

August 22, 2013

Mr. Steven M. Pirner, P.E.
Secretary
South Dakota Department of
Environment and Natural Resources
PMB 2020
Joe Foss Building
523 E. Capitol Avenue
Pierre, SD 57501

SUBJECT: MEMORANDUM OF UNDERSTANDING BETWEEN THE SOUTH DAKOTA
DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES AND THE
U.S. NUCLEAR REGULATORY COMMISSION

Dear Mr. Pirner:

This letter confirms that the U.S. Nuclear Regulatory Commission (NRC) staff and the South Dakota Department of Environment and Natural Resources (SD DENR) have been developing a Memorandum of Understanding (MOU) between the two agencies regarding the procedures for reviewing financial assurance documents for the Powertech (USA) Inc., Dewey-Burdock uranium in situ recovery facility in Fall River and Custer counties, South Dakota. This MOU was initiated as a result of a request by SD DENR for the NRC to hold the surety bond for the land application areas, which the SD DENR permits through an approved ground water discharge plan.

If you have any questions, please call me at 301-415-7479, or by email at Andrew.Persinko@nrc.gov. You may also contact Mr. Ronald Burrows at 301-415-6443, or by email at Ronald.Burrows@nrc.gov.

Sincerely,

/RA/ by M. Norato for

Andrew Persinko, Deputy Director
Decommissioning and Uranium Recovery
Licensing Directorate
Division of Waste Management
and Environmental Protection
Office of Federal and State Materials
and Environmental Management Programs

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