



UNITED STATES  
NUCLEAR REGULATORY COMMISSION  
WASHINGTON, D.C. 20555-0001

August 21, 2013

RECEIVED

AUG 26 2013

Mr. Steven M. Pirner, P.E.  
Secretary  
South Dakota Department of  
Environment and Natural Resources  
PMB 2020  
Joe Foss Building  
523 E. Capitol Avenue  
Pierre, SD 57501

DEPT. OF ENVIRONMENT AND  
NATURAL RESOURCES,  
SECRETARY'S OFFICE

SUBJECT: MEMORANDUM OF UNDERSTANDING BETWEEN THE SOUTH DAKOTA  
DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES AND THE  
U.S. NUCLEAR REGULATORY COMMISSION

Dear Mr. Pirner:

This letter confirms that the U.S. Nuclear Regulatory Commission (NRC) staff and the South Dakota Department of Environment and Natural Resources (SD DENR) have been developing a Memorandum of Understanding (MOU) between the two agencies regarding the procedures for reviewing financial assurance documents for the Powertech (USA) Inc., Dewey-Burdock uranium in situ recovery facility in Fall River and Custer counties, South Dakota. This MOU was initiated as a result of a request by SD DENR for the NRC to hold the surety bond for the land application areas, which the SD DENR permits through an approved ground water discharge plan.

If you have any questions, please call me at 301-415-7479, or by email at [Andrew.Persinko@nrc.gov](mailto:Andrew.Persinko@nrc.gov). You may also contact Mr. Ronald Burrows at 301-415-6443, or by email at [Ronald.Burrows@nrc.gov](mailto:Ronald.Burrows@nrc.gov).

Sincerely,

A handwritten signature in black ink, appearing to read "Andrew Persinko".

Andrew Persinko, Deputy Director  
Decommissioning and Uranium Recovery  
Licensing Directorate  
Division of Waste Management  
and Environmental Protection  
Office of Federal and State Materials  
and Environmental Management Programs

EXHIBIT 1