

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

In the Matter of	)	
CROW BUTTE RESOURCES, INC.	)	Docket No. 40-8943
MARSLAND EXPANSION	)	License SUA-1543
(In Situ Leach Facility, Crawford, NE)	)	

PETITIONER DECLARATION

I, David Frankel, hereby make the following declaration:

1. I make this affidavit as Legal Director of Aligning for Responsible Mining (“ARM”) in connection with a Petition to Intervene in the Application of Crow Butte Resources, Inc., concerning *in situ leach* uranium mine in Dawes County, NE, specifically, the MARSLAND EXPANSION (the “Mine”). ARM’s physical address is 1705 S Maple, Chadron, NE 69337. The mailing address is POB 3014, Pine Ridge, SD 57770.
2. I have authorized attorneys Bruce Ellison, David Frankel and other attorneys working with the Clean Water Alliance and Aligning for Responsible Mining to represent Aligning for Responsible Mining in this matter and to file contentions on its behalf. I am fully familiar with the facts stated herein, and where opinions are expressed, I am competent to state such opinions based on my training, knowledge, experience and expertise. If sworn as a witness, I am competent to testify to the contents hereof.
3. Some members of Aligning for Responsible Mining use water which comes from the Brule, Arikaree Aquifers and use such water for personal, household, domestic purposes, drinking, and bathing, gardening and irrigation, specifically including the uses described in the Declaration of Antonia Afraid of Bear Cook, filed in this matter, who is a member of Aligning for Responsible Mining.
4. Some members of Aligning for Responsible Mining are Oglala and, as such, have rights and interests concerning the proper identification and protection of traditional cultural resources such as graves, hearths, camp sites, artifacts, and related cultural materials, as further described in the Declaration of Antonia Afraid of Bear Cook, filed in this matter, who is a member of Aligning for Responsible Mining.

This Declaration is submitted in accordance with 10 C.F.R. Section 2.304(d) and 28 U.S.C.

Section 1746. I declare under penalty of perjury that the foregoing is true and correct.

January 29, 2013

A handwritten signature in black ink, appearing to read "D. Frankel", written in a cursive style.

---

David Frankel  
Legal Director,  
Aligning for Responsible Mining