

AFFIDAVIT

Of

Frank Lichnovsky

This affidavit addresses Consolidated Intervenor's and the Oglala Sioux Tribe's review of the additional data Powertech (USA), Inc. (Powertech) made available for review pursuant to the September 8, 2014, order by the Atomic Safety and Licensing Board ("ASLB").

1. My name is Frank Lichnovsky and I am the Chief Geologist for Powertech. My place of employment is the Powertech office in Edgemont, South Dakota. I was present in the office during visits by various consultants to review the data Powertech recently made available pursuant to the ASLB's order, including the borehole logs in Powertech's possession prior to the acquisition of additional data from Energy Fuels and the additional data and maps acquired from Energy Fuels.

2. On September 8, 2014, the ASLB ordered that additional borehole data not submitted with Powertech's license application and that received from Energy Fuels and noticed in the press release dated July 16, 2014, be made available for review by the other parties in this proceeding, including the Consolidated Intervenor, the Oglala Sioux Tribe, and the NRC Staff.

3. During review of the data by various parties, I was seated in an adjacent office to observe the review and assist as needed. My observations are set forth below.

4. Dr. Hannan LaGarry, PhD, consultant for the Consolidated Intervenor, arrived by himself at Powertech's Edgemont office at approximately 1:00 p.m. on Friday, September 12, 2014. He put the DVD, provided by Powertech containing the electronic data obtained from Energy Fuels, in his computer and spent roughly two hours working on the computer. He then pulled from the Energy Fuels data a single box of data and reviewed and made notes on lithology logs (records of samples collected from drill cuttings), but to my knowledge he did not look at geophysical logs. He worked until approximately 5:00 p.m. Dr. LaGarry stated that he would call Mr. Frankel Friday night but that he should be able to finish mid-morning on Saturday.

5. Dr. LaGarry reported that he had car trouble on Saturday and arrived at 2:20 p.m. He continued to look at lithology logs from the same box of data and left the office around 5:00 p.m. On Sunday he came into the office around 9:30 a.m., worked on his computer until approximately 4:30 p.m., and left.

6. During the entire three-day period, Dr. LaGarry spent a few hours working on his computer. He reviewed only eight books of lithology logs (no geophysical logs) from one box of Energy Fuels data out of over 25 boxes of Energy Fuels data on hand. To the best of my knowledge, Dr. LaGarry did not look at any other paper information during his visit, including paper copies of geophysical logs or maps from Energy Fuels. He also did not review any of Powertech's files of previously existing logs. He also did not ask how to open the digitized files on the DVD. As of the date of this affidavit, there have been no

