

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

Before Administrative Judges:

William J. Froehlich, Chairman  
Dr. Richard F. Cole  
Dr. Mark O. Barnett

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 18, 2012

ORDER

(Granting Unopposed Joint Motion for Extension of Time to File Contentions)

On December 14, 2012, the Oglala Sioux Tribe (Tribe) and Consolidated Intervenors filed an Unopposed Joint Motion for Extension of Time in the above-captioned matter.<sup>1</sup> The Tribe and Consolidated Intervenors seek an extension of time up to and including Friday, January 25, 2013, in which to file any contentions related to the Draft Supplemental Environmental Impact Statement (DSEIS). The current deadline for filing any new or amended contentions based on the DSEIS is December 31, 2012.<sup>2</sup> The parties request an extension because of the length of the DSEIS, the intervening holidays and events,<sup>3</sup> and scheduling conflicts as the result of the election of a new tribal council and the retention of experts for

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<sup>1</sup> Unopposed Joint Motion for Extension of Time for the Oglala Sioux Tribe and Consolidated Intervenors to Submit Contentions Based on the Draft Supplemental Environmental Impact Statement (Dec. 14, 2012) [hereinafter Motion for Extension].

<sup>2</sup> See Order (Second Prehearing Conference Call Summary and Supplemental Initial Scheduling Order) (Oct. 16, 2012) at 3.

<sup>3</sup> Thanksgiving (Nov. 22), Channukah (Dec. 9–16), Christmas (Dec. 25), and New Year's Day (Dec. 31–Jan. 1), as well as the Chief Big Foot Memorial Ride and the Winter Solstice observances on the Pine Ridge reservation.

review of the DSEIS that fall before the current deadline.<sup>4</sup> As required by 10 C.F.R. § 2.323(b), counsel for the Tribe and Consolidated Intervenor contacted counsel for Powertech (USA), Inc. and the NRC Staff regarding this motion. The Tribe and Consolidated Intervenor represent that the NRC Staff does not oppose their motion and that the applicant, Powertech (USA), Inc., does not take a position on their motion.<sup>5</sup>

For good cause shown, the Unopposed Joint Motion for Extension of Time to File Contentions is GRANTED. The filing date for any contentions based on the DSEIS is extended from December 31, 2012, to January 25, 2013.

It is so ORDERED.

THE ATOMIC SAFETY AND  
LICENSING BOARD

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William J. Froehlich, Chairman  
ADMINISTRATIVE JUDGE

Rockville, Maryland  
December 18, 2012

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<sup>4</sup> Motion for Extension at 2–3.

<sup>5</sup> Id. at 1.

UNITED STATES OF AMERICA  
NUCLEAR REGULATORY COMMISSION

In the Matter of )  
)  
POWERTECH (USA) INC. ) Docket No. 40-9075-MLA  
(Dewey-Burdock In Situ Recovery Facility )  
Source Materials License Application )

CERTIFICATE OF SERVICE

I hereby certify that copies of the foregoing **ORDER (Granting Unopposed Joint Motion for Extension of Time to File Contentions)** have been served upon the following persons by Electronic Information Exchange.

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POWERTECH (USA) INC., DEWEY-BURDOCK IN SITU RECOVERY FACILITY  
DOCKET NO. 40-9075-MLA  
**ORDER (Granting Unopposed Joint Motion for Extension of Time to File Contentions)**

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

Dated at Rockville, Maryland  
this 18<sup>th</sup> day of December 2012