

January 3, 2012

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

Richard F. Cole  
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:

Pursuant to 10 C.F.R. §§ 2.336(b) and (c) and 2.1203, the Nuclear Regulatory Commission (NRC) Staff provides the Licensing Board and the parties with an updated index listing documents required to be disclosed by the Staff. (Attachment 1.) These documents may be viewed by accessing the hearing file for this proceeding that is maintained by the NRC's Office of the Secretary.

Along with the attached update to its hearing file index, the Staff is providing an affidavit certifying that all relevant materials have been disclosed to the extent required by 10 C.F.R. § 2.336(c).

The Staff will update its mandatory disclosures, hearing file, and privilege logs in accordance with 10 C.F.R. §§ 2.336(d) and 2.1202(c) no later than February 1, 2012.

Sincerely,

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

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Patricia Jehle  
Counsel for NRC Staff

Enclosures: Attachment 1: Hearing File Index  
Affidavit of Ronald Burrows

cc: Electronic Information Exchange Service List

**ATTACHMENT 1**  
**POWERTECH HEARING FILE AND MANDATORY DISCLOSURES**  
Update — January 3, 2012 Index

| <b>ID Number</b> | <b>Accession Number</b> | <b>Document Date</b> | <b>Title</b>   |
|------------------|-------------------------|----------------------|--|
| 00-586           | ML113340322             | 11/22/2011           | M. Atkins ltr. re: BLM Request as Lead Agency for Cultural Section 106 Consultation for Dewey-Burdock In Situ Uranium Recovery Project.                                |
| 00-587           | ML113350004             | 11/30/2011           | Information Needed for December 7 Meeting with Powertech.  |
| 00-588           | ML113400012             | 12/05/2011           | Modeling Presentation for December 7, 2011 Meeting With Powertech (USA).   |
| 00-589           | ML113400026             | 12/05/2011           | E-mail from Powertech With Tentative Agenda for the December 7, 2011 Meeting.  |
| 00-590           | ML113400239             | 12/06/2011           | Revised Notice of 12/7/11 Public Meeting with Powertech (USA) Inc. to Discuss Hydrological Model for Dewey-Burdock Project.  |
| 00-591           | ML113460585             | 12/22/2011           | 12/07/2011-Summary of Public Meeting to Discuss Powertech's Hydrogeological Model and Preliminary Results Related to Proposed Dewey Burdock In Situ Recovery Facility. |

January 3, 2012

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       |
|   | ) |                              |
| (Dewey-Burdock In Situ Uranium Recovery Facility) | ) | ASLBP No. 10-898-02-MLA-BD01 |

AFFIDAVIT OF RONALD BURROWS CONCERNING  
MANDATORY DISCLOSURE  
REQUIREMENT OF 10 C.F.R. § 2.336(c)


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I, Ronald Burrows, do hereby state as follows:

1. I am employed as a Senior Health Physicist in the Nuclear Regulatory Commission's Office of Federal and State Materials and Environmental Management Programs, Division of Waste Management and Environmental Protection, Decommissioning and Uranium Recovery Licensing Directorate. Among my responsibilities, I serve as Project Manager for Powertech (USA) Inc.'s application for a license to be used in connection with the proposed Dewey-Burdock uranium recovery facility. In this capacity, I am managing the preparation of the NRC Staff's hearing file and mandatory disclosures in connection with Powertech's application.

2. I hereby certify that all materials the Staff must disclose in this proceeding under 10 C.F.R. § 2.336 (b) and (c) have been disclosed, and that the disclosures are accurate and complete as of the date of this certification.

3. I declare under penalty of perjury that the foregoing is true and correct to the best of my knowledge, information and belief.

  
Ronald Burrows

Executed in Rockville, MD  
this 3<sup>rd</sup> day of January 2012

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: January 3, 2012         |
| Facility)                               | ) |                               |

CERTIFICATE OF SERVICE

I hereby certify that copies of the foregoing "UPDATE TO NRC STAFF'S HEARING FILE INDEX" in this proceeding have been served via the Electronic Information Exchange (EIE) this 3<sup>rd</sup> day of January 2012, which to the best of my knowledge resulted in transmittal of the copies to those on the EIE Service List for this proceeding.

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

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Patricia A. Jehle  
Counsel for the NRC Staff