

April 2, 2018

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  
Mail Stop T-3 F23  
U.S. Nuclear Regulatory Commission  
Washington, DC 20555-0001

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:

Pursuant to 10 C.F.R. §§ 2.336(d) and 2.1203(c), and the Memorandum and Order (Establishing Schedule for Discovery) issued by the Atomic Safety and Licensing Board (Board) on June 14, 2013, the Nuclear Regulatory Commission (NRC) Staff provides the Board and the parties with a supplement to the Staff's hearing file and mandatory disclosures. Attachment 1 to this letter provides an index listing publicly available documents required to be disclosed by the Staff. Except as noted in Attachment 1, these documents may be viewed by accessing the hearing file for this proceeding that is maintained by the NRC's Office of the Secretary, or by accessing the documents in the NRC's Agencywide Documents Access and Management System (ADAMS) using the accession numbers provided.

The Staff is continuing to preserve and maintain required privileged documents during the pendency of this proceeding. As required by 10 C.F.R. § 2.336(c), the Staff is providing an affidavit certifying that all relevant materials have been disclosed.

Respectfully submitted,

**Signed (electronically) by**  
Emily Monteith  
Attorney  
Office of the General Counsel  
U.S. Nuclear Regulatory Commission  
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(301) 415-0926  
[Emily.Monteith@nrc.gov](mailto:Emily.Monteith@nrc.gov)

Bollwerk  
Wardwell  
Hirons

-2-

Dated at Chicago, Illinois  
this 2nd day of April, 2018

Enclosures: Attachment 1: Hearing File Index  
Attachment 2: Affidavit of Thomas Lancaster

cc: EIE Service List

**ATTACHMENT 1**  
**CROW BUTTE MARSLAND HEARING FILE AND MANDATORY DISCLOSURES**  
**HEARING FILE INDEX**  
**Update 55 – April 2, 2018**

ID No.	Accession Number	Document Date	Title/Description
780	ML18064A084	12/31/1998	USGS 1998 U.S. Geological Survey, "Groundwater and Surface Water: A Single Resource," U.S. Geological Survey Circular 1139, Winter, T.C., J.W. Harvey, O.L. Franke, and W.M. Alley, Denver, CO, 1998, Available at <a href="http://pubs.usgs.gov/circ/circ1139/">http://pubs.usgs.gov/circ/circ1139/</a> .
781	ML18009A976	01/29/2018	Crow Butte Resources, Inc., MEA Safety Evaluation Report.
782	ML18064A071	03/05/2018	Cady and Scherer 1946 Cady, R.C. and O.J. Scherer, "Geology and Groundwater Resources of Box Butte County, Nebraska," U.S. Geological Survey Water Supply Paper 969, U.S. Department of the Interior, Washington, DC, 1946.
783	ML18072A029	03/14/2018	Crow Butte, NRC Verification of License Condition 11.10 Submittal.

April 2, 2018

UNITED STATES OF AMERICA  
NUCLEAR REGULATORY COMMISSION

BEFORE THE ATOMIC SAFETY AND LICENSING BOARD

In the Matter of )  
CROW BUTTE RESOURCES, INC. ) Docket No. 40-8949-MLA-2  
(Marsland Expansion Project) ) ASLBP No. 13-926-01-MLA-BD01

AFFIDAVIT OF THOMAS LANCASTER CONCERNING  
MANDATORY DISCLOSURE REQUIREMENT OF 10 C.F.R. § 2.336(c)

I, Thomas Lancaster, do hereby state as follows:

1. I am employed as a Hydrogeologist in the Nuclear Regulatory Commission's Nuclear Regulatory Commission's Office of Nuclear Materials Safety and Safeguards, Division of Decommissioning, Uranium Recovery, and Waste Programs, Uranium Recovery Licensing Branch. Among my responsibilities, I serve as Project Manager for Crow Butte Resources Inc.'s application for a license amendment to construct and operate the Marsland Expansion Project. In this capacity, I am managing the preparation of the NRC Staff's hearing file and mandatory disclosures in connection with the application at issue in this proceeding.

2. I hereby certify that all materials the Staff must disclose in this proceeding under 10 C.F.R. § 2.336(b) and (c) have been disclosed, and that the disclosures are accurate and complete as of the date of this certification.

3. I declare under penalty of perjury that the foregoing is true and correct to the best of my knowledge, information and belief.

/Executed in Accord with 10 C.F.R. § 2.304(d)/  
Thomas Lancaster

Executed in Rockville, MD  
this 2nd day of April, 2018

UNITED STATES OF AMERICA  
NUCLEAR REGULATORY COMMISSION

BEFORE THE ATOMIC SAFETY AND LICENSING BOARD

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

CERTIFICATE OF SERVICE

I hereby certify that copies of the foregoing "NRC STAFF'S APRIL 2018 UPDATE TO HEARING FILE AND DISCLOSURES" in the above-captioned proceeding have been served via the Electronic Information Exchange ("EIE"), the NRC's E-Filing System, this 2nd day of April, 2018, 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/**  
Emily Monteith  
Attorney  
Office of the General Counsel  
U.S. Nuclear Regulatory Commission  
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(301) 415-0926  
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