



NRC NEWS

U.S. NUCLEAR REGULATORY COMMISSION

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LICENSING BOARD TO HEAR ORAL ARGUMENT JUNE 8-9 IN CUSTER, S.D., ON POWERTECH USA URANIUM RECOVERY LICENSE APPLICATION

An Atomic Safety and Licensing Board (ASLB) panel will hear oral argument June 8-9 in Custer, S.D., regarding requests from the Oglala Sioux Tribe and a group termed the Consolidated Petitioners for a hearing on the Powertech USA uranium recovery license application for sites near Custer. The Board is an independent quasi-judicial arm of the Nuclear Regulatory Commission that decides legal challenges to applications and proposed licensing actions by the NRC.

Oral arguments will begin at 9:00 a.m. MDT on Tuesday, June 8, in the Custer City Council Chambers, Custer City Hall, 622 Crook St. in Custer. The session is open for public observation, but participation will be limited to the parties in the proceeding (the Oglala Sioux Tribe, the Consolidated Petitioners, the applicant – Powertech USA – and NRC staff). Early arrival is suggested to allow for security screening for all members of the public interested in attending. NRC policy prohibits signs, banners, posters or displays in the hearing room.

Powertech USA submitted an application on Feb. 25, 2009, and supplemented the application on Aug. 10, 2009, for an NRC license to operate the proposed Dewey-Burdock in situ uranium recovery facility in Fall River and Custer Counties. In situ recovery facilities inject liquid into underground uranium ore bodies and then pump the uranium-bearing solution out and separate the uranium for further processing.

The ASLB is considering whether the Oglala Sioux Tribe and the Consolidated Petitioners should be granted intervenor status in the proceeding. The Oglala Sioux Tribe has submitted 10 contentions and the Consolidated Petitioners have submitted a total of 11 contentions challenging aspects of Powertech's application. All parties have filed extensive legal briefs on these issues. On June 8 and 9 the Board will listen to the lawyers' arguments and ask them questions concerning the proposed contentions and related waiver requests.

Documents related to the Powertech USA license application are available on the NRC Web site here: <http://www.nrc.gov/info-finder/materials/uranium/apps-in-review/dewey-burdock-new-app-review.html> . More information about the ASLB can be found at: <http://www.nrc.gov/about-nrc/organization/aslbfuncdesc.html>.

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NOTE: Anyone wishing to take photos or use a camera to record any portion of a NRC meeting should contact the Office of Public Affairs beforehand.

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