



POWERTECH (USA) INC.

RICHARD E. BLUBAUGH
Vice President – Environmental
Health and Safety Resources

May 31, 2012

Office of Federal and State Materials and
Environmental Management Programs
U.S. Nuclear Regulatory Commission
Two White Flint North
Mail Stop: T8F05
11545 Rockville Pike
Rockville, MD 20852-2738

ATTN: Haimanot Yilma, ER Project Manager

Re: Dewey-Burdock Project, Revised and Final Exhibit RAI CH-1; Digital File

Dear Ms. Yilma:

Enclosed herewith is a paper copy of the revised and final Exhibit RAI CH-1, which is a facilities map of the Dewey-Burdock Project overlain by the archeological sites, as modified based on your recent comments. Also enclosed is an electronic file (CD) containing the exhibit.

I know you do not need this reminder, however, for the record, the information contained on this file is privileged and confidential under 10 CFR 2.390(a)(4). As a precaution I am including an affidavit explaining the request for confidentiality.

Respectfully yours,

Richard Blubaugh
Vice President – EH&S Resources

Enclosures

POWERTECH (USA) INC.

AFFIDAVIT OF Richard E. Blubaugh

Vice President – Environmental Health & Safety Resources

- 1. My name is Richard E. Blubaugh and I am the Vice President of Environmental, Health and Safety Resources for Powertech (USA) Inc. (Powertech). I am authorized to execute this affidavit on behalf of Powertech and may bind to the statements contained herein;**
- 2. Powertech (USA) Inc. has submitted a license application to the United States Nuclear Regulatory Commission (NRC) requesting authorization to construct and operate its proposed uranium in situ leach recovery (ISR) project known as the Dewey-Burdock Project in Fall River and Custer Counties in the State of South Dakota;**
- 3. As a part of the NRC staff review of the aforementioned license application, Powertech submitted responses to requests for additional information related to the environmental review;**
- 4. During the course of its review of Powertech's license application, NRC Staff determined that the Exhibit RAI CH-1 omitted certain information concerning historical architectural sites within the proposed license boundary;**
- 5. Exhibit RAI CH-1 shows the locations of all archeological and architectural sites within and near the proposed license boundary and is required to be withheld from public disclosure pursuant to 10 CFR Sections 2.390(a)(4);**
- 6. Pursuant to NRC regulations, Powertech has marked the exhibit and associated CD with the statement: "10 CFR Section 2.390; Privileged and Confidential;"**
- 7. For the following reasons, Powertech asserts that the aforementioned Exhibit RAI CH-1 should be withheld from public disclosure as privileged and confidential information: The information contained in the exhibit has been held in confidence by Due to the extreme sensitivity of this information, Powertech does not provide such information to public or private entities;**
- 8. The information contained in the above-mentioned exhibit is being transmitted to the NRC Staff in confidence. Indeed, any such information shown to NRC Staff were only revealed in a non-public context;**

9. Powertech fully understands that withholding the designated data and information does not deprive any independent party from inspecting the confidential information under the terms of an appropriate NRC protective order issued either in the context of a National Environmental Policy Act (NEPA) review process or in an administrative hearing/proceeding before the Atomic Safety and Licensing Board (ASLB).




Richard E. Blubaugh, Vice President
Powertech (USA), Inc.

State of Colorado)
)ss.
County of Arapahoe)

The foregoing Affidavit was subscribed, sworn and acknowledged before me this 31 day of May, 2012, by Richard E. Blubaugh, as Vice President of Powertech (USA) Inc., a South Dakota corporation.

Witness my hand and official seal.


Notary Public

My commission expires: 3/9/2016

