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RECEIVED
AUG 06 2013

MINERALS & MINING PROGRAM

August 5, 2013

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P.O. Box 2670
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618 State Street
Belle Fourche, SD 57717

Mike Cepak
Minerals and Mining Program
Foss Building
523 East Capitol Ave.
Pierre, SD 57501

Re: *Powertech (USA) Inc., Application for Large Scale Mine Permit*

Gentlemen and Ms. King:

Enclosed please find the Privilege Log that corresponds to the Department's discovery responses mailed on August 2nd. Copies of this document are being served upon all parties.

Sincerely,


Steven R. Blair
Assistant Attorney General

SRB/jm
Enclosures

cc/encl: All Parties of Record Noted in Certificate of Service

**SOUTH DAKOTA DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES
BOARD OF MINERALS AND ENVIRONMENT**

**IN THE MATTER OF THE LARGE SCALE MINE PERMIT APPLICATION OF
POWERTECH (USA)**

DEPARTMENT'S PRIVILEGED DOCUMENT LOG

CURRENT AS OF 08/05/2013

RECEIVED
AUG 06 2013
MINERALS & MINING PROGRAM

BATES NOS.	DATE(s)	AUTHOR(s)/ AGENCY(s)	DESCRIPTION(s)	BASIS
00100-00102	6/11/2013 - 6/12/2013	Eric Holm Natural Resource Engineer III Jan Pharr Wanda Absher Customer Service Rep for American Colloid Company Dave Carroll Specialty Materials Division Manager for American Colloid Company	E-mail Correspondence - Re: Chipped Bentonite Cost	Deliberative Process Privilege
00103	6/07/2013- 6/10/2013	Eric Holm Natural Resource Engineer III Matt Hicks	E- Mail Correspondence - Re: Powertech Land Application Compliance Wells related to Bond Calculations	Deliberative Process Privilege

		DENR - Ground Water Quality		
00104-00105	5/14/2013	Mike Cepak Eric Holm Natural Resource Engineer III	E-Mail Correspondence - Re: Powertech First Year Bond Estimate	Deliberative Process Privilege
00400-00402	1/22/2013- 6/26/2013	Stephen J. Cohen New Facility Licensing - Office of Federal & State Materials Brian Walsh Eric Holm Natural Resource Engineer III Mike Cepak	E-Mail Correspondence - Re: Draft MOU with South Dakota	Deliberative Process Privilege
00403-00405	1/22/2013- 4/16/2013	Stephen J. Cohen New Facility Licensing - Office of Federal & State Materials Brian Walsh	E-Mail Correspondence - Re: Draft MOU / Draft MOU with South Dakota	Deliberative Process Privilege

		Eric Holm Natural Resource Engineer III Mike Cepak		
00406-00415	3/13/2013- 4/04/2013	Eric Holm Natural Resource Engineer III Steve Pirner Roxanne Giedd Assistant Attorney General for Ground Water Quality Brian Walsh Mike Cepak Bob Townsend DENR's Secretary's Office	E-Mail Correspondence Re: Draft NRC MOU for Powertech's Dewey-Burdock Project and attachment Draft NRC - South Dakota Surety MOU4	Attorney-Client Privilege Work Product Deliberative Process Privilege
00416-00428	1/22/2013- 04/15/2013	Stephen J. Cohen New Facility Licensing - Office of Federal & State Materials	E-Mail Correspondence Re: Draft MOU with attachment Draft NRC - South Dakota Surety MOU3	Deliberative Process Privilege

		Brian Walsh Eric Holm Natural Resource Engineer III Mike Cepak Kenneth Kline Ronald Burrows		
00429-00452	3/13/13- 4/15/13	Eric Holm Natural Resource Engineer III Brian Walsh Mike Cepak Bob Townsend Tim Tollefsrud Steve Pirner	E-Mail Correspondence Re: Draft NRC MOU For Powertech's Dewey Burdock With attachment Draft NRC - South Dakota Surety MOU3	Deliberative Process Privilege
00453-00464	3/07/13	Eric Holm Natural Resource Engineer III Brian Walsh Mike Cepak	E-Mail Correspondence Re: Draft NRC MOU For Powertech's Dewey Burdock With attachment Draft NRC - South Dakota Surety MOU3	Deliberative Process Privilege

		Bob Townsend		
00465-00467	2/13/13-3/7/13	Roxanne Giedd Assistant Attorney General for Ground Water Quality Eric Holm Natural Resource Engineer III Bob Townsend Mike Cepak	E-Mail Correspondence - Re: NRC MOU	Attorney-Client Privilege Work Product Deliberative Process Privilege
00468-00480	2/13/13 - 2/13/13	Roxanne Giedd Assistant Attorney General for Ground Water Quality Eric Holm Natural Resource Engineer III Bob Townsend Mike Cepak Bill Markley	E-Mail Correspondence - Re: MOU w/ NRC - With Attached MOU	Attorney-Client Privilege Work Product Deliberative Process Privilege

00481-00502	2/4/2013- 2/12/2013	Roxanne Giedd Assistant Attorney General for Ground Water Quality Eric Holm Natural Resource Engineer III Mike Cepak	E-Mail Correspondence - Re: Powertech Surety MOU with attached MOU	Attorney-Client Privilege Work Product Deliberative Process Privilege
00503-00524	2/4/2013- 2/11/2013	Roxanne Giedd Assistant Attorney General for Ground Water Quality Eric Holm Natural Resource Engineer III Mike Cepak	E-Mail Correspondence - Re: Draft NRC MOU for Powertech's Dewey Burdock Project with 2 attached MOU	Attorney-Client Privilege Work Product Deliberative Process Privilege
00525-00538	1/24/2013- 2/5/2013	Eric Holm Natural Resource Engineer III Roxanne Giedd Assistant Attorney	E-Mail Correspondence - Re: Draft NRC MOU for Powertech's Dewey Burdock Project with attached MOU	Attorney-Client Privilege Work Product Deliberative Process Privilege

