

December 4, 2008 (11:58am)

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

OFFICE OF SECRETARY
RULEMAKINGS AND
ADJUDICATIONS STAFF

Before Administrative Judges:
Michael M. Gibson, Chairman
Dr. Richard F. Cole
Mr. Brian K. Hajek

In the Matter of

CROW BUTTE RESOURCES, INC.
(License Renewal In Situ Leach Facility,
Crawford, NE)

Docket No. 40-8943
ASLBP No. 08-867-02-OLA-BD01

December 4, 2008

PETITIONERS' UNOPPOSED MOTION TO EXTEND TIME FOR PARTIES

Pursuant to 10 CFR §2.323(a), Petitioners file this unopposed¹ motion to extend the time for filing briefs by all parties pursuant to Paragraphs D and E of this Board's Order dated November 21, 2008 in LBP-08-24. Briefing on the two issues referred to in such Paragraphs D and E is due to be filed by December 21, 2008. Due to the breadth of the issues involved as well as the request that the briefing be "on the merits" accompanied by a supporting legal memorandum and such factual affidavits and expert opinions as shall be necessary,² the parties require additional time.

Based on the foregoing, and in order to allow time for the proper presentation of the issues in the briefing, Petitioners respectfully request that the Board issue an Order : extending the time for filing the briefs referred to in Paragraphs D and E of this Board's Order dated November 21, 2008 in LBP-08-24 from December 21, 2008 to January 21, 2008.

¹ Applicant Counsel and NRC Staff Counsel do not oppose this Motion provided that it applies to all parties. Counsels for the OST and for the BHSNTC, do not oppose this Motion.

² LBP-08024 at 83.

CONCLUSION

For all the foregoing reasons, the Board should issue the order requested by
Petitioners herein.

Dated this 4th day of December, 2008.

Respectfully submitted,

/s/

David Frankel
Attorney for Petitioners
P. O. Box 3014
Pine Ridge, SD 57770
308-430-8160
E-mail: arm.legal@gmail.com

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CERTIFICATE OF SERVICE

I hereby certify that copies "PETITIONERS' UNOPPOSED MOTION TO EXTEND TIME" in the above captioned proceeding has been served on the following persons by electronic mail as indicated by a double asterisk (**); on this 4th day of December, 2008:

Judge Michael M. Gibson, Chair **
Atomic Safety and Licensing Board Panel
U. S. Nuclear Regulatory Commission
Washington, DC 20555-0001
E-Mail: mmg3@nrc.gov

Judge Brian K. Hajek **
Atomic Safety and Licensing Board Panel
U. S. Nuclear Regulatory Commission
Washington, DC 20555-0001
E-Mail: hajek.1@osu.edu; BHK3@nrc.gov

Judge Richard F. Cole **
Atomic Safety and Licensing Board Panel
U. S. Nuclear Regulatory Commission
Washington, DC 20555-0001
E-mail: Richard.Cole@nrc.gov

Judge Alan S. Rosenthal **
Atomic Safety and Licensing Board Panel
U. S. Nuclear Regulatory Commission
Washington, DC 20555-0001
E-mail- rsnthl@verizon.net

Mrs. Johanna Thibault **
Board Law Clerk
Atomic Safety and Licensing Board Panel
U. S. Nuclear Regulatory Commission
Washington, DC 20555-0001
E-mail: Johanna.Thibault@nrc.gov

Office of the Secretary **
Attn: Docketing and Service
U.S. Nuclear Regulatory Commission
Washington, DC 20555
E-mail: Hearing.Docket@nrc.gov

Office of Comm. App. Adjudication **
U.S. Nuclear Regulatory Commission
Washington, D.C 20555
E-mail: OCAAMAIL.Resource@nrc.gov

Crow Butte Resources, Inc. **
Attn: Stephen P. Collings
141 Union Blvd., Suite 330
Lakewood, CO 80228
E-mail: steve_collings@cameco.com

