

March 4, 2013

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. 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Memorandum and Order (Additional Provisions Governing Mandatory Disclosures/Hearing File Updates) (May 2, 2012) (unpublished).

In addition, the Staff wishes to inform the Board that its Safety Evaluation Report (SER) was issued and made publicly available on Friday, March 1, 2013. It can be accessed in ADAMS at Accession No. ML13057A178. On Friday, the Staff notified the parties that the SER was publicly available and provided them with the Accession number.

Respectfully submitted,

/Signed (electronically) by/

Emily Monteith
Counsel for the NRC Staff
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Enclosures: Attachment 1: Hearing File Index
Affidavit of John Saxton

cc: Attached Service List

ATTACHMENT 1
STRATA ROSS HEARING FILE AND MANDATORY DISCLOSURES
HEARING FILE INDEX
Update – March 4, 2013

	Accession Number	Document Date	Title/Description
795	ML13023A250	04/28/1977	"Thinning of the Fox Hills Sandstone, Crook County, Wyoming - A Possible Guide to Uranium Mineralization" in Short Papers of the U.S. Geological Survey, Uranium-Thorium Symposium (John S. Campbell, Editor).
796	ML13045A881	12/16/1977	Nubeth Joint Venture, Environmental Report Supportive Information to Application for Source Material License, In Situ Solution Mining Test Site, Sundance Project.
797	ML13037A140	01/22/1982	Nuclear Dynamics Resources Assessment Restoration Activities - Sundance Project.
798	ML13035A024	01/17/1986	Visual Resource Contrast Rating.
799	ML13024A313	07/03/2008	Estimating the Willingness to Pay for Dark Skies.
800	ML13029A321	01/15/2013	Final General Mangement Plan/Environmental Impact Statement, Devils Tower National Monument, Crook County, WY.
801	ML13037A473	01/18/2013	Ross ISR Project, Submittal of Technical Report Replacement Pages Following December 20, 2012 Public Meeting Regarding Draft License Comments.
802	ML13037A474	01/18/2013	Ross ISR Project, Technical Report Revision Index Table - January 2013.
803	ML13022A448	01/22/2013	10th International Emission Inventory Conference Proceedings: Methodology for Estimating Fugitive Windblown and Mechanically Resuspended Road Dust Emissions Applicable for Regional Air Quality Modeling.
804	ML13023A327	01/23/2013	"Tectonic History of the Black Hills Uplift" in Thirty-Ninth Field Conference Guidebook, Eastern Powder River Basin - Black Hills.
805	ML13035A014	02/01/2013	Email from Ben Schiffer of WWC Engineering re: Request Update of ER Table 1.6-1.
806	ML13035A015	02/01/2013	Ross ISR ER Table 1.6-1 Revised Jan 2013.
807	ML13063A231	02/15/2013	Redacted T. Mentz Email Re: Thoughts on Proposal for Site Survey.
808	ML13063A235	02/15/2013	Redacted T. Mentz Ltr Re: Ross Project.
809	ML13055A006	02/21/2013	2013/02/21 Strata Energy Ross LA - RE: Ross License Condition 12.11
810	ML13055A005	02/21/2013	2013/02/21 Strata Energy Ross LA - RE: Ross License Condition 12.11
811	ML13055A007	02/21/2013	2013/02/21 Strata Energy Ross LA - Ross License Condition 12.11

	Accession Number	Document Date	Title/Description
812	ML13055A002	02/22/2013	2013/02/22 Strata Energy Ross LA - RE: Ross ISR Project, Docket#040-09091, Second Draft License
813	ML13055A004	02/22/2013	2013/02/22 Strata Energy Ross LA - Ross ISR Project, Docket#040-09091, Phase I Comments to 2nd Round Draft License
814	ML13055A003	02/22/2013	2013/02/22 Strata Energy Ross LA - Ross ISR Project, Docket#090-09091, 2nd Round Comment to LC11.5 Paragraph #2
815	ML13056A439	02/25/2013	2013/02/25 Strata Energy Ross LA - RE: Staff's Responses to Strata's Comments on the Ross Second Draft
816	ML13057A009	02/25/2013	2013/02/25 Strata Energy Ross LA - Re: Staff's Responses to Strata's Comments on the Ross Second Draft
817	ML13056A436	02/25/2013	2013/02/25 Strata Energy Ross LA - Staff's Responses to Strata's Comments on the Ross Second Draft
818	ML13060A178	02/26/2013	2013/02/26 Strata Energy Ross LA - Re: Strata Ross 3rd Draft License
819	ML13060A175	02/26/2013	2013/02/26 Strata Energy Ross LA - Strata Ross 3rd Draft License
820	ML13057A516	02/27/2013	Third Draft License for Strata Energy, Inc.
821	ML13060A191	02/28/2013	2013/02/28 Strata Energy Ross LA - Ross 4th draft license
822	ML13057A170	02/28/2013	B. VonTill Memo re: Safety Evaluation Report for Ross ISR Project.
823	ML13059A350	02/28/2013	J. Saxton Email Re: Ross 4th Draft License.
824	ML13059A475	02/28/2013	Strata Ross ISR License Safety Evaluation Report.

March 4, 2013

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)

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)

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

Executed in Rockville, MD
this 4th day of March, 2013

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 MARCH 2013 UPDATE TO HEARING FILE AND DISCLOSURES" in the above-captioned proceeding have been served via the Electronic Information Exchange (EIE) this 4th day of March, 2013.

/Signed (electronically) by/

Emily Monteith
Counsel for the NRC Staff
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Date of Signature: March 4, 2013