		General for Ground Water Quality Brian Walsh Mike Cepak Bob Townsend Tim Tollefsrud Steve Pirner Bill Markley Roberta Hudson		
00539-00548	2/4/2013	Eric Holm Natural Resource Engineer III Roxanne Giedd Assistant Attorney General for Ground Water Quality Mike Cepak	E-Mail Correspondence - Re: Powertech Surety MOU with attached MOU	Attorney-Client Privilege Work Product Deliberative Process Privilege
00549-00558	2/4/2013	Eric Holm Natural Resource Engineer III Mike Cepak	E-Mail Correspondence - Re: FW: Revised NRC with Attached Draft NRC - South Dakota Surety MOU2	Deliberative Process Privilege

00559-00568	2/4/2013	Eric Holm Natural Resource Engineer III Mike Cepak	E-Mail Correspondence - Re: Powertech Surety MOU with attached Draft NRC - South Dakota Surety MOU2	Deliberative Process Privilege
00569-00578	2/4/13	Roxanne Giedd Assistant Attorney General for Ground Water Quality Eric Holm Natural Resource Engineer III	E-Mail Correspondence - Re: Powertech surety MOU with attachment Draft NRC - South Dakota Surety MOU	Attorney-Client Privilege Work Product Deliberative Process Privilege
00579-00589	1/24/2013 - 2/1/2013	Eric Holm Natural Resource Engineer III Roxanne Giedd Assistant Attorney General for Ground Water Quality Mike Cepak Bob Townsend	E-Mail Correspondence - Re: Draft NRC MOU for Powertech's Dewey Burdock Project attached MOU	Attorney-Client Privilege Work Product Deliberative Process Privilege
00590-00606	1/24/2013-1/31/2013	Eric Holm	E-Mail Correspondence - Re: Draft NRC MOU for Powertech's Dewey	Attorney-Client Privilege

		<p>Natural Resource Engineer III</p> <p>Roxanne Giedd</p> <p>Assistant Attorney General for Ground Water Quality</p> <p>Mike Cepak</p> <p>Bob Townsend</p>	Burdock Project attached MOU	<p>Work Product</p> <p>Deliberative Process Privilege</p>
00607-00622	01/24/2013	<p>Eric Holm</p> <p>Natural Resource Engineer III</p> <p>Mike Cepak</p> <p>Bob Townsend</p>	<p>E-Mail Correspondence - Re: Draft NRC MOU explanation for SP and TT - Attachment: Draft NRC - South Dakota Surety MOU</p>	<p>Deliberative Process Privilege</p>
00623-00630	1/22/2013	<p>Stephen J. Cohen</p> <p>New Facility Licensing - Office of Federal & State Materials</p> <p>Brian Walsh</p> <p>Eric Holm</p> <p>Natural Resource</p>	<p>E-Mail Correspondence - Re: Draft MOU - Attachments Draft NRC - South Dakota Surety MOU</p>	<p>Deliberative Process Privilege</p>

		Engineer III Mike Cepak Mike Hicks Kenneth Kline Ronald Burrows Tom Brandner Eric Gronlund		
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STATE OF SOUTH DAKOTA
DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES

BOARD OF MINERALS AND ENVIRONMENT

RECEIVED
AUG 06 2013
MINERALS & MINING PROGRAM

IN THE MATTER OF POWERTECH)
(USA), INC. APPLICATION FOR)
LARGE SCALE MINING PERMIT)
PERMIT NO. 480)
(Dewey-Burdock Project))

CERTIFICATE OF SERVICE

The undersigned hereby certifies that a true and correct copy of the *DENR's Privilege Log* filed in the above entitled matter was served upon the following by enclosing the same in envelopes with first class postage prepaid and affixed thereto, and depositing said envelopes in the United States mail, at Pierre, South Dakota, on this 5th day of August, 2013:

MICHAEL M HICKEY
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DAYTON O HYDE
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RAPID CITY SD 57702-2314

ATTN:DORIS ANN MERTZ
CUSTER COUNTY LIBRARY
447 CROOKS STREET, SUITE 4
CUSTER, SD 57730

ATTN: ASHLEY CORTNEY
EDGEMONT PUBLIC LIBRARY
P.O. A / 412ND
EDGEMONT, SD 57735

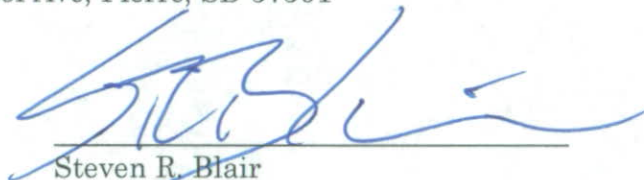
ATTN: CINDY MESSENGER
HOT SPRINGS PUBLIC LIBRARY
2005 LIBRARY DR.
HOT SPRINGS, SD 57747

ATTN: JASON WALKER
RAPID CITY PUBLIC LIBRARY
610 QUINCY ST.
RAPID CITY, SD 57701

ATTN: MICHELLE MAY
WOKSAPE TIPI
OGLALA LAKOTA COLLEGE
P.O. BOX 310
KYLE, SD 57752

And the original of the same was filed on the same date with Michael Cepak,

Joe Foss Building, 523 E. Capitol Ave, Pierre, SD 57501



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