

January 3, 2022

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.

As stated in the Staff's December 2021 status update, additional field work by Quality Services, Inc. (QSI), the Oglala Sioux Tribe's contractor, began on November 29, 2021, and was completed on December 8, 2021.¹ A Staff trip report describing the field investigation is publicly available in the Agencywide Documents Access and Management System (ADAMS) at Accession Number ML21355A145.

On December 9, the Staff sent an email to QSI and the Tribe (Mr. Salway and Mr. Brings) suggesting a meeting to discuss next steps. The Staff sent a second email to QSI and the Tribe on December 15 outlining proposed due dates for completion of the oral history interviews and submittal of the draft and final survey reports.² In this email, the Staff asked for feedback on the proposed timeframes and dates and offered to set up a meeting to discuss them. The Staff

¹ The additional field work requested by QSI was completed on December 2, 2021. A final visit by Tribal Elders took place on December 8, 2021.

² Based on the timeframes in the final survey methodology (ML21252A089 at 20), the Staff proposed that oral history interviews be completed by December 22, 2021 (14 calendar days after the field investigation is completed) and the final survey report be provided to the NRC by February 7, 2022 (60 days after completion of the field work). The methodology also states that the Staff's contractor will review a draft of the survey report to ensure that the report contains sufficient information for the Staff to fulfill its NHPA and NEPA obligations. ML21252A089 at 21. The Staff proposed that the draft report be provided to the NRC by January 24, 2022 (45 days after completion of the field investigation).

Gibson
Arnold
Bollwerk

reached out again on December 30 to follow up on the request for feedback and to offer a meeting to discuss the proposed completion dates.

The Staff will submit its next monthly status report by February 1, 2022, in accordance with the Board's mandate.

Respectfully submitted,

Signed (electronically) by
Marcia J. Simon
Counsel for the NRC Staff
U.S. Nuclear Regulatory Commission
Mail Stop O14-A44
Washington, DC 20555-0001
(301) 287-9176
marcia.simon@nrc.gov

Dated January 3, 2022.

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
)	
(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 3rd day of January, 2022, 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

Georgiann E. Hampton
Paralegal Specialist
Office of the General Counsel
U.S. Nuclear Regulatory Commission
Mail Stop O14-A44
Washington, DC 20555-0001
(301) 415-0732
Georgiann.Hampton@nrc.gov