

**UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION**

BEFORE THE ATOMIC SAFETY AND LICENSING BOARD

In the Matter of:

POWERTECH (USA), INC.

(Dewey-Burdock In Situ Uranium Recovery
Facility)

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) Docket No.: 40-9075-MLA
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) Date: March 1, 2013
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**JOINT MOTION FOR EXTENSION OF TIME FOR RESPONDING TO
CONSOLIDATED INTERVENORS' AND THE OGLALA SIOUX TRIBE'S NEW
AND AMENDED CONTENTIONS**

Powertech (USA), Inc. (Powertech), by its undersigned counsel of record, hereby submits this Joint Motion for Extension of Time For Responding to the Consolidated Intevenors' (CI) and the Oglala Sioux Tribe's (the "Tribe") New and Amended Contentions regarding Powertech's license application for a new combined source and 11e.(2) byproduct material license to construct and operate an in situ leach uranium recovery (ISR) facility in Custer and Fall River Counties in the State of South Dakota (the "Dewey-Burdock ISR project"). On January 25, 2013, Petitioners filed a request to admit several new or amended contentions in this proceeding. On February 13, 2013, Powertech and NRC Staff filed a joint motion for extension of time to push back the filing date to Wednesday, March 6, 2013. On February 14, 2013, the Licensing Board granted this joint motion.

Since the grant of the joint motion, several intervening events have occurred that warrant an additional extension of time for Powertech, including but not limited to the need for Powertech counsel to travel the day the filing is currently due for other business for a period of

four days and the need to identify references for expert review in support of its position. Thus, Powertech is requesting that the Licensing Board grant an additional five (5) days to the current March 6, 2013 filing deadline to March 11, 2013. This would put the filing deadline for CI and the Tribe to respond to Powertech's filing on March 25, 2013. In addition, by agreement amongst the parties, both CI and the Tribe would be able file a single response to Powertech's and NRC Staff's filings.

All parties were contacted via electronic mail by Powertech on Thursday, February 28, 2013. NRC Staff supports the requested extension despite the fact that NRC Staff counsel informed Powertech that they will file on March 6, 2013. Counsel for CI replied on February 28, 2013, that they did not object to Powertech's request. Counsel for the Tribe did not object but requested a single filing date and both Powertech and NRC Staff concur. Based on the agreement of all parties, Powertech submits this Joint Motion and respectfully requests that the Licensing Board approve the above-listed adjustments to the current filing schedule.

Respectfully submitted,

**/Signed (electronically) by/
Christopher S. Pugsley, Esq.**

Anthony J. Thompson, Esq.
Christopher S. Pugsley, Esq.
Thompson & Simmons, PLLC
1225 19th Street, NW
Suite 300
Washington, DC 20036
COUNSEL TO POWERTECH

Dated: March 1, 2013