

July 7, 1999

MEMORANDUM FOR: John F. Cordes, Acting Director
Office of Commission Appellate Adjudication

FROM: Annette Vietti-Cook, Secretary /s/

SUBJECT: STAFF REQUIREMENTS - AFFIRMATION SESSION, 2:00 P.M., WEDNESDAY, JULY 7,
1999, COMMISSIONERS' CONFERENCE ROOM, ONE WHITE FLINT NORTH, ROCKVILLE,
MARYLAND (OPEN TO PUBLIC ATTENDANCE)

I. SECY-99-157 - International Uranium (USA) Corporation Envirocare's Appeals of LBP-99-11 And LBP-99-20 (Envirocare's Dismissal for Lack of Standing)

The Commission⁽¹⁾ approved an Order which holds in abeyance an appeal by Envirocare of Utah, Inc. of its dismissal from two separate proceedings involving license amendment requests made by the International Uranium (USA) Corporation (IUSA). The Order holds the appeals in abeyance pending resolution of the federal court litigation on Envirocare's standing.

(Subsequently, on July 7, 1999, the Secretary signed the Order.)

Attachment: As stated

cc: Chairman Dicus
Commissioner Diaz
Commissioner McGaffigan
Commissioner Merrifield
EDO
OGC
CIO
CFO
OCAA
OCA
OIG
OPA
Office Directors, Regions, ACRS, ACNW, ASLBP (via E-Mail)
PDR - Advance
DCS - P1-17

1. 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." Commissioner Diaz was not present when this item was affirmed. Accordingly the formal vote of the Commission was 3-0 in favor of the decision. Commissioner Diaz, however, had previously indicated that he would approve this paper and had he been present he would have affirmed his prior vote.