

UNITED STATES OF AMERICA  
NUCLEAR REGULATORY COMMISSION  
ATOMIC SAFETY AND LICENSING BOARD

Before Administrative Judges:

Michael M. Gibson, Chairman  
G. Paul Bollwerk, III  
Dr. Gary S. Arnold

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

September 13, 2022

ORDER

(Requesting Notice of Publication of  
Final Environmental Assessment Supplement and Public Availability  
of Party Comments on Draft Environmental Assessment Supplement)

In its Monthly Status Report 74,<sup>1</sup> the NRC Staff confirmed that the draft environmental assessment (EA) supplement had been published in the Federal Register on August 2, 2022, and further indicated that “[d]epending on the number of comments received, the Staff anticipates publishing the final EA [s]upplement by the end of October or early November [2022].”<sup>2</sup>

In a May 12, 2022 Order, in accordance with 10 C.F.R. § 2.309(c), (i), the Licensing Board directed that “any potential new and/or amended contentions based on the NRC Staff’s planned [EA] cultural resources supplement shall be filed within thirty (30) days after Federal Register publication of a notice of availability of that final EA supplement,”<sup>3</sup> and established a

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<sup>1</sup> NRC Staff Monthly Status Report 74, at 1 (Sep. 1, 2022) [hereinafter Monthly Status Report 74].

<sup>2</sup> Id.

<sup>3</sup> Licensing Board Order (Establishing a Briefing Schedule for New and Amended Contentions) (May 12, 2022) (unpublished).

schedule for party answers and replies as well. Given that the publication of the NRC Staff's Federal Register notice about issuance of the final EA supplement dictates the filing schedule associated with any new/amended contentions, the Licensing Board requests that the NRC Staff notify the Board and the parties of the ADAMS accession number for the final EA supplement contemporaneous with Federal Register publication of the notice of issuance for that document.

Additionally, in its monthly status report, the NRC Staff stated that it "shared the Oglala Sioux Tribe's comments on the preliminary draft EA [s]upplement with the parties to the proceeding."<sup>4</sup> The Board also requests that when any comments by a party to this proceeding on either the preliminary draft EA supplement or the draft EA supplement are made publicly available, the Staff notify the Board and the parties of the ADAMS accession number for such comments.

It is so ORDERED.

FOR THE ATOMIC SAFETY  
AND LICENSING BOARD

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Michael M. Gibson, Chairman  
ADMINISTRATIVE JUDGE

Rockville, Maryland  
September 13, 2022

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<sup>4</sup> Monthly Status Report 74, at 1.

UNITED STATES OF AMERICA  
NUCLEAR REGULATORY COMMISSION

In the Matter of )  
)  
CROW BUTTE RESOURCES, INC. ) Docket No. 40-8943-OLA  
)  
In-Situ Leach Uranium Recovery Facility, )  
Crawford, Nebraska )  
)  
(License Renewal) )

CERTIFICATE OF SERVICE

I hereby certify that copies of the foregoing **ORDER (Requesting Notice of Publication of Final Environmental Assessment Supplement and Public Availability of Party Comments on Draft Environmental Assessment Supplement)** have been served upon the following persons by Electronic Information Exchange, and by electronic mail as indicated by an asterisk.

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DOCKET NO. 40-8943-OLA

**ORDER (Requesting Notice of Publication of Final Environmental Assessment Supplement and Public Availability of Party Comments on Draft Environmental Assessment Supplement)**

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Dated at Rockville, Maryland,  
this 13<sup>th</sup> day of September 2022.

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Office of the Secretary of the Commission