

August 1, 2012

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.

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 September 4, 2012.

Sincerely,

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

Patricia Jehle
Counsel for NRC Staff

Enclosures: Attachment 1: Hearing File Index
Affidavit of Ronald Burrows

cc: Electronic Information Exchange Service List

ATTACHMENT 1
POWERTECH HEARING FILE AND MANDATORY DISCLOSURES
August 1, 2012 Update (Publicly Available Documents)

ID Number	Accession Number	Document Date	Title
00-788^{1*}	ML032751663	09/30/1980	NUREG-0706, Vol. I, Final Generic Environmental Impact Statement on Uranium Milling, Project M-25, Summary and Text.
00-789	ML082170248	02/28/1997	NUREG-1508, "Final Environmental Impact Statement for Hydro Resources Inc., to Construct and Operate the Crownpoint Uranium Solution Mining Project, Crownpoint, NM."
00-790*	ML091480188	05/31/2009	NUREG-1910, Vol. 2, "Generic Environmental Impact Statement for In-Situ Leach Uranium Milling Facilities: Chapters 5 through 12 and Appendices A through G," Final Report.
00-791*	ML091480244	05/31/2009	NUREG-1910, Vol. 1, "Generic Environmental Impact Statement for In-Situ Leach Uranium Milling Facilities, Chapters 1 Through 4, Final Report".
00-792	ML102290470	08/31/2010	NUREG-1910, Supplement 1, "Environmental Impact Statement (EIS) for the Moore Ranch ISR Project in Campbell County, Wyoming: Supplement to the Generic Environmental Impact Statement for In-Situ Leach Uranium Milling Facilities," Final Report.
00-793	ML103440105	09/01/1980	NUREG-0706 Vol III, "Final Generic Environmental Impact Statement on Uranium Milling Project M-25."
00-794	ML103440120	01/31/2011	NUREG-1910 Supp 2 "Environmental Impact Statement (EIS) for the Nichols Ranch ISR Project in Campbell and Johnson Counties, Wyoming: Supplement to the Generic Environmental Impact Statement for In-Situ Leach Uranium Milling Facilities (Final Report)."
00-795	ML103440294	09/01/1980	NUREG-0706 Vol II, "Final Generic Environmental Impact Statement on uranium milling," Appendices A-F.
00-796	ML11125A006	06/30/2011	NUREG-1910 Supp 3, Environmental Impact Statement for the Lost Creek ISR Project in Sweetwater County, Wyoming: Supplement to the Generic Environmental Impact Statement for In-Situ Leach Uranium Milling Facilities." Final Report.
00-797	ML121180357	06/29/2012	Letter to Louis Maynahonah of Apache Tribe of Oklahoma Transmitting the Followup Email and the Draft SOWs.
00-798	ML121670216	07/03/2012	Replacement CD for Groundwater Discharge Permit Application to SD DENR for Dewey-Burdock Project Contains the Following Documents: 1) Replacement CD Cover Letter, 2) Application PG 1, 3) Sec 7, and 4) Sec 12.
00-799	ML12167A472	04/16/2012	Response to Completeness Review - Powertech's Dewey-Burdock Project Groundwater Discharge Plan Application.
00-800	ML12181A127	06/29/2012	Letter to Cheyenne and Arapaho Tribe re: Correspondence Pertaining to April 24, 2012 Teleconference and Draft SOWs.

¹ NUREG-0706, NUREG-1910, Vol. 2, and NUREG-1910, Vol. 1 are disclosed for the convenience of the Board and Counsel. These documents are *not* available for review through the Electronic Hearing Docket at <http://adams.nrc.gov/ehd/>. They are available in Public ADAMS by their ADAMS Accession Numbers.

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POWERTECH HEARING FILE AND MANDATORY DISCLOSURES
August 1, 2012 Update (Publicly Available Documents)

