

UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION
ATOMIC SAFETY AND LICENSING BOARD

Before Administrative Judges:

William J. Froehlich, Chairman
Dr. Mark O. Barnett
G. Paul Bollwerk, III

In the Matter of
POWERTECH USA, INC.
(Dewey-Burdock
In Situ Uranium Recovery Facility)

Docket No. 40-9075-MLA

ASLBP No. 10-898-02-MLA-BD01

December 3, 2018

ORDER

(Scheduling Telephonic Conference Call)

The Licensing Board previously had scheduled an all-parties status conference in this case for Wednesday, December 5, 2018.¹ As a result of the federal government's closure on that date for the memorial service for former President George H.W. Bush, that conference has been rescheduled for Thursday, December 6, 2018, at 4 pm Eastern Time. The Board anticipates that this conference will last no more than two hours.

The Board will establish a bridge line for this telephone conference, with three lines provided for each party. In the near future, a Board representative will contact the parties by email with instructions on how to access the telephone conference. Listen-only telephone access will also be made available for members of the public. The Board's law clerk will contact the participants by email to provide the telephone number and pass code for listen-only access. Members of the public who wish to listen to the conference may also contact the Board's law

¹ Powertech USA, Inc. (Dewey-Burdock In Situ Uranium Recovery Facility), LBP-18-05, 89 NRC __, __ (slip op. at 52) (Oct. 30, 2018).

clerk, Taylor Mayhall, at 301-415-3027, or Taylor.Mayhall@nrc.gov, for the necessary listen-only telephone access information.

During the conference, the Board would like to address the following questions:

NRC Staff

- What specific measures has the NRC Staff already taken in furtherance of the milestones laid out in its November 21, 2018 letters to Powertech (USA) Inc., and intervenor Oglala Sioux Tribe (ADAMS Accession No. ML18331A431)?

Oglala Sioux Tribe

- Will the Tribe work with the NRC Staff towards implementation of the March 2018 Approach?²
- Does the Tribe have specific objections or alternatives to the survey methodology proposed by the NRC Staff in its November 21, 2018 letter to the Tribe that it would like to discuss with the NRC Staff over the next three weeks? If so, in general what items does the Tribe wish to discuss with the NRC Staff?
- Will the Tribe meet the December 28, 2018 milestone set forth in the NRC Staff's November 21 letter for responding to the NRC Staff's November 21 proposal or providing an alternative proposal? Does the Tribe have any comments about any of the other milestones provided in the NRC Staff's November 21 letter?
- What changes, additions, or revisions does the Tribe believe are necessary to the March 5, 2010 protective order (ADAMS Accession No. ML18159A148) already in effect in this proceeding?

Powertech

- Will Powertech continue to provide reimbursement and logistical support for the renewed March 2018 Approach implementation efforts?

It is so ORDERED.

FOR THE ATOMIC SAFETY
AND LICENSING BOARD

/RA/

William J. Froehlich, Chairman
ADMINISTRATIVE JUDGE

Rockville, Maryland
December 3, 2018

² The Board does not perceive the closure of the federal government on December 5, 2018, as precluding either the Tribe or Powertech from timely responding to the NRC Staff's request in its November 21 letter for a response by that date indicating its willingness to continue relative to the March 2018 Approach.

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)

CERTIFICATE OF SERVICE

I hereby certify that copies of the foregoing **ORDER (Scheduling Telephonic Conference Call)** have been served upon the following persons by Electronic Information Exchange, and by electronic mail as indicated by an asterisk (*).

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POWERTECH (USA) INC., DEWEY-BURDOCK IN SITU RECOVERY FACILITY
DOCKET NO. 40-9075-MLA

ORDER (Scheduling Telephonic Conference Call)

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[Original signed by Clara Sola _____]
Office of the Secretary of the Commission

Dated at Rockville, Maryland,
this 3rd day of December, 2018