



SECRETARY

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

April 13, 2020

IN RESPONSE, PLEASE  
REFER TO: M200413

MEMORANDUM FOR: Andrew P. Averbach, Acting Director  
Office of Commission Appellate Adjudication

Marian L. Zabler  
General Counsel

Nader Mamish, Director  
Office of International Programs

FROM: Annette L. Vietti-Cook, Secretary

SUBJECT: STAFF REQUIREMENTS - AFFIRMATION SESSION,  
11:00 A.M., MONDAY, APRIL 13, 2020, VIA PUBLIC  
TELECONFERENCE

I. SECY-19-0049 – CROW BUTTE RESOURCES, INC. (MARS LAND EXPANSION AREA), PETITION FOR REVIEW OF LBP-19-2, LBP-18-3, AND MEMORANDUM AND ORDER GRANTING SUMMARY DISPOSITION

The Commission<sup>1</sup> approved 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 Memorandum and Order denies the petition for review.

(Subsequently, on April 13, 2020, the Secretary signed the Memorandum and Order.)

II. 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 4.772 kilograms of

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<sup>1</sup> Section 201 of the Energy Reorganization Act, 42 U.S.C. Section 5841, provides that action of the Commission shall be determined by a majority vote of the members present. Chairman Svinicki, and Commissioners Baran, Caputo and Wright participated in the meeting via public teleconference.

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<sup>1</sup> approved 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 Memorandum and Order denies the requests for hearing and petitions to intervene and directs the Office of International Programs to issue the export license.

(Subsequently, on April 13, 2020, 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