ID Number	Accession Number	Document Date	Title
00-801	ML12181A154	06/29/2012	Letter to Oglala Sioux Tribe re: Correspondence Pertaining to April 24, 2012 Teleconference and Draft SOWs.
00-802	ML12181A163	06/29/2012	Letter to Ponca Tribe re: Correspondence Pertaining to April 24, 2012 Teleconference and Draft SOWs.
00-803	ML12181A174	06/29/2012	Letter to Rosebud Sioux Tribe re: Correspondence Pertaining to April 24, 2012 Teleconference and Draft SOWs.
00-804	ML12181A181	06/29/2012	Letter to Cheyenne River Sioux Tribe re: Correspondence Pertaining to April 24, 2012 Teleconference and Draft SOWs.
00-805	ML12181A189	06/29/2012	Letter to Crow Tribe re: Correspondence Pertaining to April 24, 2012 Teleconference and Draft SOWs.
00-806	ML12181A240	06/29/2012	Letter to Eastern Shoshone Tribe re: Correspondence Pertaining to April 24, 2012 Teleconference and Draft SOWs.
00-807	ML12181A241	06/29/2012	Letter to Santee Sioux Tribe re: Correspondence Pertaining to April 24, 2012 Teleconference and Draft SOWs.
00-808	ML12181A251	06/29/2012	Letter to Sisseton-Wahpeton Tribe re: Correspondence Pertaining to April 24, 2012 Teleconference and Draft SOWs.
00-809	ML12181A259	06/29/2012	Letter to Flandreau-Santee Sioux Tribe re: Correspondence Pertaining to April 24, 2012 Teleconference and Draft SOWs.
00-810	ML12181A279	06/29/2012	Letter to Spirit Lake Tribe re: Correspondence Pertaining to April 24, 2012 Teleconference and Draft SOWs.
00-811	ML12181A287	06/29/2012	Letter to Standing Rock Sioux Tribe re: Correspondence Pertaining to April 24, 2012 Teleconference and Draft SOWs.
00-812	ML12181A294	06/29/2012	Letter to Three Affiliated Tribes Re: Correspondence Pertaining to April 24, 2012 Teleconference and Draft SOWs.
00-813	ML12181A304	06/29/2012	Letter to Turtle Mountain Chippewa re: Correspondence Pertaining to April 24, 2012 Teleconference and Draft SOWs.
00-814	ML12181A305	06/29/2012	Letter to Lower Brule Sioux Tribe re: Correspondence Pertaining to April 24, 2012 Teleconference and Draft SOWs.
00-815	ML12181A314	06/29/2012	Letter to Yankton Sioux Tribe re: Correspondence Pertaining to April 24, 2012 Teleconference and Draft SOWs.
00-816	ML12181A315	06/29/2012	Letter to Lower Sioux Tribe re: Correspondence Pertaining to April 24, 2012 Teleconference and Draft SOWs.

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POWERTECH HEARING FILE AND MANDATORY DISCLOSURES
August 1, 2012 Update (Publicly Available Documents)

ID Number	Accession Number	Document Date	Title
00-817	ML12181A324	06/29/2012	Letter to Northern Arapaho Tribe re: Correspondence Pertaining to April 24, 2012 Teleconference and Draft SOWs.
00-818	ML12181A328	06/29/2012	Letter to Northern Cheyenne Tribe re: Correspondence Pertaining to April 24, 2012 Teleconference and Draft SOWs.
00-819	ML12181A335	06/29/2012	Letter to Comanche Nation Tribe re: Correspondence Pertaining to April.
00-820	ML12181A344	06/29/2012	Letter to Kiowa Indian Tribe re: Correspondence Pertaining to April 24, 2012 Teleconference and Draft SOWs.
00-821	ML12181A360	06/29/2012	Letter to Pawnee Nation of Oklahoma re: Correspondence Pertaining to April 24, 2012 Teleconference and Draft SOWs.
00-822	ML12192A022	06/30/2012	Dewey-Burdock Project, Report to Accompany Inyan Kara Water Right, Permit Application Custer and Fall River Counties, South Dakota.
00-823	ML12192A023	06/30/2012	Dewey-Burdock Project, Inyan Kara Water Right Application Form 2.
00-824	ML12192A024	06/30/2012	Dewey-Burdock Project, Plate 2-1 Typical Well Field Layout T6S, R1E, Sections 29 & 32.
00-825	ML12192A025	06/30/2012	Dewey-Burdock Project, Plate 2-2 Typical Header House.
00-826	ML12192A026	06/30/2012	Dewey-Burdock Project, Plate 3-1 Structure Map of the Top of Chilson Member.
00-827	ML12192A027	06/30/2012	Dewey-Burdock Project, Plate 3-2 Structure Map of the Top of Fuson Shale.
00-828	ML12192A028	06/30/2012	Dewey-Burdock Project, Plate 3-3 Structure Map of the Top of Fall River Formation.
00-829	ML12192A029	06/30/2012	Dewey-Burdock Project, Plate 3-4 Isopach of the Chilson Member.
00-830	ML12192A030	06/30/2012	Dewey-Burdock Project, Plate 3-5 Isopach of the Fuson Shale.
00-831	ML12192A031	06/30/2012	Dewey-Burdock Project, Plate 3-6 Isopach of the Fall River Formation.
00-832	ML12192A032	06/30/2012	Dewey-Burdock Project, Plate 3-7 Geologic Cross Section.
00-833	ML12192A033	06/30/2012	Dewey-Burdock Project, Plate 4-1 Wells within 2 km of Project Boundary.
00-834	ML12192A034	06/30/2012	Dewey-Burdock Project, Appendix A Water Levels in Inyan Kara Wells.
00-835	ML12192A035	06/30/2012	Dewey-Burdock Project, Appendix B Well Inventory Summary Tables.
00-836	ML12192A036	06/30/2012	Dewey-Burdock Project, Appendix C Well Inventory.
00-837	ML12192A037	06/30/2012	Dewey-Burdock Project, Appendix D Numerical Groundwater Model Report, Part 1 of 2.
00-838	ML12192A038	06/30/2012	Dewey-Burdock Project, Appendix D Numerical Groundwater Model Report, Part 2 of 2.
00-839	ML122090397	07/03/2012	Additional Response to May 25, 2012 Preliminary Technical Comments Dewey-Burdock Project Groundwater Discharge Plan Application.
00-840	ML12207A473	07/31/2012	Powertech Draft License Cover Letter.
00-841	ML12207A480	07/31/2012	Draft License SUA-1600 for Powertech (USA), Inc.

August 1, 2012

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 August 2012

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: August 1, 2012
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 August 2012, 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