UNITED STATES OF AMERICA NUCLEAR REGULATORY COMMISSION

ATOMIC SAFETY AND LICENSING BOARD

Before Administrative Judges:

Michael M. Gibson, Chair Dr. Richard E. Wardwell Brian K. Hajek Alan S. Rosenthal (Special Assistant to the Board)

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

December 29, 2014

ORDER (Scheduling Telephonic Oral Argument)

On October 28, 2014, the Board asked the parties to confer and report on acceptable dates to hold the upcoming evidentiary hearing in this proceeding.¹ The parties have been unable to agree on an acceptable date among themselves, and so the Board will hold a telephonic oral argument on scheduling issues on <u>Thursday</u>, <u>January 8, 2015 at 11:00 A.M.</u> <u>Eastern Time</u>. The parties should be prepared to discuss the specific details surrounding the unavailability of all essential potential witnesses and parties during the spring/summer of 2015, as well as any other questions the Board may have regarding scheduling.

The Board's law clerk will contact the parties on how to access the conference. Members of the public or media who wish to listen to this oral argument may do so, and should

¹ Order (Scheduling Filling of New/Amended Contentions and Requesting Proposed Evidentiary Hearing Dates) (Oct. 28, 2014) (unpublished).

contact the Board's law clerk at Nicholas.Sciretta@nrc.gov for the dial-in information.

It is so ORDERED.

FOR THE ATOMIC SAFETY AND LICENSING BOARD

/**RA**/

Michael M. Gibson, Chair ADMINISTRATIVE JUDGE

Rockville, Maryland December 29, 2014

UNITED STATES OF AMERICA NUCLEAR REGULATORY COMMISSION

)

In the Matter of
CROW BUTTE RESOURCES, INC.
In-Situ Leach Uranium Recovery Facility, Crawford, Nebraska
(License Renewal)

Docket No. 40-8943-OLA

CERTIFICATE OF SERVICE

I hereby certify that copies of the foregoing **ORDER (Scheduling Telephonic Oral Argument)** have been served upon the following persons by Electronic Information Exchange, and by electronic mail as indicated by an asterisk.

Office of Commission Appellate Adjudication U.S. Nuclear Regulatory Commission Washington, DC 20555-0001 E-mail: <u>ocaamail@nrc.gov</u>

Administrative Judge Richard E. Wardwell Atomic Safety and Licensing Board Panel U.S. Nuclear Regulatory Commission. Mail Stop T-3F23 Washington, DC 20555-0001 E-mail: richard.wardwell@nrc.gov

Administrative Judge Alan S. Rosenthal Atomic Safety and Licensing Board Panel U.S. Nuclear Regulatory Commission. Mail Stop T-3F23 Washington, DC 20555-0001 E-mail: <u>alan.rosenthal@nrc.gov</u> Administrative Judge Michael M. Gibson, Chairman Atomic Safety and Licensing Board Panel Mail Stop T-3F23 U.S. Nuclear Regulatory Commission Washington, DC 20555-0001 E-mail michael.gibson@nrc.gov

Administrative Judge Brian K. Hajek Atomic Safety and Licensing Board Panel Mail Stop T-3F23 U.S. Nuclear Regulatory Commission. Washington, DC 20555-0001 E-mail: <u>NETS@Columbus,RR.com</u> <u>brian.hajek@nrc.gov</u>

U.S. Nuclear Regulatory Commission Office of the Secretary of the Commission Mail Stop O-16C1 Washington, DC 20555-0001 Hearing Docket E-mail: <u>hearingdocket@nrc.gov</u>

DOCKET NO. 40-8943-OLA ORDER (Scheduling Telephonic Oral Argument)

U.S. Nuclear Regulatory Commission Office of the General Counsel Mail Stop O-15D21 Washington, DC 20555-0001 Marcia J. Simon, Esq. Mary Spencer, Esq. David Cylkowski, Esq. Sabrina Allen, Law Clerk E-mail: <u>marcia.simon@nrc.gov</u> <u>mary.spencer@nrc.gov</u> <u>david.cylkowski@nrc.gov</u> <u>sabrina.allen@nrc.gov</u> Winston & Strawn, LLP 101 California Street San Francisco, CA 94111 Tyson R. Smith, Esq. Noelle R. Formosa, Esq. Counsel for Crow Butte Resources, Inc. E-mail: trsmith@winston.com nformosa@winston.com

Owe Oku, Debra White Plume, and David House P.O. Box 2508 Rapid City, South Dakota 57709 Bruce Ellison, Esq. Roxanne Andre E-mail: <u>belli4law@aol.com</u> E-mail: roxanneandre@yahoo.com

Alberto Saldamando International Indian Treaty Council 2940 16th Street, Suite 205 San Francisco, CA 94103-3688 E-mail: <u>alberto@treatycouncil.org</u>

Ved Nanda Center for International and Comparative Law 1075 Waite Drive Boulder, CO 80303 Andrew Reid, Esq. Counsel for Oglala Sioux Tribe E-mail: <u>lawyerreid@gmail.com</u> Western Nebraska Resources Council Chief Joseph American Horse Thomas K. Cook, Francis E. Anders David Cory Frankel, Esq.* P.O. 3014 Pine Ridge, South Dakota 57770 E-mail: <u>Arm.legal@gmail.com</u>

McGuire Law Firm 625 South 14th Street, Suite C Lincoln, Nebraska 68508 Mark D. McGuire Counsel for Crow Butte Resources, Inc. E-mail: mdmcguire46@gmail.com

Winston & Strawn, LLP 1700 K Street Washington, DC 20006 Noelle R. Formosa, Esq. Carlos L. Sisco, Paralegal Counsel for Crowe Butte Resources, Inc. E-mail: <u>nformosa@winston.com</u> <u>csisco@winston.com</u>

DOCKET NO. 40-8943-OLA ORDER (Scheduling Telephonic Oral Argument)

Thomas J. Ballanco* 945 Taraval Avenue, # 186 San Francisco, CA 94116 Counsel for Joe American Horse, Thomas Cook, Loretta Afraid-of-Bear Cook, Slim Buttes Community, and Pine Ridge Reservation, South Dakota 57770 E-mail: HarmonicEngineering@gmail.com

> [Original signed by Clara Sola] Office of the Secretary of the Commission

Rockville, Maryland December 29, 2014