

November 1, 2016

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

G. Paul Bollwerk, III
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:

In its Partial Initial Decision issued on April 30, 2015, the Board directed the Staff to submit monthly reports regarding its consultation efforts with the Oglala Sioux Tribe. The Staff recently identified an issue regarding the billing of costs related to these efforts. The Staff had previously concluded that it was not required to bill Powertech (USA) under 10 C.F.R. Part 170 for such work. However, the Staff has revisited this matter and the NRC's Chief Financial Officer has determined that this work must be billed under 10 C.F.R. Part 170. The staff has no further status update to provide. The Staff will update the Board on the status of its consultations with the Tribe on December 1, 2016.

Respectfully submitted,

***/Signed (electronically) by/
Emily Monteith***

Emily Monteith
Counsel for NRC Staff

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: November 1, 2016
Facility))	

CERTIFICATE OF SERVICE

Pursuant to 10 C.F.R. § 2.305 (revised) and the Board's Orders, I hereby certify that copies of the foregoing "NRC STAFF'S STATUS REPORT" in this proceeding have been served via the Electronic Information Exchange (EIE), the NRC's E-Filing System, this 1st day of November, 2016. Counsel for the Staff served those representatives exempted from filing through the EIE with copies of its motion by electronic mail, also on November 1, 2016.

***/Signed (electronically) by/
Emily Monteith***

Emily Monteith
Counsel for NRC Staff
U.S. Nuclear Regulatory Commission
Mail Stop O-14A44
Washington, DC 20555-0001
301-287-9119
Emily.Monteith@nrc.gov