

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

March 20, 2017

MEMORANDUM AND ORDER
(Requesting Scheduling Information)

By filing dated March 15, 2017, applicant Crow Butte Resources, Inc., (CBR) and the NRC staff have responded to a February 3 Licensing Board issuance by providing a joint filing outlining the status of several open issues that require CBR to provide information to the staff before the staff will be able complete and issue its draft and final safety evaluation report (SER) and environmental assessment (EA) for the proposed Marsland Expansion Area (MEA) in situ uranium recovery facility. See Joint Report on Status of Open Issues (Mar. 15, 2017) [hereinafter Joint Status Report]; see also Licensing Board Memorandum and Order (Requesting Status Information) (Feb. 3, 2017) (unpublished). It appears to the Board, which is appreciative of the detailed information provided by CBR and the staff, that these parties now contemplate that the staff will receive all open item information from CBR by the end of the second quarter of calendar year 2017 (i.e., the end of June 2017). See Joint Status Report at 4, 5.

Given this information, it also appears to the Board that the staff is, or should be at some point in the near future, in a position to provide the Board and the parties with a revised schedule for the issuance of its draft and final SER and EA for the proposed MEA facility. Accordingly, we request that on or before Friday, March 31, 2017, the staff submit either an updated schedule for the issuance of its draft and final SER and EA or an estimated date by which it will be able to provide such a schedule.

It is so ORDERED.

FOR THE ATOMIC SAFETY
AND LICENSING BOARD

/RA/

G. Paul Bollwerk, III, Chairman
ADMINISTRATIVE JUDGE

Rockville, Maryland

March 20, 2017

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, Crawford, Nebraska)	ASLBP No. 13-926-01-MLA-BD01
)	
(License Amendment – Marsland Expansion Area))	

CERTIFICATE OF SERVICE

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

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

U.S. Nuclear Regulatory Commission
Office of the Secretary of the Commission
Mail Stop O-4F00
Washington, DC 20555-0001
Hearing Docket
E-mail: hearingdocket@nrc.gov

Atomic Safety and Licensing Board Panel
U.S. Nuclear Regulatory Commission
Mail Stop T-3F23
Washington, DC 20555-0001

U.S. Nuclear Regulatory Commission
Office of the General Counsel
Mail Stop O-14A44
Washington, DC 20555-0001

G. Paul Bollwerk, III, Chair
Administrative Judge
E-mail: paul.bollwerk@nrc.gov

Susan Vrahoretis, Esq.
Marcia J. Simon, Esq.
Emily Monteith, Esq.
David Cylkowski, Esq.
Sabrina Allen, Paralegal

Dr. Richard E. Wardwell
Administrative Judge
E-mail: richard.wardwell@nrc.gov

E-mail:
susan.vrahoretis@nrc.gov
marcia.simon@nrc.gov
emily.monteith@nrc.gov
david.cylkowski@nrc.gov
sabrina.allen@nrc.gov

Dr. Thomas J. Hiron
Administrative Judge
E-mail: thomas.hiron@nrc.gov

OGC Mail Center : OGCMailCenter@nrc.gov

Cooper J Strickland
Law Clerk
E-mail: cooper.strickland@nrc.gov

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

MEMORANDUM AND ORDER (Requesting Scheduling Information)

W. Cindy Gillis, Esq.
522 Seventh Street, Suite 202
Rapid City, S.D. 57701-2756
Counsel for Oglala Sioux Tribe
Email: cindy@mariogonzalezlaw.com

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
101 California Street
San Francisco, CA 94111
Tyson R. Smith, Esq.
Counsel for Crow Butte Resources, Inc.
E-mail: trsmith@winston.com

Winston & Strawn, LLP
1700 K Street
Washington, DC 20006
Carlos Sisco, Paralegal
Counsel for Crowe Butte Resources, Inc.
E-mail: csisco@winston.com

Ved Nanda Center for International and
Comparative Law
1075 Waite Drive
Boulder, CO 80303
Andrew Reid, Esq.
Counsel for Oglala Sioux Tribe
E-mail: lawyerreid@gmail.com

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

Dated at Rockville, Maryland
this 20th day of March, 2017