

June 1, 2016

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

G. Paul Bollwerk, III
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:

In its Partial Initial Decision issued on April 30, 2015, the Board directed the Staff to submit monthly reports regarding its consultation efforts with the Oglala Sioux Tribe.

On May 19, 2016, representatives of the NRC Staff and the Oglala Sioux Tribe held a face-to-face meeting in Pine Ridge, South Dakota. The purpose of the meeting was twofold: (i) to introduce the NRC's new management team responsible for the consultation process with the Oglala Sioux Tribe, and (ii) to start the dialogue, on a government-to-government basis, regarding a path forward for consultation with the Oglala Sioux Tribe.

At the meeting, the Staff discussed the re-organization of the Office of Nuclear Material Safety and Safeguards (NMSS),¹ including the management changes that occurred within the last two years. The Staff also provided an update of the Dewey-Burdock ISR project. The Staff discussed several issues with the tribe, including Tribal laws and ordinances, the Programmatic Agreement (PA), and past and proposed surveys at the site to identify historic and cultural resources. The Staff intends to issue a public meeting summary after it receives input from the Oglala Sioux Tribe, which the Staff will include in its next hearing file update.

¹ NMSS is responsible for regulating activities which provide for the safe and secure production of nuclear fuel used in commercial nuclear reactors (including uranium recovery activities); the safe storage, transportation and disposal of high-level radioactive waste and spent nuclear fuel; and the transportation of radioactive materials regulated under the Atomic Energy Act.

The Staff will update the Board on the status of its consultations with the Tribe on July 1, 2016.

Sincerely,

***/Signed (electronically) by/
Shelbie R. Lewman***

Shelbie R. Lewman
Counsel for NRC Staff

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 Facility))	Date: June 1, 2016

CERTIFICATE OF SERVICE

Pursuant to 10 C.F.R. § 2.305 (revised) and the Board's Orders, 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), the NRC's E-Filing System, this 1st day of June, 2016. Counsel for the Staff served those representatives exempted from filing through the EIE with copies of its motion by electronic mail, also on June 1, 2016.

***/Signed (electronically) by/
Shelbie R. Lewman***

Shelbie R. Lewman
Attorney
Materials Litigation and Enforcement
Office of General Counsel, USNRC
O-15A24
(301) 287-9116 (office)
shelbie.lewman@nrc.gov
Date of Signature: June 1, 2016