

UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION
ATOMIC SAFETY AND LICENSING BOARD PANEL

In the Matter of)
POWERTECH, INC.) Docket No. 40-9075-MLA

(In Situ Leach Facility, Dewey-Burdock, SD)

PETITIONER DECLARATION

I, Gary Heckenroble, hereby make the following declaration:

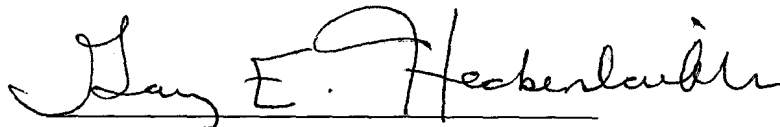
1. I make this affidavit in connection with a Petition to in the Application of Powertech, USA, d/b/a Powertech (a Canadian corporation), a/k/a The Dewey-Burdock Project concerning *in situ leach* uranium mine in Custer County and Fall River County, South Dakota (the "Mine"). My physical address is 612 ST James, South Dakota. The mailing address for me is Rapid City SD 57701. I am a member of Aligning for Responsible Mining.
2. I have authorized attorneys Bruce Ellison, David Frankel, and other attorneys working with the Clean Water Alliance and Aligning for Responsible Mining to represent me in this matter and to file contentions on my behalf. I am fully familiar with the facts stated herein, and where opinions are expressed, I am competent to state such opinions based on my training, knowledge, experience and expertise. If sworn as a witness, I am competent to testify to the contents hereof.
3. I use water for personal, household, domestic purposes, [including gardening, irrigation, bathing, drinking]. To my knowledge, my water comes from the Madison aquifer. ~~[I have a well in that aquifer.]~~
4. ~~[I also use water for ranching purposes and maintain livestock including.....]~~
- 5.

This Declaration is submitted in accordance with 10 C.F.R. Section 2.304(d) and

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U.S.C. Section 1746. I declare under penalty of perjury that the foregoing is true and correct.

March 8, 2010

A handwritten signature in cursive script, reading "Jay E. Heckenlaible", written over a horizontal line.

[name]