

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

October 18, 2018

MEMORANDUM AND ORDER  
(Adopting Stipulated Factual Background)

On October 15, 2018, the Licensing Board provided the parties with a new version of the proposed stipulated background, which incorporated the parties' agreed-to changes, as well as a few additional changes from the Board. See Licensing Board Memorandum and Order (Proposed Stipulated Factual Background) (Oct. 15, 2018) at 1–2 & attach. A (unpublished). In that memorandum and order, the Board asked the parties to verify acceptance of the changes in a joint filing. See id. at 2. The parties verified their acceptance in a joint response on October 16, 2018. See Joint Response Accepting Revisions to Stipulated Factual Background (Oct. 16, 2018).

Accordingly, the Board now adopts that stipulated factual background and, in accord with 10 C.F.R. § 2.330, will place that document into the evidentiary record of this proceeding as

Exhibit BRD001,\* which this date is being submitted to the docket of this proceeding as a prefiled exhibit.

It is so ORDERED.

FOR THE ATOMIC SAFETY  
AND LICENSING BOARD

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G. Paul Bollwerk, III, Chairman  
ADMINISTRATIVE JUDGE

Rockville, Maryland

October 18, 2018

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\* As the Board suggested previously, the proposed stipulation was drafted with the expectation that all the cited prefiled exhibits will be identified and admitted as exhibits at the upcoming evidentiary hearing. See Licensing Board Memorandum and Order (Request to Stipulate to Factual Background) (Sept. 18, 2018) at 1 n.1 (unpublished). To that end, the citations in the final version of the stipulation have been revised to reflect the contemplated status of the cited prefiled exhibits as evidentiary hearing exhibits. Additionally the ADAMS Accession Number citations to those documents have been removed because the documents will be assigned a new ADAMS Accession Number once they are identified and admitted into evidence as exhibits. See Tr. at 282.

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

CERTIFICATE OF SERVICE

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

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**MEMORANDUM AND ORDER (Adopting Stipulated Factual Background)**

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

Dated at Rockville, Maryland  
this 18<sup>th</sup> day of October, 2018