

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

May 2, 2011

**INTERVENOR UPDATE TO DISCLOSURES UNDER 10 CFR §2.336**

Pursuant to 10 CFR § 2.336(a) and (b), and the Board's Orders in this matter dated October 4, 2010 and November 2, 2010, counsel for Intervenor Oglala Sioux Tribe hereby submits the following updated disclosure:

**1. Documents and Data Collections**

Counsel for the Oglala Sioux Tribe has become aware of the existence of ongoing scientific research, the methodology, results, and conclusions from which may be relevant to the contentions raised in this proceeding. Consistent with the Board's November 2, 2010 Order, Counsel for the Oglala Sioux Tribe submits (attached) this information to all parties in the electronic form in which it is currently possessed by counsel:

Sass, "Uranium Mining in Texas: Why is it Done That Way?" James A Baker III Institute for Public Policy, Rice University (March 28, 2011).

**2. Certification under 2.336(c).** Pursuant to Section 2.336(c), the foregoing

disclosures constitute all relevant materials required by such section to have been disclosed, and the disclosures are accurate and complete as of this date.

Dated this 2<sup>nd</sup> day of May, 2011.

Respectfully submitted,

/s/ signed electronically by  
/s/ Jeffrey C. Parsons

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Attorney for Oglala Sioux Tribe

Dated at Lyons, Colorado  
this 2<sup>nd</sup> day of May, 2011

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BEFORE THE ATOMIC SAFETY AND LICENSING BOARD

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POWERTECH (USA) INC., ) Docket No. 40-9075-MLA  
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Facility) )

CERTIFICATE OF SERVICE

I hereby certify that copies of the foregoing Intervenor Update to Disclosures Under 10 CFR §2.336 in the captioned proceeding were served via the Electronic Information Exchange (“EIE”) on the 2<sup>nd</sup> day of May 2011, which to the best of my knowledge resulted in transmittal of same to those on the EIE Service List for the captioned proceeding.

/s/ signed electronically by \_\_\_\_\_

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