

STATE OF SOUTH DAKOTA
DEPARTMENT OF AGRICULTURE & NATURAL RESOURCES
BOARD OF MINERALS AND ENVIRONMENT

IN THE MATTER OF CLEAN)	
NUCLEAR ENERGY CORP.)	
URANIUM EXPLORATION PERMIT)	ORDER
APPLICATION)	SETTING A PRE-HEARING
)	CONFERENCE ON MOTIONS
EXNI 453)	
)	
)	

A hearing on this matter is scheduled for August 20-21, 2025.

On July 11, 2025, intervenor Denise Giago filed a motion to resolve outstanding pre-Hearing Motions, set a discovery schedule, and resolve other matters.

On July 11, 2025, intervenor Denise Giago filed a motion to change the hearing location to be held in Rapid City, Hot Springs, or on the Pine Ridge Indian Reservation.

On July 14, 2025 the Minerals, Mining, and Superfund Program of the South Dakota Department of Agriculture and Natural Resources (DANR) filed a motion to request a scheduling conference and requested that a scheduling and procedural order be issued.

On July 14, 2025 various intervenors filed joint motions requesting a pre-hearing conference to resolve outstanding motions, set a discovery schedule, and resolve other matters.

On July 14, 2025 various intervenors filed joint motions to permit electronic service.

On July 14, 2025 various intervenors filed joint motions for a change of hearing location.

On July 18, 2025 the Sierra Club, by and through their attorney, filed an amended petition to intervene, a motion to transfer location, and a motion requesting a pre-hearing conference to clarify procedural issues, establish discovery deadlines, and address scheduling and evidentiary matters including expert witness disclosures, site inspections, and possible stipulations.

The foregoing motions are approved or denied in a manner consistent with the following order.

ORDERED,

1. The hearing scheduled for August 20-21, 2025 is hereby postponed until such date and time set forth in a subsequent order by the Hearing Officer.

2. A pre-hearing conference is set for August 21, 2025 at 11:00 A.M.

CDT to be held at the Matthew Environmental Training Center, Foss Building 23 East Capitol Avenue Pierre, SD 57501. Attorneys for all represented parties are directed to appear in person. All other parties and the general public may dial in to the conference by calling 1-605-679-7263, Access Code 123834098#.

3. Parties are directed to submit proposed procedural and scheduling orders by sending them to Brenda.Binegar@state.sd.us no later than August 15, 2025 no later than 5:00 P.M. CDT.

4. Discovery is limited to the scope of the factors set forth in SDCL §45-6D-29.

5. Parties are directed to submit proposed alternate hearing locations by sending them to Brenda.Binegar@state.sd.us no later than August 15, 2025 no later than 5:00 P.M. CDT.

6. To the extent a party wishes to be heard regarding the issue of the Fall River County Ordinance passed by voters in November of 2022 designating uranium mining as an unlawful nuisance in within the county, the parties are directed to submit a brief on the issue to Brenda.Binegar@state.sd.us no later than August 15, 2025 no later than 5:00 P.M. CDT.

7. The joint motions to permit electronic service are hereby **DENIED.**

8. All remaining pre-hearing issues raised on motion will be determined at the pre-hearing conference.

Dated this 5th day of August 2025

BOARD OF MINERALS & ENVIRONMENT

By:



Bob Morris, Hearing Officer