

UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

DOCKETED 01/04/08

ATOMIC SAFETY AND LICENSING BOARD PANEL

SERVED 01/07/08

Before Administrative Judges:

Ann Marshall Young, Chair
Dr. Richard F. Cole
Dr. Fred W. Oliver

In the Matter of

CROW BUTTE RESOURCES, INC.
(In Situ Leach Facility, Crawford, Nebraska)

Docket No. 40-8943
ASLBP No. 07-859-03-MLA-BD01

January 4, 2008

ORDER

(Ruling on Petitioner Owe Aku's Motion for Extension of Time)

Petitioner Owe Aku has requested a two-week extension to file additional affidavits in support of its standing to participate in this proceeding, based upon the destruction by fire of the home of Owe Aku's Director, Debra White Plume, and resulting loss of files and inability to acquire affidavits.¹ The NRC Staff opposes the motion, arguing among other things that it needs time to review and respond to the new affidavits.²

We find that the burning of Ms. White Plum's house is good cause to grant the requested extension. Owe Aku shall therefore file, no later than January 11, 2008, the affidavits in question. If possible, to address the Staff's concerns, any or all of the affidavits

¹ Motion for Extension of Time (Dec. 17, 2007).

² NRC Staff's Answer in Opposition to Owe Aku's Motion for Extension of Time (Jan. 3, 2008).

should be filed earlier. Further, if after receipt of the affidavits the Staff needs additional time to respond to them, this may be addressed at oral argument on January 16, 2008.

It is so ORDERED.

FOR THE ATOMIC SAFETY
AND LICENSING BOARD

 /RA/
Ann Marshall Young, Chair
ADMINISTRATIVE JUDGE

Rockville, Maryland
January 4, 2008³

³Copies of this Order were sent this date by Internet e-mail to all counsel and representatives for participants.

UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

In the matter of)
)
CROWE BUTTE RESOURCES, INC.) Docket No. 40-8943-MLA
)
In-situ leach Uranium Recovery Facility,)
Crawford, Nebraska)
)
(License Amendment for the North Trend)
Expansion Area))

CERTIFICATE OF SERVICE

I hereby certify that copies of the foregoing LB ORDER (RULING ON PETITIONER OWE AKU'S MOTION FOR EXTENSION OF TIME) have been served upon the following persons by U.S. Mail, first class, or through NRC internal distribution.

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Docket No. 40-8943-MLA
LB Order (RULING ON PETITIONER OWE AKU'S MOTIN FOR EXTENSION OF TIME)

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[original signed by R. L. Gitter]

Office of the Secretary of the Commission

Dated at Rockville, Maryland
this 7th day of January 2008