

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 O. 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

September 2, 2010

ORDER
(Granting Joint Motion for Extension of Time)

On September 2, 2010, the NRC Staff filed a joint motion¹ requesting that the Board extend the deadline for the parties to provide their initial mandatory disclosures and privilege claims² and for the NRC Staff to provide a hearing file.³ Under the Commission's regulations, initial disclosures and the Staff's hearing file must be produced by Tuesday, September 7 – thirty days after the Board issued its memorandum and order granting petitioners' requests for hearing.⁴ In its motion, the Staff explained that an extension was necessary due to the "number of documents it will have to disclose, the difficulty and converting certain documents to formats suitable for inclusion in the hearing file, and the need for Staff to further review potentially

¹ Joint Motion for Extension of Time to Provide Initial Discovery (Sept. 2, 2010) [hereinafter Joint Motion].

² See 10 C.F.R. § 2.336(a) and (b).

³ See id. § 2.1203.

⁴ Id. §§ 2.336(a) and (b), 2.1203.

privileged material.”⁵ The Staff indicated that Consolidated Intervenor and Powertech join in the Staff’s request and that the Oglala Sioux Tribe had not responded to the Staff’s proposal at the time of filing.⁶

For good cause shown, the Board hereby grants the joint motion for extension of time. All initial mandatory disclosures, claims of privilege, and the NRC Staff’s hearing file are now due no later than Monday, September 13, 2010.

It is so ORDERED.

FOR THE ATOMIC SAFETY
AND LICENSING BOARD⁷

/RA/

William J. Froehlich, Chairman
ADMINISTRATIVE JUDGE

Rockville, Maryland
September 2, 2010

⁵ Joint Motion at 1.

⁶ Id. at 1-2.

⁷ Copies of this order were sent this date by the agency’s E-Filing system to the counsel/representatives for (1) Consolidated Intervenor; (2) the Oglala Sioux Tribe; (3) the NRC Staff; and (4) Powertech USA, Inc.

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 Joint Motion for Extension of Time) dated September 2, 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 Joint Motion for Extension of Time)

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[Original signed by Christine M. Pierpoint]
 Office of the Secretary of the Commission

Dated at Rockville, Maryland
 this 2nd day of September 2010.