

April 1, 2013

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

Richard F. Cole  
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:

On October 4, 2010, the Board issued an order directing the Staff to submit monthly status reports specifying its best estimates of the issuance dates for draft and final documents associated with its review of Powertech's application. The Staff filed its last status report on March 1, 2012.

In November 2012, the Staff issued the Draft Supplemental Environmental Impact Statement (SEIS) for the proposed Dewey-Burdock Project. In March 2013, the Staff issued the Safety Evaluation Report. The Staff has yet to issue the Final SEIS.

While the Staff previously estimated it would issue the Final SEIS in May 2013, in its last two status reports the Staff indicated that this date would need to be changed. The Staff's current best estimate for issuance of the final SEIS is October 2013. This estimate takes into account the staff's current resources, the demands on those resources from other licensing projects and non-licensing work, and the amount of time needed to fully respond to all comments on the Draft SEIS. The Staff is also revising its estimate because it continues to work with other agencies, including the Bureau of Land Management and the Environmental Protection Agency, to ensure that all relevant views contribute to the Final SEIS. Although October 2013 is the Staff's current best estimate for issuance of the Final SEIS, the Staff will make all reasonable efforts to expedite the issuance date.

The Staff would also mention that tomorrow marks the beginning of a field survey at the Dewey-Burdock site. The purpose of the survey is to identify any resources of cultural or religious significance to American Indian tribes that may be affected by Powertech's proposed project. The survey is being conducted by representatives from certain tribes with whom the Staff is in consultation under Section 106 of the National Historic Preservation Act. The survey is scheduled for April 2 through May 2, 2013. Once the survey is completed, and after the

participating tribal representatives provide input to the Staff, the Staff intends to prepare a summary of relevant information, which it will circulate for comment. The Staff does not yet have any reasonably certain estimate of when it will issue this document, but it intends to include an estimate in future status reports.

The Staff's next status report is due May 2, 2013. At that time the Staff will provide updated estimates of the release date for its remaining documents.

Sincerely,

***/Signed (electronically) by/  
Patricia A. Jehle***

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Patricia A. Jehle  
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: April 1, 2013
	)	

CERTIFICATE OF SERVICE

Pursuant to 10 C.F.R § 2.305 (revised), 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 1<sup>st</sup> day of April 2013.

***/Signed (electronically) by/  
Patricia A. Jehle***

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Date of Signature: April 1, 2013