Debra White Plume **
P. O. Box 71
Manderson, SD 57756
E-mail: LAKOTA1@gwtc.net

Bruce Ellison, Esq. **
Law Offices of Bruce Ellison
P. O. Box 2508
Rapid City, SD 57709
E-mail: belli4law@aol.com

Thomas Kanatakeniate Cook **
1705 S. Maple Street
Chadron, NE 69337
E-mail: tcCook@indianayouth.org

Western Neb. Resources Council **
Attn: Buffalo Bruce
P. O. Box 612
Chadron, NE 69337
E-mail: buffalobruce@panhandle.net

Owe Aku, Bring Back the Way **
Attn: Debra White Plume
P. O. Box 325
Manderson, SD 57756
E-mail: LAKOTA1@gwtc.net

Shane C. Robinson, Esq. **
2814 E. Olive St.
Seattle, WA 98122
E-mail: shanecrobinson@gmail.com

Elizabeth Maria Lorina, Esq. **
Law Office of Mario Gonzalez
522 7th Street, Suite 202
Rapid City, SD 57701
E-mail: clorina@gnzlawfirm.com

Office of the General Counsel **
U.S. Nuclear Regulatory Commission
Washington, DC 20555

Catherine Marco, Esq.
Catherine.Marco@nrc.gov

Brett M.P. Klukan, Esq.
Brett.Klukan@nrc.gov

Shahram Ghasemian, Esq.
Shahram.Ghasemian@nrc.gov

Tyson R. Smith, Esq. **
Winston & Strawn LLP
1700 K St. NW
Washington, DC 20006
E-Mail: trsmith@winston.com

Mark D. McGuire, Esq. **
McGuire and Norby
605 South 14th Street, Suite 100
Lincoln, NE 68508
E-Mail: mdmsjn@alltel.net

Thomas J. Ballanco, Esq. **
Harmonic Engineering, Inc.
945 Taraval St., #186
San Francisco, CA 94116
E-mail: harmonicengineering1@mac.com

EIE Service List:

lcarter@captionreporters.com
cjduncan@winston.com
rll@nrc.gov
nsg@nrc.gov
elj@nrc.gov
Linda.lewis@nrc.gov
csn@nrc.gov
ogemailcenter@nrc.gov

cmp@nrc.gov
matthew.rotman@nrc.gov
tpr@nrc.gov
csisco@winston.com
axr@nrc.gov
sxg4@nrc.gov
mxw6@nrc.gov
rfc1@nrc.gov
Bmk1@nrc.gov
clm@nrc.gov
jrt3@nrc.gov

Respectfully submitted,

/s/

David Frankel
P. O. Box 3014
Pine Ridge, SD 57770
308-430-8160
E-mail: arm.legal@gmail.com

Hearing Docket

From: David Cory Frankel [davidcoryfrankel@gmail.com]
Sent: Thursday, December 04, 2008 11:58 AM
To: Tom Ballanco; Johanna Thibault; Hearing Docket; ASLBP_HLW_Adjudication Resource; Elizabeth Lorina; Brett Klukan; trsmith@winston.com; shanecrobinson@gmail.com; OCAAMAIL Resource; arm.legal@gmail.com; Alan Rosenthal; rsnthl@verizon.net; Michael Gibson; Richard Cole; hajek.1@osu.edu; Marck McGuire; Secy; Bruce Ellison; Deb White Plume; Tom Cook; Buffalo Bruce; Monique Cesna; Shahram Ghasemian; BHK3@nrc.gov; Michael Gibson; Alan Rosenthal; Catherine Marco; lcarter@captionreporters.com; ejduncan@winston.com; Rebecca Giitter; Nancy Greathead; Emile Julian; Linda Lewis; Evangeline Ngbea; OGCMailCenter Resource; Christine Pierpoint; Matthew Rotman; Tom Ryan; csisco@winston.com; Shahram Ghasemian; Megan Wright; Johanna Thibault; Richard Cole; Brett Klukan
Subject: Crow Butte Renewal - Unopposed Motion to Extend Time for Briefing - Docket No. 40-8943 - ASLBP No. 08-867-02-OLA-BD01
Attachments: Petitioners (Renewal) EIE conformed COS 12042008.pdf; Petitioners Motion to Extend (Renewal) 12042008.pdf

Dear All,

Attached for filing are Petitioners Unopposed Motion to Extend time for briefing and a related COS.

