

UNITED STATES OF AMERICA  
NUCLEAR REGULATORY COMMISSION

\_\_\_\_\_  
In the Matter of )  
 )  
STRATA ENERGY, INC. )  
 )  
(Ross In Situ Recovery Uranium Project) )  
\_\_\_\_\_ )

Docket No. 40-9091-MLA

**ORDER**

I recently granted the request of the Natural Resources Defense Council (NRDC) and the Powder River Basin Resource Council (Powder River) for a forty-five day extension to file a petition to intervene and request for hearing with respect to the captioned application.<sup>1</sup> The applicant, Strata Energy, Inc. (Strata), seeks reconsideration and reversal of that decision.<sup>2</sup> Upon consideration of all filings in this matter, Strata's motion is *denied*.

This Order is issued under my authority in 10 C.F.R. § 2.346(b) and (j).

IT IS SO ORDERED.

For the Commission

**[NRC SEAL]**

**/RA/**

\_\_\_\_\_  
Annette L. Vietti-Cook  
Secretary of the Commission

Done at Rockville, Maryland  
This 13<sup>th</sup> day of September, 2011.

<sup>1</sup> See Order (Aug. 17, 2011) (unpublished).

<sup>2</sup> See *Motion for Reconsideration of Office of Secretary's Decision Granting Natural Resource[s] Defense Council/Powder River Basin Resource Council Motion for Extension of Time to File a Request for Hearing* (Aug. 22, 2011). The Staff supports Strata's motion. See *NRC Staff's Response in Support of Strata Energy, Inc.'s Motion for Reconsideration of the Office of the Secretary's Decision Granting Natural Resources Defense Council/Powder River Basin Resource Council's Motion for Extension of Time* (Aug. 23, 2011). NRDC and Powder River oppose reconsideration and reversal. See *Response to Strata Energy's Motion for Reconsideration of the Office of the Secretary's Decision Granting Natural Resources Defense Council/Powder River Basin Resource Council's Request for Extension of Time to File an Intervention Petition* (Aug. 24, 2011).

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)  
(Materials License Application) )

CERTIFICATE OF SERVICE

I hereby certify that copies of the foregoing **ORDER OF THE SECRETARY [DENYING STRATA ENERGY'S MOTION FOR RECONSIDERATION OF THE OFFICE OF THE SECRETARY'S AUGUST 17, 2011 DECISION]**, have been served upon the following persons by Electronic Information Exchange.

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Office of Commission Appellate Adjudication  
Mail Stop O-7H4M  
Washington, DC 20555-0001  
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U.S. Nuclear Regulatory Commission  
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Washington, DC 20555-0001  
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U.S. Nuclear Regulatory Commission.  
Atomic Safety and Licensing Board Panel  
Mail Stop T-3F23  
Washington, DC 20555-0001

U.S. Nuclear Regulatory Commission  
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STRATA ENERGY, INC., Ross In Situ Recovery Uranium Project - Docket 40-9091-MLA  
**ORDER OF THE SECRETARY [DENYING STRATA ENERGY'S MOTION  
FOR RECONSIDERATION OF THE OFFICE OF THE SECRETARY'S  
AUGUST 17, 2011 DECISION]**

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[Original signed by Linda D. Lewis \_\_\_\_\_]  
Office of the Secretary of the Commission

Dated at Rockville, Maryland  
this 13<sup>th</sup> day of September 2011