



SECRETARY

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

May 30, 2019

IN RESPONSE, PLEASE
REFER TO: M190530A

MEMORANDUM FOR: Catherine L. Scott, Director
Office of Commission Appellate Adjudication

FROM: Annette L. Vietti-Cook, Secretary **/RA/**

SUBJECT: STAFF REQUIREMENTS - AFFIRMATION SESSION, 8:55 A.M.,
THURSDAY, MAY 30, 2019, COMMISSIONERS' CONFERENCE
ROOM, ONE WHITE FLINT NORTH, ROCKVILLE, MARYLAND
(OPEN TO PUBLIC ATTENDANCE)

- I. SECY-17-0073 – CROW BUTTE RESOURCES, INC. (IN SITU LEACH URANIUM RECOVERY FACILITY), CROW BUTTE PETITION FOR REVIEW OF LBP-15-11 AND LBP-16-13

The Commission, with Commissioner Baran dissenting, approved 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 Memorandum and Order 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.

(Subsequently, on May 30, 2019, the Secretary signed the Memorandum and Order.)

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