

April 30, 2014

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)	
Facility))	

JOINT MOTION TO CLARIFY FILING DEADLINES

The Board's schedule for the remainder of the hearing includes both fixed deadlines and dates that are indexed, either directly or indirectly, to the Board's ruling on the FSEIS-related contentions.¹ Because the Board ruled on the FSEIS-related contentions at the beginning of this week, for a number of the parties' upcoming submittals there will be a slight disparity between the fixed dates and the indexed dates. For example, the deadline for motions to invoke Subpart N procedures is either May 16, 2014 (fixed deadline) or May 12, 2014 (indexed deadline).

To avoid these conflicts, the parties move for the Board to adopt the fixed deadlines in its hearing schedule.² This will provide greater certainty for the Board and the parties as to when submittals are due, particularly because none of the fixed deadlines falls on a weekend or federal holiday. Adopting the fixed deadlines will not delay the hearing, because these deadlines differ by only a few days from the indexed deadlines, and because the Board has already taken into account the fixed deadlines in setting dates for the oral hearing.

¹ Memorandum (Summarizing the February 12, 2014 Teleconference) at Appendix A. The Board's schedule reflects the parties' proposed schedule, which included both fixed and indexed dates.

² The Staff and the other parties have consulted on the subject of this motion. All parties support the motion.

The Staff is attaching a proposed schedule that adopts the fixed dates and eliminates the indexed dates. The schedule is otherwise the same as the schedule previously adopted by the Board.

Respectfully submitted,

/Signed (electronically) by/
Michael J. Clark
Michael J. Clark
Counsel for the NRC Staff

/Signed (electronically) by/
Patricia A. Jehle
Patricia A. Jehle
Counsel for the NRC Staff

Dated at Rockville, Maryland
this 30th day of April 2014

POWERTECH USA, INC. (Dewey-Burdock In-Situ Recovery Uranium Project) Proceeding

Event	Date
Final Supplemental Environmental Impact Statement (FSEIS) Available	January 31, 2014
New/Amended Contention Motions Due	March 17, 2014
Answers to New/Amended Contention Motions Due	April 4, 2014
Replies to Answers re New/Amended Contention Motions Due	April 11, 2014
Motions for Summary Disposition of Admitted Contentions	April 11, 2014
Answers to Motions for Summary Disposition	April 25, 2014
Licensing Board Ruling on New/Amended Contention Admission	April 28, 2014
Admitted New/Amended Contention Mandatory Disclosure Updates/Updated Witness Lists	May 16, 2014
Summary Disposition Motions on New or Amended Contentions/ Motion to Invoke Subpart N Procedures	May 16, 2014
Answers to Summary Disposition Motions/ Motions to Invoke Subpart N Procedures	May 30, 2014
Position Statements/Prefiled Direct Testimony due on all pending contentions (parties file simultaneously)	June 20, 2014
Answering Statements/Answering Testimony	July 15, 2014
Motions for Cross-Examination/ Motions in Limine/Motions to Strike	July 22, 2014
Responses to Motions for Cross-Examination/Motions in Limine/Motions to Strike	July 29, 2014
Proposed Cross-Examination Questions	August 1, 2014
Telephonic Prehearing Conference / Board Ruling on all Prehearing Motions	August 5, 2014

Limited Appearance Statements	August 18, 2014
Evidentiary Hearing Begins	August 19, 2014
Findings of Fact/Conclusions of Law due	Within 30 days of close of evidentiary hearing
Licensing Board Initial Decision	Within 90 days of end of evidentiary hearing and closing of record

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: April 30, 2014
Facility))	

CERTIFICATE OF SERVICE

Pursuant to 10 C.F.R. § 2.305, I certify that copies of the "JOINT MOTION TO CLARIFY FILING DEADLINES" have been served via the NRC's Electronic Information Exchange (EIE) or, for those participants exempted from filing through the EIE, by electronic mail, on this 30th day of April, 2014.

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

Patricia A. Jehle
Counsel for the NRC Staff
U.S. Nuclear Regulatory Commission
Mail Stop O-15 D21
Washington, DC 20555-0001
(301) 415-8366
Patricia.Jehle@nrc.gov
Date of Signature: April 30, 2014