

UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

DOCKETED 07/09/08
SERVED 07/09/08

ATOMIC SAFETY AND LICENSING BOARD PANEL

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

July 9, 2008

NOTICE

(Regarding Oral Argument and Prehearing Conference)

On April 29, 2008, the Licensing Board issued a Memorandum and Order ruling on, among other things, standing and contentions in this proceeding, which involves the Application of Crow Butte Resources, Inc. (CBR) to amend its Source Materials License for development of additional uranium in-situ leach mining at its proposed North Trend Expansion Area.¹ In this Memorandum and Order, the Board stated that it would, in conjunction with a prehearing conference to consider matters including the participation of the Oglala Sioux Tribe in this proceeding, hear additional oral argument on Contention E, regarding foreign ownership of the Applicant, as well as Intervenors' request that the hearing in the matter be held under the provisions of 10 C.F.R. Part 2, Subpart G. In a subsequent Order, after consultation with the parties, the Licensing Board scheduled this session for Wednesday, July 23, 2008.² The Board hereby provides notice through its Chair that this session will be held in the Scottsbluff Room at

¹ See *Crow Butte Resources, Inc.* (License Amendment for the North Trend Expansion Project), LBP-08-06, 67 NRC ___, ___ (April 29, 2008; Corrected May 21, 2008).

² Order (Following Up on Matters Addressed at May 8, 2008, Telephone Conference, and Raised by Petitioner Debra White Plume) (May 14, 2008) (unpublished).

the Student Center,³ Chadron State College, 1000 Main Street, Chadron, Nebraska, and will commence at 10:00 a.m. beginning with discussion of the participation of the Oglala Sioux Tribe in the proceeding, followed by oral argument on Contention E and Intervenors' request that the hearing proceed under Subpart G provisions. The session will conclude with consideration of any additional appropriate matters, including any matters relating to a tentative schedule for the proceeding.

FOR THE ATOMIC SAFETY
AND LICENSING BOARD

/RA/

Ann Marshall Young, Chair
ADMINISTRATIVE JUDGE

Rockville, Maryland
July 9, 2008⁴

³ The Student Center is located behind the tall clock tower in the center of the Chadron State College Campus. For more specific locational information, the Chadron State College provide details on its website at <http://www.csc.edu/visitors/location.html>.

⁴Copies of this Order were sent this date by Internet e-mail to all counsel and representatives for participants for whom e-mail addresses were available.

UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

In the matter of

CROW 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 NOTICE (REGARDING ORAL ARGUMENT AND PREHEARING CONFERENCE) have been served upon the following persons by U.S. Mail, first class, or through NRC internal distribution.

Office of Commission Appellate
Adjudications
U. S. Nuclear Regulatory Commission
Washington, DC 20555-001

Administrative Judge
Ann Marshall Young, Chair
Atomic Safety and Licensing Board Panel
Mail Stop - T-3 F23
U. S. Nuclear Regulatory Commission
Washington, DC 20555-001

Administrative Judge
Richard F. Cole
Atomic Safety and Licensing Board Panel
Mail Stop - T-3 F23
U. S. Nuclear Regulatory Commission
Washington, DC 20555-001

Administrative Judge
Frederick W. Oliver
10433 Owen Brown Road
Columbia, MD 21044

Docket No. 40-8943-MLA
LB NOTICE (REGARDING ORAL ARGUMENT AND PREHEARING
CONFERENCE)

Catherine Marco, Esq.
Andrea Z. Jones, Esq.
Office of the General Counsel
Mail Stop – O-15 D21

Stephen P. Collings, President
Crowe Butte Resources, Inc.
141 Union Boulevard, Suite 330
Lakewood, CO 80228

Mark D. McGuire, Esq.
McGuire and Norby
605 South 14th Street, Suite 100
Lincoln, NE 68508

Debra White Plume
P.O. Box 71
Manderson, SD 57756

Debra L. White Plume, Director
Owe Aku, Bring Back the Way
P.O. Box 325
Manderson, SD 57756

Buffalo Bruce, Board Chairman
Western Nebraska Resources Council
P.O. Box 612
Chadron, NE 69337

Thomas Kanatakeniate Cook
1705 So. Maple St.
Chadron, NE 69337

Thomas Kanatakeniate Cook, Director
Slim Buttes Agricultural Development
Corp.
1705 S Maple St.
Chadron, NE 69337

Docket No. 40-8943-MLA
LB NOTICE (REGARDING ORAL ARGUMENT AND PREHEARING
CONFERENCE)

David C. Frankel
Counsel for Thomas Kanatakeniate
Cook, Slim Buttes Agricultural
Development Corp., Western Nebraska
Resources Council
P.O. Box 3014
Pine Ridge, SD 57770

Bruce Ellison
Counsel for Debra L. White Plume
and Owe Aku, Bring Back the Way
P.O. Box 2508
Rapid City, SD 55709

Tyson R. Smith
Winston & Strawn LLP
1700 K St. N.W.
Washington, DC 20006

Marc A. Ross
Rock the Earth
1536 Wynkoop St., Suite B200
Denver, CO 80202

Harold S. Shepherd
90 West Center Street
Moab, UT 84532

Elizabeth Maria Lorina
Mario Gonzalez
Counsel for Oglala Sioux Tribe
522 7th Street, Suite 202
Rapid City, SD 57701

[Original signed by Evangeline S. Ngbea]

Office of the Secretary of the Commission

Dated at Rockville, Maryland
this 9th day of July 2008