

UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

POWERTECH (USA), INC.

Docket No. 40-9075-MLA

ASLBP No. 10-898-02-MLA-BD01

ESTABLISHMENT OF ATOMIC SAFETY AND LICENSING BOARD

Pursuant to delegation by the Commission dated December 29, 1972, published in the Federal Register, 37 Fed. Reg. 28,710 (1972), and the Commission's regulations, see 10 C.F.R. §§ 2.104, 2.105, 2.300, 2.309, 2.313, 2.318, and 2.321, notice is hereby given that an Atomic Safety and Licensing Board (Board) is being established to preside over the following proceeding:

POWERTECH (USA) INC.
(Dewey-Burdock In Situ Uranium Recovery Facility)

This Board is being established pursuant to a request for hearing filed by David Frankel et al. in response to a January 5, 2010 Notice of Opportunity for Hearing published in the Federal Register (75 Fed. Reg. 467) regarding Powertech (USA) Inc.'s application for a source materials license for an in situ uranium recovery facility to be located in Fall River and Custer Counties, South Dakota.

The Board is comprised of the following administrative judges:

William J. Froehlich, Chair
Atomic Safety and Licensing Board Panel
U.S. Nuclear Regulatory Commission
Washington, D.C. 20555-0001

Richard F. Cole
Atomic Safety and Licensing Board Panel
U.S. Nuclear Regulatory Commission
Washington, D.C. 20555-0001

Mark O. Barnett
Atomic Safety and Licensing Board Panel
U.S. Nuclear Regulatory Commission
Washington, D.C. 20555-0001

All correspondence, documents, and other materials shall be filed in accordance with the NRC E-Filing rule, which the NRC promulgated in August 2007 (72 Fed. Reg. 49,139).

/RA/

E. Roy Hawkens
Chief Administrative Judge
Atomic Safety and Licensing Board Panel

Issued at Rockville, Maryland,
this 12th day of March 2010.

UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

In the Matter of)
)
POWERTECH (USA) INC.) Docket No. 40-9075-MLA
(Dewey-Burdock In Situ Recovery Facility)
Source Materials License Application))

CERTIFICATE OF SERVICE

I hereby certify that copies of the foregoing **Establishment of Atomic Safety and Licensing Board**, dated March 12, 2010, have been served upon the following persons by Electronic Information Exchange.

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POWERTECH (USA) INC., DEWEY-BURDOCK IN SITU RECOVERY FACILITY
DOCKET NO. 40-9075-MLA

Establishment of Atomic Safety and Licensing Board

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[Original signed by Linda D. Lewis]
Office of the Secretary of the Commission

Dated at Rockville, Maryland
this 12th day of March 2010.