



**UNITED STATES  
NUCLEAR REGULATORY COMMISSION**  
WASHINGTON, D.C. 20555-0001

November 1, 2016

Mr. John Mays  
Chief Operating Officer  
Powertech (USA) Inc.  
5575 DTC Parkway, Suite 140  
Greenwood Village, CO 80111

**SUBJECT: LICENSE AMENDMENT NO. 1, APPROVAL OF INITIAL FINANCIAL ASSURANCE COST ESTIMATE AND COMPLETION OF LICENSE CONDITION 12.23 REQUIREMENTS, MATERIALS LICENSE SUA-1600, POWERTECH (USA) INC. DEWEY-BURDOCK ISR FACILITY IN FALL RIVER AND CUSTER COUNTIES, SOUTH DAKOTA (TACS J00729 & J00730)**

Dear Mr. Mays:

By letter dated July 3, 2014 (NRC's Agencywide Documents Access and Management System (ADAMS) Accession No. ML14191A034), Powertech (USA) Inc. (Powertech) submitted a request to the U.S. Nuclear Regulatory Commission (NRC) to amend Materials License SUA-1600. Specifically, Powertech requested that the NRC staff approve its initial financial assurance estimate required by License Condition (LC) 9.5 and for the NRC staff to also approve its revised decommissioning, decontamination, and reclamation plan required by LC 12.23. By e-mail dated September 2, 2014 (ADAMS Accession No. ML14247A184), the NRC staff notified Powertech that the LC 12.23 submittal was incomplete and provided technical deficiencies that needed to be addressed. The licensee addressed these deficiencies in an e-mail dated September 25, 2014 (ADAMS Accession No. ML14043A347).

As documented in the enclosed Safety Evaluation Report (SER), the NRC staff found Powertech's initial financial assurance estimate of \$1,620,000 to be acceptable. In addition, based on the information provided in the aforementioned submittals, the NRC staff has determined that all of the requirements of LC 12.23 have been satisfied. Therefore, License Amendment No. 1, enclosed with this letter, includes a revised LC 9.5 to incorporate the initial financial assurance amount, a revised LC 12.23 to delete that condition in its entirety, and a revised LC 9.2 to capture Powertech's commitments associated with this amendment. By e-mails dated September 21, 2016, and October 7, 2016, Powertech agreed to these changes to Materials License SUA-1600 (ADAMS Accession Nos. ML16267A420 and ML16295A220).

As documented in the enclosed SER, this licensing action meets the categorical exclusion provisions in 10 CFR 51.22(c)(10)(i) and 10 CFR 51.22(b). Therefore, no further environmental review is required for this action.

As a result of this amendment, the NRC staff has completed its work on Cost Activity Codes (CACs) J00729 (Surety Estimate) and J00730 (LC 12.23 Requirements). Therefore, these CACs will be closed with no further charges against them.

J. Mays

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In accordance with 10 CFR 2.390 of the NRC's "Agency Rules of Practice and Procedure," a copy of this letter will be available electronically for public inspection in the NRC Public Document Room or from the Publicly Available Records component of NRC's Agencywide Documents Access and Management System (ADAMS). ADAMS is accessible from the NRC web site at <http://www.nrc.gov/reading-rm/adams.html>.

If you have any questions concerning the above, please contact Ron Burrows at (301) 415-6443 or via email at [Ronald.Burrows@nrc.gov](mailto:Ronald.Burrows@nrc.gov).

Sincerely,

*/RA/*

Andrea Kock, Deputy Director  
Division of Decommissioning, Uranium Recovery  
and Waste Programs  
Office of Nuclear Material Safety  
and Safeguards

Docket No.: 40-9075  
License No.: SUA-1600

Enclosures:

1. Safety Evaluation Report
2. Amendment No. 1 to Source Materials  
License SUA-1600

cc:  
E. Holm, SDENR

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Sincerely,

*/RA/*

Andrea Kock, Deputy Director  
Division of Decommissioning, Uranium Recovery  
and Waste Programs  
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Docket No.: 40-9075  
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Enclosures:

1. Safety Evaluation Report
2. Amendment No. 1 to Source Materials  
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E. Holm, SDENR

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