

November 24, 2015

G. Paul Bollwerk, III, Chair  
Administrative Judge  
Atomic Safety and Licensing Board Panel  
Mail Stop T-3 F23  
U.S. Nuclear Regulatory Commission  
Washington, DC 20555-0001

Dr. Richard E. Wardwell  
Administrative Judge  
Atomic Safety and Licensing Board Panel  
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Dr. Thomas J. Hirons  
Administrative Judge  
Atomic Safety and Licensing Board Panel  
Mail Stop T-3 F23  
U.S. Nuclear Regulatory Commission  
Washington, DC 20555-0001

In the Matter of  
CROW BUTTE RESOURCES, INC.  
(Marsland Expansion Area)  
Docket No. 40-8943-MLA-2; ASLBP No. 13-926-01-MLA-BD01

Dear Administrative Judges:

By Order dated June 24, 2015, the Board directed that, within 10 days of the submission of the last of CBR's RAI responses, the Staff should provide the Board with an estimate of when the Staff believes it will be able to give the Board new estimates for the completion dates of the Staff's Marsland Expansion Area (MEA) safety and environmental reviews.<sup>1</sup>

On November 18, 2015, the Staff received a revised Technical Report for the MEA that incorporates the remainder of CBR's RAI responses. The Staff has begun an acceptance review to ensure that the responses are sufficient to allow the Staff to continue its review. In all areas but health physics, the Staff expects to complete the acceptance review within 30 days – by December 18, 2015. Due to resource limitations, the Staff will be unable to begin the acceptance review of health physics RAIs until March 2016.

Assuming that the RAI responses in areas other than health physics are found to be sufficient, the Staff anticipates being able to provide new estimated completion dates for the MEA safety and environmental reviews by December 28, 2015.<sup>2</sup> Those estimated dates will assume that the RAI responses for health physics will be found sufficient when they are reviewed in March 2016. Therefore, unless the Board orders otherwise, the Staff will provide new estimates for the completion dates for the MEA safety and environmental reviews by December 28, 2015.

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<sup>1</sup> Memorandum and Order (Request for Additional Update Regarding Timing of Issuance of Final NRC NRC Staff Safety and Environmental Documents) (June 24, 2015) (unpublished).

<sup>2</sup> If the Staff finds that the RAI responses are not sufficient, the Staff will notify the Board accordingly.

Respectfully submitted,

**/Signed (electronically) by/**

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Dated at Rockville, Maryland  
this 24th day of November, 2015.

cc: EIE Service List

UNITED STATES OF AMERICA  
NUCLEAR REGULATORY COMMISSION

BEFORE THE ATOMIC SAFETY AND LICENSING BOARD

In the Matter of )  
CROW BUTTE RESOURCES, INC. ) Docket No. 40-8943-MLA-2  
(Marsland Expansion Area) ) ASLBP No. 13-926-01-MLA-BD01

CERTIFICATE OF SERVICE

I hereby certify that copies of the foregoing "NRC Staff Letter to the Atomic Safety and Licensing Board" in the above-captioned proceeding have been served via the Electronic Information Exchange ("EIE"), the NRC's E-Filing System, this 24th day of November, 2015, which to the best of my knowledge resulted in transmittal of the foregoing to those on the EIE Service List for the above-captioned proceeding.

**/Signed (electronically) by/**

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