

October 2, 2012

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

Dr. Richard F. Cole  
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  
Strata Energy, Inc. (Ross In Situ Recovery Uranium Project)  
Docket No. 40-9091-MLA; ASLBP No. 12-915-01-MLA-BD01

Dear Administrative Judges:

Pursuant to 10 C.F.R. §§ 2.336(b) and (c) and 2.1203 and the Memorandum and Order (Additional Provisions Governing Mandatory Disclosures/Hearing File Updates) issued by the Atomic Safety and Licensing Board (Board) on May 2, 2012, the U.S. Nuclear Regulatory Commission (NRC) staff (Staff) provides the Board and the parties with an index listing documents required to be disclosed by the Staff (Attachment 1). These documents may be viewed by accessing the hearing file for this proceeding that is maintained by the NRC's Office of the Secretary. The Staff is also attaching one (1) index listing documents that, under 10 C.F.R. § 2.390, are exempt from disclosure and for which the Staff is asserting a privilege or immunity (Attachment 2).

Along with the attached lists, the Staff is providing an affidavit certifying that all relevant materials have been disclosed to the extent required by 10 C.F.R. § 2.336(b) and (c), as modified by the Board's Memorandum and Order (Additional Provisions Governing Mandatory Disclosures/Hearing File Updates) (May 2, 2012) (unpublished).

Respectfully submitted,

**/Signed (electronically) by/**

Emily Monteith  
Counsel for the NRC Staff  
U.S. Nuclear Regulatory Commission  
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Enclosures: Attachment 1: Hearing File Index  
Attachment 2: Sensitive Information Log  
Affidavit of John Saxton

cc: Attached Service List

**ATTACHMENT 1**  
**STRATA ROSS HEARING FILE AND MANDATORY DISCLOSURES**  
**HEARING FILE INDEX**  
**Update – October 2, 2012**

	<b>Accession Number</b>	<b>Document Date</b>	<b>Title/Description</b>
708	ML12249A188	08/27/2012	Ross ISR Project, Draft Supplemental Map 'Indirect APE Analysis for Section 106 Tribal Consultation'.
709	ML12248A415	08/31/2012	B. Schiffer Email re: Scope of Work and Tribal Site Assessment for Ross Project.
710	ML12248A421	08/31/2012	K. Hsueh Ltr. re: Section 106 Tribal Consultation Process and Scope for Work for Ross Project.
711	ML12248A425	08/31/2012	Scope of Work for Assessment of Properties of Religious and Cultural Significance for Ross Project.
712	ML12241A054	09/04/2012	B. Schiffer Ltr: Approval of Strata Energy, Inc.'s Request for Withholding Information from Public Disclosure for Ross ISR Project.
713	ML12255A028	09/04/2012	M. Bennett ltr. re: Ross ISR Project Permit to Mine Application.

**ATTACHMENT 2  
STRATA ROSS HEARING FILE AND MANDATORY DISCLOSURES  
SENSITIVE INFORMATION LOG  
Update – October 2, 2012**

Certain documents otherwise subject to inclusion in the hearing file and mandatory disclosures for this proceeding have been determined by the NRC Staff to contain information subject to withholding from public disclosure as sensitive information. Pursuant to 10 C.F.R. § 2.336(b)(5), the Staff is providing this log to identify the following documents withheld because they contain sensitive information that, under 10 C.F.R. § 2.390(a)(3), is exempt from disclosure.

<b>ID#</b>	<b>Accession Number</b>	<b>Author/ Affiliation</b>	<b>Title / Description</b>	<b>Document Date</b>	<b>Document Type</b>	<b>Comment</b>	<b>Page Count</b>
S-00-17	ML12249A189	WWC Engineering for Strata Energy, Inc.	Draft Indirect APE Analysis	08/27/2012	Map	Use controlled by Section 304 of the National Historic Preservation Act.	2

October 2, 2012

UNITED STATES OF AMERICA  
NUCLEAR REGULATORY COMMISSION

BEFORE THE ATOMIC SAFETY AND LICENSING BOARD

In the Matter of	)	
	)	
STRATA ENERGY, INC.	)	Docket No. 40-9091-MLA
	)	
(Ross In Situ Recovery Uranium Project)	)	ASLBP No. 12-915-01-MLA-BD01
	)	

AFFIDAVIT OF JOHN SAXTON CONCERNING  
MANDATORY DISCLOSURE  
REQUIREMENT OF 10 C.F.R. § 2.336(c)

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I, John Saxton, do hereby state as follows:

1. I am employed as a Hydrogeologist in the U.S. Nuclear Regulatory Commission's Office of Federal and State Materials and Environmental Management Programs, Division of Waste Management and Environmental Protection, Decommissioning and Uranium Recovery Licensing Directorate. Among my responsibilities, I serve as Project Manager for Strata Energy, Inc.'s (Strata) application for a license to be used in connection with the proposed Ross *in situ* uranium recovery project. In this capacity, I am managing the preparation of the NRC Staff's hearing file and mandatory disclosures in connection with Strata's application.

2. I hereby certify that all materials that the Staff must disclose in this proceeding under 10 C.F.R. § 2.336(b) and (c), as modified by the Atomic Safety and Licensing Board's Memorandum and Order (Additional Provisions Governing Mandatory Disclosures/Hearing File Updates) (May 2, 2012) (unpublished), have been disclosed, and that the disclosures are accurate and complete as of the date of this certification.

3. I declare under penalty of perjury that the foregoing is true and correct to the best of my knowledge, information and belief.

***Executed in Accord with 10 CFR 2.304(d)***

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John Saxton  
U.S. Nuclear Regulatory Commission  
Mail Stop T-8F5  
Washington, DC 20555-0001  
301-415-0697  
John.Saxton@nrc.gov

Executed in Rockville, MD  
this 2nd day of October, 2012

UNITED STATES OF AMERICA  
NUCLEAR REGULATORY COMMISSION

In the Matter of	)	
	)	
STRATA ENERGY, INC.	)	Docket No. 40-9091-MLA
	)	
(Ross In Situ Recovery Uranium Project)	)	ASLBP No. 12-915-01-MLA-BD01
	)	

CERTIFICATE OF SERVICE

Pursuant to 10 C.F.R § 2.305 (revised), I hereby certify that copies of the foregoing "NRC STAFF'S OCTOBER 2012 UPDATE TO HEARING FILE AND DISCLOSURES" in the above-captioned proceeding have been served via the Electronic Information Exchange (EIE) this 2nd day of October, 2012.

**/Signed (electronically) by/**

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Date of Signature: October 2, 2012