

UNITED STATES  
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  
April 13, 2020

The Commission met via teleconference, pursuant to notice, at 11:00 AM.,  
Kristine L. Svinicki, Chairman, presiding.

COMMISSIONERS PRESENT:

JEFF M. BARAN, Member of the Commission

ANNIE CAPUTO, Member of the Commission

DAVID A. WRIGHT, Member of the Commission

ALSO PRESENT:

MARIAN ZOBLER, General Counsel

ANNETTE 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.

[11:00 a.m.]

P R O C E E D I N G S

CHAIRMAN SVINICKI: Thank you operator. Good morning, I am Kristine Svinicki, Chairman of the Nuclear Regulatory Commission, and I am presiding over this public affirmation session, which is being conducted via teleconference.

Joining me in this teleconference are the other currently serving members of the Commission. May I have each Commissioner affirm their presence when I call their name:

Commissioner Baran: Yes, I'm here.

Commissioner Caputo: Here.

Commissioner Wright: I'm here.

Also participating are:

ANNETTE VIETTI-COOK, Secretary of the Commission: Here.

and

MARIAN ZOBLER, General Counsel: I'm here.

This meeting is open to the public to listen in.

Madam Secretary, I believe we have two items for affirmation. Would you please lead the Commission through the affirmation items?

ANNETTE VIETTI-COOK: Yes. The first item is on SECY-19-0049, Crow Butte Resources, Inc. (Marsland Expansion Area), Petition for Review of Licensing Board Panel-19-2, Licensing Board Panel-18-3, and Memorandum and order Granting Summary Disposition. The

Commission is being asked to act on a Memorandum and Order addressing the Oglala Sioux Tribe's petition for review of the Atomic Safety and Licensing Board's Initial Decision and two interlocutory orders in the licensing proceeding for Crow Butte's proposed Marsland Expansion Area.

The Commission has voted to approve a Memorandum and Order that denies the petition for review.

Would you please affirm your votes after I call your name?

CHAIRMAN SVINICKI: Aye.

COMMISSIONER BARAN: Aye.

COMMISSIONER CAPUTO: Aye.

COMMISSIONER WRIGHT: Aye.

ANNETTE VIETTI-COOK: The second item is SECY-20-0028, United States Department of Energy (Export of 93.35% Enriched Uranium) Petitions Seeking Leave to Intervene and Request for Hearing). This matter involves the application of the U.S. Department of Energy, National Nuclear Security Administration (DOE/NNSA) to export 4.455 kilograms of uranium-235 in 4.227 kilograms of uranium with a maximum enrichment of 93.35%. This highly enriched uranium would be exported to Belgium, specifically to the Institute for Radioelements, over a period ending in 2022. The Commission is being asked to act on a Memorandum and Order responding to requests for hearing and petitions to intervene filed by NorthStar Medical Radioisotopes, LLC, Nuclear Threat Initiative, Curium US, LLC, and Dr. Alan J. Kuperman on the export license application filed by DOE/NNSA.

The Commission has voted to approve a Memorandum and Order that denies the requests for hearing and petitions to intervene and directs the Office of International Programs to issue the export license.

Would you please affirm your votes after I call your name?

CHAIRMAN SVINICKI: I'm sorry Madam Secretary, I believe you misread the beginning of the second item, would you please repeat it?

ANNETTE VIETTI-COOK: Yes. This matter involves the application of the U.S. Department of Energy, National Nuclear Security Administration to export 4.455 kilograms of uranium-235 in 4.772 kilograms of uranium with a maximum enrichment of 93.35%.

Would you please affirm your votes after I call your name?

CHAIRMAN SVINICKI: Aye.

COMMISSIONER BARAN: Aye.

COMMISSIONER CAPUTO: Aye.

COMMISSIONER WRIGHT: Aye.

ANNETTE VIETTI-COOK: That's all I have, Chairman, thank you.

CHAIRMAN SVINICKI: Thank you, Madam Secretary. Would any of the members of the Commission like to make comments regarding the decisions just affirmed?

CHAIRMAN SVINICKI: Hearing none, I thank you for your participation, I will call the affirmation session to a close.

COMMISSIONER WRIGHT: Thank you.

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 TELECONFERENCE)

PLACE OF MEETING: Rockville, Maryland

DATE OF MEETING: April 13, 2020

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: Wendy Moore

Reporter: (Teleconference)