

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

May 11, 2015

ORDER

(Directing Exhibit Filing Compliance and Granting Formatting Extension Request)

On March 25, 2015 this Board issued a Case Management Order including specific instructions for the filing, formatting, and numbering of the prefiled testimony and exhibits.<sup>1</sup> On May 8, 2015 all parties filed their position statements and prefiled direct testimony. Some of these filings do not comply with the Case Management Order requirements, and must be refiled.

Consolidated Intervenors and the Oglala Sioux Tribe submitted a joint motion stating that they were unable to submit their filings with the necessary exhibit number formatting,<sup>2</sup> and requested a one week extension to resubmit the exhibits with the proper party designation

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<sup>1</sup> Licensing Board Order (Setting Schedule through Evidentiary Hearing and Providing Case Management Information (Mar. 25, 2015) (unpublished) [hereinafter Case Management Order].

<sup>2</sup> Case Management Order at 6.

formatting.<sup>3</sup> This request is granted—but Consolidated Intervenor and the Oglala Sioux Tribe should make every reasonable effort to resubmit their joint filings as quickly as possible. The resubmitted exhibits do not need to be filed with the revised ‘R’ designation. The Oglala Sioux Tribe’s sole exhibit, OST-001, has already been numbered correctly and does not need to be refiled.

The NRC Staff submitted its Staff Affidavits without exhibit numbers. These filings must likewise be refiled as soon as possible, and should be filed as multiple parts of exhibit NRC-001 by assigning each affidavit a different exhibit number in the following fashion: NRC-001A, NRC-001B, NRC-001C, etc.

Crow Butte attempted to file two non-public exhibits, but could not locate the EIE docket for non-public submissions. The Board understands that access to the non-public docket for this proceeding has now been provided, and that Crow Butte filed its non-public submissions there on May 11, 2015. The protective order in this proceeding, issued on March 6, 2009, remains in effect.<sup>4</sup>

It is so ORDERED.

FOR THE ATOMIC SAFETY  
AND LICENSING BOARD

*/RA/*

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Michael M. Gibson, Chair  
ADMINISTRATIVE JUDGE

Rockville, Maryland  
May 11, 2015

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<sup>3</sup> Joint INT/OST Filing of Position Statement and Direct Testimony; Unopposed Motion for One-Week Relief from Insertion of Exhibit Numbers (May 8, 2015).

<sup>4</sup> Licensing Board Order (Protective Order) (Mar. 6, 2009) (unpublished).

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 Renewal) )

CERTIFICATE OF SERVICE

I hereby certify that copies of the foregoing **ORDER (Directing Exhibit Filing Compliance and Granting Formatting Extension Request)** have been served upon the following persons by Electronic Information Exchange, and by electronic mail as indicated by an asterisk.

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DOCKET NO. 40-8943-OLA

**ORDER (Directing Exhibit Filing Compliance and Granting Formatting Extension Request)**

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DOCKET NO. 40-8943-OLA

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

Dated at Rockville, Maryland  
this 11<sup>th</sup> day of May, 2015