

**UNITED STATES COURT OF APPEALS
FOR THE DISTRICT OF COLUMBIA CIRCUIT**

| | | |
|---------------------------|---|-------------|
| OGLALA SIOUX TRIBE, |) | |
| |) | |
| Petitioner, |) | No. 17-1059 |
| |) | |
| v. |) | |
| |) | |
| UNITED STATES NUCLEAR |) | |
| REGULATORY COMMISSION and |) | |
| UNITED STATES OF AMERICA, |) | |
| |) | |
| Respondents. |) | |
| |) | |

CERTIFICATE AS TO PARTIES, RULINGS, AND RELATED CASES
AND RULE 26.1 DISCLOSURE

Pursuant to D.C. Circuit Rules 15(c)(3), 26.1 and 28(a)(1), counsel for
Petitioner certifies as follows:

1. Parties, Intervenors, and Amici Curiae

The parties to this Petition for Review are Petitioner Oglala Sioux Tribe
and respondents United States Nuclear Regulatory Commission (“NRC”) and the
United States of America. Powertech (USA), Inc. has filed a motion for leave to
intervene.

RULE 26.1 DISCLOSURE STATEMENT

Petitioner Oglala Sioux Tribe is a sovereign government. It has no parent corporations and issue no stock or shares.

2. Rulings Under Review

Petitioner seek review of the Nuclear Regulatory Commission's ("Commission") December 23, 2016 Memorandum and Order in *In the Matter of Powertech (USA), Inc.* (Dewey-Burdock In Situ Uranium Recovery Facility), Docket No. 40-9075-MLA, CLI-16-20 (December 23, 2016), which in turn affirmed several decisions of the Atomic Safety Licensing Board and NRC Staff – e.g., *In the Matter of Powertech (USA), Inc.* (Dewey-Burdock In-Situ Uranium Recovery Facility), LPB-10-16, 72 NRC 361 (2010); *In the Matter of Powertech (USA), Inc.* (Dewey-Burdock In-Situ Uranium Recovery Facility), LBP-13-9, 78 NRC 37 (2013); *In the Matter of Powertech (USA), Inc.* (Dewey-Burdock In-Situ Uranium Recovery Facility), LBP-14-5, 79 NRC 377 (2014); *In the Matter of Powertech (USA), Inc.* (Dewey-Burdock In-Situ Recovery Facility), Order Removing Temporary Stay and Denying Motions for Stay of Materials License Number SUA-1600) (May 20, 2014); *In the Matter of Powertech (USA), Inc.* (Dewey-Burdock In-Situ Uranium Recovery Facility), LBP-15-16, (2015); the Commission's January, 2014 Final Environmental Impact Statement ("EIS") for the Dewey-Burdock In-Situ Recovery Project in Custer and Fall River Counties,

South Dakota, as amended; the April 8, 2014 Record of Decision for the project; and the April 8, 2014 Materials License No. SUA-1600, Docket No. 040-09075.

3. Related Cases

Petitioner is not aware of any related cases.

Respectfully submitted,

/s/ Jeffrey C. Parsons

Jeffrey C. Parsons

Western Mining Action Project

P.O. Box 349

440 Main Street, Ste. 2

Lyons, CO 80540

303-823-5738

(fax) 303-823-5732

wmap@igc.org

Travis E. Stills

Energy & Conservation Law

911 Main Avenue, Suite 238

Durango, Colorado 81301

stills@frontier.net

phone:(970)375-9231

Counsel for Oglala Sioux Tribe

Filed this 24th day of March, 2017.

CERTIFICATE OF SERVICE

I, Jeffrey C. Parsons, hereby certify that the foregoing Certificate as to Parties, Rulings, and Related Cases was served on all counsel of record in case number 17-1059 through the electronic filing system (CM/ECF) of the U.S. Court of Appeals for the District of Columbia Circuit.

/s/ Jeffrey C. Parsons

Jeffrey C. Parsons

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440 Main Street, Ste. 2

Lyons, CO 80540

303-823-5738

(fax) 303-823-5732

wmap@igc.org