affirm your vote.

Would you please affirm your votes?

CHAIRMAN SVINICKI: Aye.

COMMISSIONER BARAN: Aye.

COMMISSIONER CAPUTO: Aye.

COMMISSIONER WRIGHT: Aye.

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

CHAIRMAN SVINICKI: Thank you Madam Secretary. Would any of the member of the Commission would like to make comments regarding the decision just issued? Ok, thank you hearing that no one desires to do that, I will call the affirmation session to a close.

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: May 30, 2019

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: Patricia Jimenez /RA/

Reporter: (TAPE RECORDING)