

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  
October 8, 2020

The Commission met in the Commissioners' Hearing Room at the Nuclear Regulatory Commission, One White Flint North, 11555 Rockville Pike, at 9:55 a.m., Kristine L. Svinicki, Chairman, presiding.

COMMISSIONERS PRESENT:

KRISTINE L. SVINICKI, Chairman

JEFF M. BARAN, Member of the Commission

ANNIE CAPUTO, Member of the Commission

DAVID A. WRIGHT, Member of the Commission

CHRISTOPHER T. HANSON, 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.

[9:55 a.m.]

## P R O C E E D I N G S

CHAIRMAN SVINICKI: Well, good morning everyone. I call the Commission to order. We have a couple of events today, but the first of which is an affirmation session. We have three decisions for affirmation. Madam Secretary would you please lead the Commission through?

ANNETTE VIETTI-COOK: Yes. The first item is on SECY-16-0111 – Crow Butte Resources, Inc. (In Situ Leach Uranium Recovery Facility). The Commission is being asked to act on a Memorandum and Order responding to Crow Butte’s petition for review of Licensing Board Panel-15-11 and Licensing Board Panel-16-7. These petitions are related to Crow Butte’s application to renew its source materials license for an In situ leach uranium recovery facility located near Crawford, Nebraska.

The Commission, with Chairman Svinicki and Commissioner Caputo dissenting, has voted to approve a Memorandum and Order denying Crow Butte’s petition.

Would you please affirm your votes?

CHAIRMAN SVINICKI: Aye.

COMMISSIONER BARAN: Aye.

COMMISSIONER CAPUTO: Aye.

COMMISSIONER WRIGHT: Aye.

COMMISSIONER HANSON: Aye.

ANNETTE VIETTI-COOK: Thank you. The second item is SECY-20-0027 – POWERTECH (USA), Inc. (Dewey-Burdock In Situ Recovery Facility). The Commission is being asked to act on a Memorandum and Order responding to an appeal by the Oglala Sioux Tribe and the “Consolidated Intervenors” of three decisions made by the Atomic Safety and Licensing Board related to the Dewey-Burdock In Situ Recovery Facility site.

The Commission, with Commissioner Baran dissenting in part, has voted to approve a Memorandum and Order denying the petitions for review.

Would you please affirm your votes?

CHAIRMAN SVINICKI: Aye.

COMMISSIONER BARAN: Aye.

COMMISSIONER CAPUTO: Aye.

COMMISSIONER WRIGHT: Aye.

COMMISSIONER HANSON: Aye.

ANNETTE VIETTI-COOK: The third item is SECY-20-0038 – Exelon Generation Company, LLC (Three Mile Island Nuclear Station, Units 1 and 2). The Commission is being asked to act on a Memorandum and Order responding to a filing by Eric J. Epstein and Three Mile Island Alert, Inc. relating to the Atomic Safety and Licensing Board’s decision denying their petition to intervene and hearing request with respect to a license amendment request submitted by Exelon Generation Company, LLC to amend the operating license for Three Mile Island Nuclear Station, Unit 1. The license amendment request seeks to amend the site emergency plan and emergency action levels to reflect the defueled condition of the unit.

The Commission has voted to approve a Memorandum and Order affirming the Board's decision to deny the petition to intervene and finding that the Board's decision correctly denied the stay request.

Would you please affirm your votes?

CHAIRMAN SVINICKI: Aye.

COMMISSIONER BARAN: Aye.

COMMISSIONER CAPUTO: Aye.

COMMISSIONER WRIGHT: Aye.

COMMISSIONER HANSON: Aye.

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

CHAIRMAN SVINICKI: Okay. Thank you very much. Would any member of the Commission like to make comments regarding the three decisions just affirmed by the Commission?

CHAIRMAN SVINICKI: Hearing none, I close the affirmation session. Thank you, Madam Secretary.

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: October 8, 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: Tyesha Bush

Reporter: (Webcast)