

UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

AFFIRMATION SESSION

PUBLIC MEETING

Nuclear Regulatory Commission
Commission Hearing Room
11555 Rockville Pike
Rockville, Maryland
January 31, 2019

The Commission met in open session, pursuant to notice at 1:25 PM,
Kristine L. Svinicki, Chairman, presiding.

COMMISSINERS PRESENT:

KRISTINE L. SVINICKI, Chairman of the Commission

JEFF BARAN, Member of the Commission

STEPHEN G. BURNS, 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:

MARIAN ZOBLER, General Counsel

ANNETTE VIETTI-COOK, Secretary of the Commission

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[1:25 PM]

P R O C E E D I N G S

CHAIRMAN SVINICKI: I call the affirmation meeting to order. Madam Secretary, I believe the Commission has one item for affirmation today. Would you please lead us through the item?

ANNETTE VIETTI-COOK: Yes, this is on SECY-18-0116 – Powertech (USA), Inc. (Dewey-Burdock In Situ Uranium Recovery Facility) Response to Remand from D.C. Circuit in Oglala Sioux Tribe v. NRC.

The Commission is being asked to act on a Memorandum and Order responding to the U.S. Court of Appeals for the District of Columbia Circuit's remand.

The Commission, with Commissioner Baran dissenting, has voted to approve a Memorandum and Order (as attached), which leaves Powertech's license in place. The order requires Powertech to notify the Board and the parties no less than 60 days prior to commencing any activities at the Dewey-Burdock site under its NRC license, if the adjudicatory proceeding regarding Contention 1A remains pending at the time.

Would you please affirm your vote?

CHAIRMAN SVINICKI: Aye.

COMMISSIONER BARAN: Aye.

COMMISSIONER BURNS: Aye.

COMMISSIONER CAPUTO: Aye.

COMMISSIONER WRIGHT: Aye.

That's all I have.

CHAIRMAN SVINICKI: Thank you very much for that. Would any member of the Commission like to make any comments? Hearing none, we are adjourned. 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 MEETING)

PLACE OF MEETING: Rockville, Maryland

DATE OF MEETING: January 31, 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: Wendy Moore

Reporter: (TAPE RECORDING)