

November 1, 2021

Michael M. Gibson, Chairman
Administrative Judge
Atomic Safety and Licensing Board Panel
Mail Stop T-3 F23
U.S. Nuclear Regulatory Commission
Washington, DC 20555-0001

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

G. Paul Bollwerk, III
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.
(License Renewal for the In Situ Leach Facility, Crawford, Nebraska)
Docket No. 40-8943; ASLBP No. 08-867-02-OLA-BD01

Dear Administrative Judges,

In its Partial Initial Decision (LBP-16-7) issued May 26, 2016, the Board directed the NRC Staff to submit monthly status reports updating the Board and parties as to the status of the Staff's curative actions in response to the Board's resolution of Contention 1.

During the October 12, 2021 status conference, counsel reported that the parties were nearing completion of the remaining steps needed to start the cultural resources survey of the Crow Butte Resources, Inc. (CBR) license area. These steps included various reviews and approvals within the Oglala Sioux Tribe, execution of the contract by the Tribe and Quality Services, Inc., establishment of a bank account by the Tribe to receive the funds, and transfer of the funds by CBR.

Over the next several weeks, with the assistance of the Tribe's in-house counsel, Mr. Russel Zephier, the necessary Tribal reviews were completed, and the Staff received confirmation on October 28 that both parties had executed the contract.¹ In addition, during that time period the Staff project managers and their contractor held several logistics meetings with CBR personnel, Mr. Rom of Quality Services, Inc., and Messrs. Salway and Brings of the Tribe.

Ms. Diaz-Toro (one of the Staff's project managers) and Mr. Spangler (the Staff's contractor) are in Nebraska and the onsite field work is scheduled to begin this afternoon (November 1) at 2 p.m. local time (MDT).

¹ As of the time of filing this status report, the funds transfer has not yet occurred. The Staff's understanding is that CBR is still awaiting the account information from the Tribe needed to set up the transfer.

Gibson
Arnold
Bollwerk

The Staff will submit its next monthly status report by December 3, 2021, in accordance with the Board's mandate.

Respectfully submitted,

Signed (electronically) by

Marcia J. Simon
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Dated November 1, 2021.

cc: EIE Service List

UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

BEFORE THE ATOMIC SAFETY AND LICENSING BOARD

In the Matter of)	
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CROW BUTTE RESOURCES, INC.)	Docket No. 40-8943
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(License Renewal for the In Situ Leach)	ASLBP No. 08-867-02-OLA-BD01
Facility, Crawford, Nebraska))	

CERTIFICATE OF SERVICE

I hereby certify that copies of the foregoing "NRC STAFF'S LETTER TO THE ATOMIC SAFETY AND LICENSING BOARD" in the above captioned proceeding have been served this 1st day of November, 2021, via the NRC's Electronic Information Exchange ("EIE"), 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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