

June 15, 2015

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. Fred W. Oliver
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 Amendment for the North Trend Expansion Project)
Docket No. 40-8943; ASLBP No. 07-859-03-MLA-BD01

Dear Administrative Judges:

In its Order dated March 5, 2009, the Atomic Safety and Licensing Board ("Board") directed the NRC staff ("Staff") to tender each month a status report advising as to whether the estimated dates for issuance of the final Safety Evaluation Report ("SER") (predicted for the late summer of 2009) and the final environmental review document (predicted for December of 2009) have changed.¹ On July 26, 2013, the Staff informed the Board and the parties of the public availability of the SER. The SER can be accessed electronically via ADAMS Accession Number ML110820512.

On May 20, 2015, the Board issued an order directing the Staff to discuss in its next monthly status report (1) whether the Staff intends for the Nebraska Department of Environmental Quality ("NDEQ") to review the draft Environmental Assessment ("EA") and (2) when Staff expects the draft EA to be publicly available.²

A number of factors limit the Staff resources available for the development of the Programmatic Agreement ("PA") in this proceeding. The Crow Butte License Renewal hearing, scheduled for August 2015, demands significant Staff resources, and the applicant has requested that the Staff focus its available resources on the Marsland license amendment application. Based on these constraints, the expected complexity of the PA in this proceeding, and the number of Tribes participating in the PA, the Staff now expects the PA to be completed in February 2016.

The Staff does intend for NDEQ to review the draft EA. The Staff also intends to publish the draft EA for a 30-day public comment period. Based on the above schedule for the development of the PA, the Staff now expects to be able to make the draft EA publicly available by July 2016. The Staff expects to be able to issue the final environmental review document by the end of October 2016.

In keeping with the Board's mandate, the Staff will tender its next monthly status report by July 15, 2015.

¹ Order (Confirming Matters Addressed at March 4, 2009, Telephone Conference) at 1 (March 5, 2009).

² Memorandum and Order (Requesting Additional Status Information) at 2 (May 20, 2015).

Bollwerk
Oliver

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Respectfully submitted,

Signed (electronically) by
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Dated at Rockville, Maryland
This 15th day of June, 2015

cc: EIE Service List

UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

BEFORE THE ATOMIC SAFETY AND LICENSING BOARD

In the Matter of)	
)	
CROW BUTTE RESOURCES, INC.)	Docket No. 40-8943
In-Situ Leach Facility, Crawford, Nebraska)	
)	ASLBP No. 07-859-03-MLA-BD01
(License Amendment for the North Trend)	
Expansion Project))	

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 15th day of June 2015 via the Electronic Information Exchange ("EIE"), and via e-mail to David Frankel, counsel for Consolidated Intervenor, 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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