

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

October 24, 2016

ORDER
(Scheduling Telephonic Status Conference)

In response to the Licensing Board's October 13, 2016 order requesting scheduling information for a telephone conference with the parties, see Licensing Board Memorandum and Order (Requesting Scheduling Information for Telephone Conference Call) (Oct. 13, 2016) at 2 (unpublished), a representative of the collective parties contacted the Board on October 21, 2016, regarding their availability. Based on the information provided, the conference is scheduled for Monday, November 7, 2016, beginning at 2:00 p.m. Eastern Time. The Board anticipates that this conference will last no more than two hours.

The Licensing Board will establish a bridge line for this conference, with three lines provided for each party.¹ In the near future, a Board representative will contact the parties with instructions on how to access the telephone conference. Listen-only telephone access will also be made available for members of the public.

¹ If any party requires additional lines, it should promptly contact Board law clerk Cooper Strickland at Cooper.Strickland@nrc.gov.

During the conference, the Board would like to discuss with the parties the status of government-to-government consultations. The subjects to be discussed include, but may not be limited to:

- (1) the status of development activities at the Dewey-Burdock site;
- (2) the status of permitting proceedings regarding the Dewey-Burdock site pending before the State of South Dakota and the United States Environmental Protection Agency, see Powertech (USA), Inc. Request for Status Report on Petition for Review of LBP-15-16 (Mar. 28, 2016) at 2;
- (3) the schedule of up-coming government-to-government consultations between the Oglala Sioux Tribe and the NRC Staff;
- (4) the parties' collective and/or independent efforts to identify cultural, religious, and historic resources of significance to the Oglala Sioux Tribe following the Board's Partial Initial Decision;
- (5) the NRC Staff's plan to prepare a supplement to the Final Supplemental Environmental Impact Statement regarding cultural, historic, and religious resources of significance to the Oglala Sioux Tribe; and
- (6) the parties' positions regarding the procedural course the Board should take to bring about a final resolution of Contentions 1A and 1B.

It is so ORDERED.

FOR THE ATOMIC SAFETY
AND LICENSING BOARD

/RA/

William J. Froehlich, Chairman
ADMINISTRATIVE JUDGE

Rockville, Maryland
October 24, 2016

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NUCLEAR REGULATORY COMMISSION

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POWERTECH (USA) INC.	)	Docket No. 40-9075-MLA
(Dewey-Burdock In Situ Recovery Facility)	)	
	)	

CERTIFICATE OF SERVICE

I hereby certify that copies of the foregoing **ORDER (Scheduling Telephonic Status Conference)** 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 Status Conference)

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[Original signed by Herald M. Speiser _____]
Office of the Secretary of the Commission

Dated at Rockville, Maryland,
this 24th day of October 2016