Sincerely,

David Frankel
Counsel for Petitioners
POB 3014
Pine Ridge, SD 57770
Arm.legal@gmail.com
308-430-8160

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(148.184.200.145) with Microsoft SMTP Server id 8.1.291.1; Thu, 4 Dec 2008
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with ESMTP; 04 Dec 2008 11:58:19 -0500

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<Hearing.Docket@nrc.gov>; Thu, 04 Dec 2008 08:58:19 -0800 (PST)

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Return-Path: <davidcoryfrankel@gmail.com>

Received: from ?192.168.0.102? (pool-71-112-148-251.sttlwa.dsl-w.verizon.net

[71.112.148.251]) by mx.google.com with ESMTPS id

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Date: Thu, 4 Dec 2008 06:57:52 -1000

Subject: Crow Butte Renewal - Unopposed Motion to Extend Time for Briefing

- Docket No. 40-8943 - ASLBP No. 08-867-02-OLA-BD01

From: David Cory Frankel <davidcoryfrankel@gmail.com>

To: Tom Ballanco <harmonicengineering1@mac.com>,

Johanna Thibault <Johanna.Thibault@nrc.gov>,

Hearing Docket <Hearing.Docket@nrc.gov>,

ASLBP_HLW_Adjudication Resource

<ASLBP_HLW_Adjudication.Resource@nrc.gov>,

Elizabeth Lorina <elorina@gnzlawfirm.com>,

Brett Klukan <Brett.Klukan@nrc.gov>,

"trsmith@winston.com" <trsmith@winston.com>,
"shanecrobinson@gmail.com" <shanecrobinson@gmail.com>,
OCAAMAIL Resource <OCAAMAIL.Resource@nrc.gov>,
"arm.legal@gmail.com" <arm.legal@gmail.com>,
Alan Rosenthal <Alan.Rosenthal@nrc.gov>,
"rsnthl@verizon.net" <rsnthl@verizon.net>,
Michael Gibson <Michael.Gibson@nrc.gov>,
Richard Cole <Richard.Cole@nrc.gov>,
"hajek.1@osu.edu" <hajek.1@osu.edu>,
Marck McGuire <MDMSJN@alltel.net>,
Secy <SECY@nrc.gov>,
Bruce Ellison <belli4law@aol.com>,
Deb White Plume <lakota1@gwtc.net>,
Tom Cook <slmbttsag@bbc.net>,
Buffalo Bruce <BuffaloBruce@panhandle.net>,
Monique Cesna <mcesna@gnzlawfirm.com>,
<Shahram.Ghasemian@nrc.gov>,
<BHK3@nrc.gov>,
<mmg3@nrc.gov>,
<axr@nrc.gov>,
Catherine Marco <Catherine.Marco@nrc.gov>,
<lcarter@captionreporters.com>,
<ejduncan@winston.com>,
<rll@nrc.gov>,
<nsg@nrc.gov>,
<elj@nrc.gov>,
<Linda.lewis@nrc.gov>,
<esn@nrc.gov>,
<ogcmailcenter@nrc.gov>,
<cmp@nrc.gov>,
<matthew.rotman@nrc.gov>,
<tpr@nrc.gov>,
<csisco@winston.com>,
<sxg4@nrc.gov>,
<mxw6@nrc.gov>,
Johanna Thibault <JRT3@nrc.gov>,
<rfc1@nrc.gov>,
<bmk1@nrc.gov>

Message-ID: <C55D2FF3.29D70%davidcoryfrankel@gmail.com>

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