

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:

On October 4, 2010, the Board issued an Order directing the Staff to submit monthly status reports specifying the Staff's best estimate of the issuance dates for draft and final documents associated with its review of Powertech's application.

As stated in its last status report, filed March 1, 2011, the Staff is presently engaged in consultation with a number of American Indian Tribes pursuant to Section 106 of the National Historic Preservation Act. The Staff is in the process of scheduling a meeting in the early summer of 2011 with up to 20 Tribes. The Staff expects to be able to provide more information about this meeting in its next status report.

Regarding its safety review, the Staff has scheduled a public meeting with Powertech on April 7–8, 2011 to discuss responses to Requests for Additional Information (RAIs) that Powertech submitted to the Staff on December 23, 2010.¹ The Staff's estimate for issuance of the Final Safety Evaluation Report (SER) will need to be reevaluated after that meeting. As stated in its last status report, it would be difficult for the Staff to provide an updated estimate prior to the meeting. However, the Staff would again alert the Board to the possibility that the Final SER may issue after October 2011, the date listed below.

The Staff's current best estimates for the issuance dates of documents associated with its reviews are:

¹ The meeting notice can be viewed through <http://www.nrc.gov/public-involve/public-meetings/index.cfm>. The Staff has informed the Intervenor and other interested persons of the opportunity to observe or listen to the public meeting (see, e.g., ADAMS Accession Nos. ML110810561).

Draft Supplemental Environmental Impact Statement (SEIS)
December 2011

Final Safety Evaluation Report (SER)
October 2011²

Final SEIS
June 2012

These are the same dates listed in the Staff's last status report. The Staff will provide updated estimates in its next status report, which it will file on May 2, 2011.³

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

Patricia Jehle
Counsel for NRC Staff

² The Staff intends to reevaluate this date after its public meeting with Powertech on April 7–8, 2011.

³ 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).

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 "NRC STAFF'S STATUS REPORT" 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 the above-captioned proceeding.

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

Patricia Jehle
Counsel for the NRC Staff