

April 1, 2011

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.)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 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 no later than May 2, 2011.²

Sincerely,

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

Patricia Jehle
Counsel for NRC Staff

¹ At this time, the Staff does not have any updates to its privilege logs.

² Because May 1, 2011 falls on a Sunday, the Staff's report is not due until May 2, 2011. 10 C.F.R. § 2.306(a).

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 — April 1, 2011 Index

ID Number	Accession Number	Document Date	Title
00-440	ML110550172	03/04/2011	Letter to Santee Sioux Tribe of Nebraska re: Invitation for Formal Consultation Under the Section 106 of the National Historic Preservation Act.
00-441	ML110550372	03/04/2011	Letter to Ponca Tribe of Nebraska re: Invitation for formal Consultation under the Section 106 of the National Historic Preservation Act.
00-442	ML110550535	03/04/2011	Letter to Crow Tribe re: Invitation for formal Consultation under the Section 106 of the National Historic Preservation Act.
00-443	ML110550750	02/23/2011	RSO Refresher Training - Powertech.
00-444	ML110590639	02/28/2011	Dewey-Burdock Project Application for NRC Uranium Recovery License Fall River and Custer Counties, South Dakota Technical Report RAI Question and Answer Responses For February 2011.
00-445	ML110590641	02/18/2011	Powertech (USA) Inc.'s Responses, in Question / Answer Format, to the U.S. Nuclear Regulatory Commission (NRC) Staff's Request for Additional Information Regarding the Technical Review for the Proposed Dewey-Burdock Uranium Project Docket No. 40-9075.
00-446	ML110670272	03/07/2011	E-Mail to Richard Blubaugh at Powertech Re: Acceptance Review Issues on Dewey-Burdock Application - Docket 04009075.
00-447	ML110690166	03/10/2011	Crow Tribe response to NRC's invitation to Section 106 consultation regarding Dewey-Burdock Project.
00-448	ML110740011	03/15/2011	04/07/2011 - 04/08/2011 Notice of Public Meeting with Powertech (USA) Inc. to Discuss Responses to NRC Staff's Request for Additional Information.
00-449	ML110820582	11/04/2010	PowerTech Ltr. re: Responses to NRC Requests for Clarification of Selected Issues Related to Dewey-Burdock Uranium Project Review.
00-450	ML110880030	03/29/2011	04/07-08/2011 - Revised Notice of Meeting with Powertech (USA) to Discuss Responses to NRC Staff's Request for Additional Information.

April 1, 2011

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 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 1st day of April, 2011

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: April 1, 2011
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 1st day of April 2011, 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***

Patricia A. Jehle
Counsel for the NRC Staff