

November 3, 2014

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:

Consistent with 10 C.F.R. § 2.336, 10 C.F.R. § 2.1203, and the Board's orders in this proceeding, the Nuclear Regulatory Commission (NRC) Staff provides an updated index listing documents required to be disclosed by the Staff. (Attachment 1.) These non-privileged documents may be viewed by accessing the hearing file for this proceeding that is maintained by the NRC's Office of the Secretary. The Staff is also attaching an index identifying documents that, under 10 C.F.R. § 2.390, are exempt from disclosure and for which the Staff is asserting a privilege or immunity. (Attachment 2.)

Along with the attached update to its hearing file index, the Staff is providing an affidavit certifying that all documents required to be disclosed under 10 C.F.R. § 2.336(c) have, in fact, been disclosed.

Sincerely,

***/Signed (electronically) by/
Michael J. Clark***

Michael J. Clark
Counsel for NRC Staff

Enclosures: Attachment 1: Hearing File Index
Attachment 2: Sensitive Info - Official Use Only Log
Affidavit of Ronald Burrows
cc: Electronic Information Exchange Service List

ATTACHMENT 1
POWERTECH HEARING FILE AND MANDATORY DISCLOSURES
November 3, 2014 Update (Publicly Available Documents)

ID Number	Accession Number	Document Date	Title
00-2913	ML14258A153	09/12/2014	Follow-up to September 2, 2014 E-mail Regarding NRC Staff Technical Review of Financial Assurance Estimate.
00-2914	ML14296A461	09/24/2014	Dewey-Burdock Map to Accompany Initial Financial Assurance Estimate with Buffered Sites.
00-2915	ML14295A304	09/25/2014	Response to Completeness Review Comments Portions of Restoration Action Plan (RAP) Addressing License Condition (LC) 12.23 Dewey-Burdock Project; Docket No. 40-9075; SUA-1600.
00-2916	ML14273A375	09/25/2014	Responses to Restoration Action Plan Completeness Review Comments.
00-2917	ML14274A175	09/29/2014	RE: Responses to Restoration Action Plan Completeness Review Comments & Surety Estimate Status.
00-2918	ML14297A602	10/01/2014	2014/10/01 Powertech Dewey-Burdock LA - REMINDER: Request for Treatment Measures - Dewey-Burdock ISR Project
00-2919	ML14282A665	10/02/2014	Letter to Mr. Anthony Reider, Chairman.
00-2920	ML14282A656	10/02/2014	Letter to Mr. Brandon Sazue Sr., Chairman.
00-2921	ML14282A738	10/02/2014	Letter to Mr. Bryan V. Brewer, President.
00-2922	ML14282A151	10/02/2014	Letter to Mr. Clifford Wolf, Jr. Chairman.
00-2923	ML14282A750	10/02/2014	Letter to Mr. Cyril Whitey Scott, Chairman.
00-2924	ML14282A230	10/02/2014	Letter to Mr. Darrell O'Neal, Sr., Chairman.
00-2925	ML14282A661	10/02/2014	Letter to Mr. Darwin St. Clair, Jr., Chairman.
00-2926	ML14282A145	10/02/2014	Letter to Mr. Dave Archambault II, Chairman.
00-2927	ML14282A721	10/02/2014	Letter to Mr. Denny Prescott, President.
00-2928	ML14282A690	10/02/2014	Letter to Mr. Floyd Azure, Chairman.
00-2929	ML14282A215	10/02/2014	Letter to Mr. G. Tex Hall, Chairman, Transmittal of Letters Sent to the Tribal Historic Preservation Officers Requesting Input for Treatment Measures Regarding the Dewey-Burdock In Situ Uranium Recovery Project.
00-2930	ML14282A123	10/02/2014	Letter to Mr. Jeremy Wright, Acting Chair.
00-2931	ML14282A733	10/02/2014	Letter to Mr. John Robinson, President.
00-2932	ML14282A189	10/02/2014	Letter to Mr. Marshall Gover, President, Transmittal of Letters Sent to the Tribal Historic Preservation Officers Requesting Input for Treatment Measures Regarding the Dewey-Burdock In Situ Uranium Recovery Project.
00-2933	ML14282A765	10/02/2014	Letter to Mr. Merle St. Claire, Chairman.
00-2934	ML14282A698	10/02/2014	Letter to Mr. Michael Jandreau, Chairman.
00-2935	ML14282A759	10/02/2014	Letter to Mr. Robert Shepherd, Chairman.

ATTACHMENT 1
POWERTECH HEARING FILE AND MANDATORY DISCLOSURES
November 3, 2014 Update (Publicly Available Documents)

ID Number	Accession Number	Document Date	Title
00-2936	ML14282A178	10/02/2014	Letter to Mr. Roger Trudell, Chairman, Transmittal of Letters Sent to the Tribal Historic Preservation Officers Requesting Input for Treatment Measures Regarding the Dewey-Burdock In Situ Uranium Recovery Project.
00-2937	ML14282A758	10/02/2014	Letter to Mr. Roger Yankton, Sr., Chairperson.
00-2938	ML14282A771	10/02/2014	Letter to Mr. Thurman Cournoyer, Sr., Chairperson.
00-2939	ML14281A240	10/02/2014	Transmittal of Letters Sent to THPOs (Cheyenne and Arapaho Tribe) Requesting Input for Treatment Measures Regarding the Dewey-Burdock ISR Project (Docket No. 040-9075).
00-2940	ML14281A280	10/02/2014	Transmittal of Letters sent to THPOs (Cheyenne River Sioux Tribe) Requesting Input for Treatment Measures Regarding the Dewey-Burdock ISR Project (Docket No. 040-9075).
00-2941	ML14281A517	10/02/2014	Transmittal of Letters sent to THPOs (Crow Nation) Requesting Input for Treatment Measures Regarding the Dewey-Burdock ISR Project (Docket No. 040-9075).

**ATTACHMENT 2
 POWERTECH HEARING FILE AND MANDATORY DISCLOSURES
 SENSITIVE INFORMATION LOG
 November 3, 2014**

Certain documents otherwise subject to inclusion in the hearing file and mandatory disclosures for this proceeding have been determined by the NRC Staff to contain information subject to withholding from public disclosure as sensitive information. Pursuant to 10 C.F.R. § 2.336(b)(5), the Staff is providing this log to identify the following documents withheld because they contain sensitive information that, under 10 C.F.R. § 2.390(a)(3), is exempt from disclosure.

ID#	Accession Number	Author/ Affiliation	Title / Description	Document Date	Document Type	Comment	Page Count
S-00-72	ML14258B063	John M. Mays Chief Operating Officer	09.09.14 FWS_3_200_71 Dewey Burdock Project Secure.	01/10/2014	Letter	USFWS Application 3-200-71: Eagle Take to Protect and Interest in a Particular Locality (Eagle Non- purposeful Take – 50 CFR 22.26) for the Dewey-Burdock Project.	25

November 3, 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
)	
(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)

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 Nuclear Material Safety and Safeguards, Division of Decommissioning, Uranium Recovery, and Waste Programs. 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 3rd day of November, 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)	Date: November 3, 2014
Facility))	

CERTIFICATE OF SERVICE

Pursuant to 10 C.F.R. § 2.305 (revised), I hereby certify that copies of the foregoing "NRC Staff's November 2014 HEARING FILE UPDATE" in this proceeding have been served via the Electronic Information Exchange (EIE), the NRC's E-Filing System, this 3rd day of November, 2014.

***/Signed (electronically) by/
Michael J. Clark***

Michael J. Clark
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Michael.Clark@nrc.gov
Date of Signature: November 3, 2014