

UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

ATOMIC SAFETY AND LICENSING BOARD PANEL

Before the Licensing Board:

G. Paul Bollwerk, III, Chairman
Dr. Richard E. Wardwell
Dr. Thomas J. Hirons

In the Matter of

CROW BUTTE RESOURCES, INC.

(Marsland Expansion Area)

Docket No. 40-8943-MLA-2

ASLBP No. 13-926-01-MLA-BD01

October 3, 2013

MEMORANDUM AND ORDER
(Revised General Schedule)

By issuance dated June 14, 2013, the Licensing Board established the initial general schedule for this proceeding. See Licensing Board Memorandum and Order (Initial Prehearing Conference and Scheduling Order) (June 14, 2013) app. A (unpublished). On September 19, the NRC staff provided the Board with a letter indicating that as a result of delays in the receipt of answers from applicant Crow Butte Resources, Inc., (CBR) to staff requests for additional information, the estimated completion dates for the staff's draft and final environmental review documents associated with this proceeding have slipped by approximately 90 days, to April 30 and June 30, 2014, respectively. See Letter from Marcia J. Simon, NRC Staff Counsel, to Licensing Board at 1 (Sept. 19, 2013) [hereinafter Staff Schedule Revision Letter]. Because those documents potentially trigger certain party activities in this proceeding, we must adjust the general schedule to accommodate these new staff submission dates. See 10 C.F.R. § 2.332(d).

Accordingly, included as Appendix A to this issuance is the revised general schedule for this proceeding that incorporates changes in response to the revised staff environmental review

schedule.* Consistent with 10 C.F.R. § 2.329(e), any objections to, or other comments regarding, this memorandum and order shall be filed within five days after it is served.

It is so ORDERED.

FOR THE ATOMIC SAFETY
AND LICENSING BOARD

/RA/

G. Paul Bollwerk, III, Chairman
ADMINISTRATIVE JUDGE

Rockville, Maryland

October 3, 2013

* The staff's September 19 letter also indicated that the estimated early February 2015 date for completion of its safety evaluation report has not changed. See Staff Schedule Revision Letter at 1.

APPENDIX A

Dated: 10/3/2013

GENERAL SCHEDULE -- Crow Butte Resources, Inc. (Marsland Expansion Area) Proceeding

Event	NEPA-Related Environmental Contentions	AEA-Associated Safety Contentions
Licensing Board Order on Standing/Admissibility of Contentions	May 10, 2013	May 10, 2013
Mandatory Disclosures and Staff Hearing File Due	Sept. 9, 2013	Sept. 9, 2013
NRC Staff's Draft Environmental Document Issued	Apr. 30, 2014	Not Applicable (N/A)
New/Amended Contention Motions Due	May 30, 2014	N/A
Answers to New/Amended Contention Motions Due	June 13, 2014	N/A
Replies to Answers re New/Amended Contention Motions Due	June 20, 2014	N/A
Final SER Issued		Feb. 4, 2015
Final Staff Environmental Document Issued	June 30, 2014	
New/Amended Contention Motions Due	July 14, 2014	Mar. 6, 2015
Answers to New/Amended Contention Motions Due	July 24, 2014	Mar. 20, 2015
Replies to Answers re New/Amended Contention Motions Due	July 31, 2014	Mar. 27, 2015
Licensing Board Ruling on New/Amended Contention Admission	Sept. 2, 2014	Apr. 27, 2015
Admitted New/Amended Contention Mandatory Disclosure Updates Completed	Sept. 16, 2014	May 11, 2015
Summary Disposition Motions re Admitted Contentions ¹ /Motion to Invoke Subpart N Procedures Due	Sept. 23, 2014	May 18, 2015
Responses Supporting Summary Disposition Motion Due ²	Oct. 3, 2014	May 28, 2015
Responses Opposing Summary Disposition Motion Due	Oct. 17, 2014	June 11, 2015

¹ If no new/amended contentions are submitted or no new/amended contentions are admitted/approved, the summary disposition motion/responses schedule for admitted contentions begins seven days from the date motions for new/amended contentions were due or were denied.

² If no responses supporting a summary disposition motion are filed, then responses opposing the motion are due within 20 days of the date of the dispositive motion.

Event	NEPA-Related Environmental Contentions	AEA-Associated Safety Contentions
Licensing Board Ruling on Summary Disposition Motions	Nov. 17, 2014	July 13, 2015
Intervenor's Initial Position Statement/Prefiled Direct Testimony Due	Nov. 24, 2014	July 20, 2015
In Limine Motions on Prefiled Direct Testimony Due	Dec. 1, 2014	July 24, 2015
In Limine Motion Responses Due	Dec. 8, 2014	July 29, 2015
Licensing Board Ruling on In Limine Motions	Dec. 15, 2014	Aug. 7, 2015
Applicant/Staff Response Statements/Prefiled Response Testimony Due	Dec. 29, 2014	Aug. 19, 2015
In Limine Motions on Prefiled Response Testimony Due	Jan. 5, 2015	Aug. 24, 2015
In Limine Motion Responses Due	Jan. 12, 2015	Aug. 29, 2015
Licensing Board Ruling on In Limine Motions	Jan. 20, 2015	Sept. 4, 2015
Intervenor's Rebuttal Statement/Prefiled Rebuttal Testimony Due	Feb. 2, 2015	Sept. 18, 2015
In Limine Motions on Prefiled Rebuttal Testimony Due	Feb. 9, 2015	Sept. 23, 2015
In Limine Motion Responses Due	Feb. 17, 2015	Sept. 28, 2015
Licensing Board Ruling on In Limine Motions	Feb. 24, 2015	Oct. 5, 2015
Proposed Cross-Examination Questions/Requests for Cross-Examination Due	Mar. 3, 2015	Oct. 13, 2015
Responses to Requests for Cross-Examination Due	Mar. 10, 2015	Oct. 20, 2015
Licensing Board Ruling on Requests for Cross-Examination	Mar. 17, 2015	Oct. 27, 2015
Evidentiary Hearing	Mar. 24-26, 2015	Nov. 3-5, 2015
Proposed Findings of Fact/Conclusions of Law Due	Apr. 27, 2015	Dec. 7, 2015
Reply Findings of Fact/Conclusions of Law Due	May 27, 2015	Jan. 6, 2016
Licensing Board Initial Decision	July 13, 2015	Feb. 22, 2016

UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

In the Matter of)
)
CROW BUTTE RESOURCES, INC.) Docket No. 40-8943-MLA-2
)
In-Situ Leach Uranium Recovery Facility,) ASLBP No. 13-926-01-MLA-BD01
Crawford, Nebraska)
)
(License Amendment –)
Marsland Expansion Area))

CERTIFICATE OF SERVICE

I hereby certify that copies of the foregoing **MEMORANDUM AND ORDER (Revised General Schedule)** have been served upon the following persons by Electronic Information Exchange.

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Crow Butte Resources, Inc., Docket No. 40-8943-MLA-2

MEMORANDUM AND ORDER (Revised General Schedule)

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[Original signed by Brian Newell]
Office of the Secretary of the Commission

Dated at Rockville, Maryland
this 3rd day of October, 2013