

September 1, 2011

William J. Froehlich, Chair
Administrative Judge
Atomic Safety and Licensing Board Panel
Mail Stop T-3 F23
U.S. Nuclear Regulatory Commission
Washington, DC 20555-0001

Mark O. Barnett
Administrative Judge
Atomic Safety and Licensing Board Panel
Mail Stop T-3 F23
U.S. Nuclear Regulatory Commission
Washington, DC 20555-0001

Richard F. Cole
Administrative Judge
Atomic Safety and Licensing Board Panel
Mail Stop T-3 F23
U.S. Nuclear Regulatory Commission
Washington, DC 20555-0001

In the Matter of
POWERTECH (USA) INC.,
Docket No. 40-9075-MLA; ASLBP No. 10-898-02-MLA-BD01

Dear Administrative Judges:

Pursuant to 10 C.F.R. §§ 2.336(b) and (c) and 2.1203, the Nuclear Regulatory Commission (NRC) Staff provides the Licensing Board and the parties with an updated index listing documents required to be disclosed by the Staff. (Attachment 1.) These documents may be viewed by accessing the hearing file for this proceeding that is maintained by the NRC's Office of the Secretary. The Staff is also attaching an index listing one document that, under 10 C.F.R. § 2.390, is exempt from disclosure. (Attachment 2.)

Along with the attached update to its hearing file index, the Staff is providing an affidavit certifying that all relevant materials have been disclosed to the extent required by 10 C.F.R. § 2.336(c).

The Staff will update its mandatory disclosures, hearing file, and privilege logs in accordance with 10 C.F.R. §§ 2.336(d) and 2.1202(c) no later than October 3, 2011.

Sincerely,

***/Signed (electronically) by/
Patricia Jehle***

Patricia Jehle
Counsel for NRC Staff

Enclosures: Attachment 1: Hearing File Index
Attachment 2: Sensitive Information Log
Affidavit of Ronald Burrows

cc: Electronic Information Exchange Service List

ATTACHMENT 1
POWERTECH HEARING FILE AND MANDATORY DISCLOSURES
Update — September 1, 2011 Index

ID Number	Accession Number	Document Date	Title
00-524	ML112010514	07/12/2011	R. Blubaugh ltr. re: Revised Archaeological Map (Exhibit RAI CH-1) for Proposed Dewey-Burdock Project.
00-525	ML112071064 (ADAMS Document Package)	07/26/2011	Revised Responses to the Request for Additional Information (RAI) for the Technical Report (TR); Powertech (USA) Inc.'s Proposed Dewey-Burdock Project. <i>ML112071064 is an ADAMS document package that includes all documents submitted by Powertech in its revised RAI response package on June 29, 2011.</i>
00-526	ML112130388	07/25/2011	R. Blubaugh Email Re: Acknowledgement of Receipt of Technical Report RAI Responses for the Proposed Dewey-Burdock Uranium Recovery Facility in Fall River and Custer Counties, South Dakota.
00-527	ML112140045	07/25/2011	R. Blubaugh E-mail Re: Acknowledgment of Receipt of Technical Report RAI Responses for Proposed Dewey-Burdock Uranium Project.
00-528	ML112150229	06/30/2011	Dewey-Burdock Project Application for NRC Uranium Recovery License Fall River and Custer Counties, South Dakota Technical Report RAI Responses Volume 4 of 4, Appendix 2.9-B Through Exhibit 2.9-K-2.
00-529	ML112170237	08/12/2011	Letter to Richard Blubaugh of Powertech (USA) Inc. re: NRC Information Request Relating to Section 106 and NEPA Reviews for the Proposed Dewey-Burdock Project.
00-530	ML11241A093	07/29/2011	2011/07/29 Powertech Dewey-Burdock LA - RE: 106 Process (TCP)

ATTACHMENT 2
POWERTECH HEARING FILE AND MANDATORY DISCLOSURES
SENSITIVE INFORMATION LOG
September 1, 2011

Certain documents otherwise subject to inclusion in the hearing file and mandatory disclosures for this proceeding have been determined by the NRC Staff to contain information subject to withholding from public disclosure as sensitive information. Pursuant to 10 C.F.R. § 2.336(b)(5), the Staff is providing this log to identify the following documents withheld because they contain sensitive information that, under 10 C.F.R. § 2.390(a)(3), is exempt from disclosure.

ID#	Accession Number	Author/ Affiliation	Title / Description	Document Date	Document Type	Comment	Page Count
S-00-39	ML112010541	Powertech (USA), Inc.	Attachment to Blubaugh Letter - Revised Archaeological Map for Dewey-Burdock Project.	07/12/2011	Map	Use controlled by Section 304 of the National Historic Preservation Act and South Dakota Codified Laws, specifically, § 1-20-21.2.	1

September 1, 2011

UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

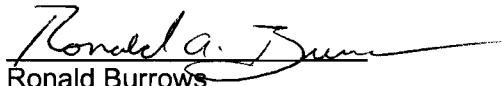
BEFORE THE ATOMIC SAFETY AND LICENSING BOARD

In the Matter of)	
)	
POWERTECH (USA) INC.,)	Docket No. 40-9075-MLA
)	
(Dewey-Burdock In Situ Uranium Recovery Facility))	ASLBP No. 10-898-02-MLA-BD01

AFFIDAVIT OF RONALD BURROWS CONCERNING
MANDATORY DISCLOSURE
REQUIREMENT OF 10 C.F.R. § 2.336(c)

I, Ronald Burrows, do hereby state as follows:

1. I am employed as a Senior Health Physicist in the Nuclear Regulatory Commission's Office of Federal and State Materials and Environmental Management Programs, Division of Waste Management and Environmental Protection, Decommissioning and Uranium Recovery Licensing Directorate. Among my responsibilities, I serve as Project Manager for Powertech (USA) Inc.'s application for a license to be used in connection with the proposed Dewey-Burdock uranium recovery facility. In this capacity, I am managing the preparation of the NRC Staff's hearing file and mandatory disclosures in connection with Powertech's application.
2. I hereby certify that all materials the Staff must disclose in this proceeding under 10 C.F.R. § 2.336 (b) and (c) have been disclosed, and that the disclosures are accurate and complete as of the date of this certification.
3. I declare under penalty of perjury that the foregoing is true and correct to the best of my knowledge, information and belief.


Ronald Burrows

Executed in Rockville, MD
this 1st day of September 1, 2011

UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

BEFORE THE ATOMIC SAFETY AND LICENSING BOARD

In the Matter of)	
)	
POWERTECH (USA) INC)	Docket No. 40-9075-MLA
)	ASLBP No. 10-898-02- MLA-BD01
)	
(Dewey-Burdock In Situ Uranium Recovery)	Date: September 1, 2011
Facility))	

CERTIFICATE OF SERVICE

I hereby certify that copies of the foregoing "UPDATE TO NRC STAFF'S HEARING FILE INDEX" in this proceeding have been served via the Electronic Information Exchange (EIE) this 1st day of September 2011, which to the best of my knowledge resulted in transmittal of the copies to those on the EIE Service List for this proceeding.

***/Signed (electronically) by/
Patricia A. Jehle***

Patricia A. Jehle
Counsel for the NRC Staff