

July 21, 2016

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:

The purpose of this letter is to update the Board and parties concerning a change in the NRC Staff's review schedule for the Marsland Expansion Area (MEA) license amendment application.

On June 14, 2016, the NRC Staff held a public meeting by teleconference with Crow Butte Resources (CBR) to discuss several open issues identified during the Staff's technical review of the MEA application.<sup>1</sup> During the meeting, CBR indicated that further field work would be needed to provide additional information necessary for the Staff to complete its review on two of the open issues. In addition, for two other open issues, CBR could not provide a specific date for a response. On July 5, 2016, the Staff sent a letter to CBR with a summary of the meeting and a request for dates by which CBR expects to provide additional information for the four issues. On July 13, 2016, CBR responded with expected dates for three of the four issues. Of these, the latest expected date (for the issues involving field work) is the end of February 2017.

Based on the above, the Staff has revised its review schedule and estimated dates for issuing the draft Environmental Assessment (EA), final EA, and Safety Evaluation Report (SER). The new estimated issuance dates are as follows:

Draft EA – May 31, 2017  
Final EA and SER – August 31, 2017

These dates are contingent upon timely receipt of the additional information from CBR, including information on the fourth issue (currently without a date certain),<sup>2</sup> by the end of February 2017.

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<sup>1</sup> The open issues were identified during the Staff's review of the updated Technical Report submitted by CBR in November 2015. Although the issues were identified as part of the Staff's safety review, some of them are also relevant to the Staff's environmental review.

<sup>2</sup> CBR has indicated that it will provide an updated schedule on this issue after a meeting between NRC and industry—which is currently in the process of being set up—is held to discuss the issue.

Respectfully submitted,

**/Signed (electronically) by/**

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Dated at Rockville, Maryland  
this 21st day of July, 2016.

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 21st day of July, 2016, 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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