

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

Before Administrative Judges:

William J. Froehlich, Chairman
Dr. Richard F. Cole
Dr. Mark Barnett

In the Matter of POWERTECH USA, INC. (Dewey-Burdock In Situ Uranium Recovery Facility)

Docket No. 40-9075-MLA

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

April 1, 2010

ORDER
(Granting Motion for Extension of Time)

On March 31, 2010, Powertech USA, Inc. (Powertech) filed a motion¹ requesting an extension of time to respond to a Petition for Leave to Intervene and Request for Hearing filed by several individuals (Consolidated Petitioners)² regarding Powertech's application for a license to construct and operate an in-situ leach uranium recovery facility in Custer and Fall River Counties, South Dakota. This motion is joined by the NRC Staff and Consolidated Petitioners, and also requests an extension of time for Consolidated Petitioners to submit late-filed contentions based on information just recently released to them by the Staff.³

¹ Joint Motion for Extension of Time for Late-Filed Contentions and to Respond to Request for a Hearing (Mar. 31, 2010) (Motion).

² Consolidated Request for Hearing and Petition for Leave to Intervene (Mar. 8, 2010) (Petition).

³ Motion at 2.

The Board grants Powertech's Motion. Responses from Powertech and the NRC Staff to Consolidated Petitioners' Petition shall be filed no later than April 12, 2010. Additionally, Consolidated Petitioners are permitted to file additional contentions based on the information provided by the NRC Staff no later than April 30, 2010.

It is so ORDERED.

FOR THE ATOMIC SAFETY
AND LICENSING BOARD⁴

/RA/

William J. Froehlich, Chairman
ADMINISTRATIVE JUDGE

Rockville, MD
April 1, 2010

⁴ Copies of this memorandum and order were sent this date by the agency's E-Filing system to the counsel/representatives for (1) Powertech USA, Inc.; (2) Consolidated Petitioners; and (3) NRC Staff.

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 **ORDER (Granting Motion for Extension of Time)** dated April 1, 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

ORDER (Granting Motion for Extension of Time)

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

Dated at Rockville, Maryland
this 1st day of April 2010.