

UNITED STATES OF AMERICA  
NUCLEAR REGULATORY COMMISSION  
ATOMIC SAFETY AND LICENSING BOARD

Before Administrative Judges:

Michael M. Gibson, Chairman  
Dr. Richard F. Cole  
Brian K. Hajek  
Alan S. Rosenthal

In the Matter of

CROW BUTTE RESOURCES, INC.

(License Renewal for the In Situ Leach Facility,  
Crawford, Nebraska)

Docket No. 40-8943

ASLBP No. 08-867-02-OLA-BD01

September 2, 2008

ORDER

(Granting Motion to Accept Paper Filing)

Petitioner the Oglala Delegation of the Great Sioux Nation Treaty Council (Treaty Council), through its counsel, requested that its paper filing of Petitioners' Request for Hearing and Petition for Leave to Intervene in the Crow Butte Resources, Inc. License Renewal proceeding and supporting Affidavit be accepted in lieu of electronic filing. Counsel stated that members of the petitioning Treaty Council "largely live on the Pine Ridge Reservation in a manner as close to the ways of their ancestors as possible under the current conditions imposed on them by the United States."<sup>1</sup> Petitioner claims not to have the technological capabilities, or material components, required to conduct electronic filing, and counsel was retained after the July 18, 2008, deadline for obtaining a digital identification certificate from the Secretary. Petitioner's counsel has since acquired the necessary certificates and has obtained access to the EIE for this proceeding. The motion was not opposed.

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<sup>1</sup> Motion to Accept Paper Filing (July 28, 2008) at 1.

For good cause shown, the Petitioner's motion to accept paper filing is found to be reasonable and is GRANTED.

It is so ORDERED.

FOR THE ATOMIC SAFETY  
AND LICENSING BOARD  
*/RA/*

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Michael Gibson, Chairman  
ADMINISTRATIVE JUDGE

Rockville, Maryland  
September 2, 2008

UNITED STATES OF AMERICA  
NUCLEAR REGULATORY COMMISSION

In the Matter of )  
 )  
CROW BUTTE RESOURCES, INC. ) Docket No. 40-8943-OLA  
 )  
In-Situ Leach Uranium Recovery Facility, )  
Crawford, Nebraska )  
 )  
(License Amendment) )

CERTIFICATE OF SERVICE

I hereby certify that copies of the foregoing LB ORDER (GRANTING MOTION TO ACCEPT PAPER FILING) have been served upon the following persons by Electronic Information Exchange.

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[Original signed by Nancy Greathead]  
Office of the Secretary of the Commission

Dated at Rockville, Maryland  
this 2<sup>nd</sup> day of September 2008