

UNITED STATES OF AMERICA  
NUCLEAR REGULATORY COMMISSION

BEFORE THE ATOMIC SAFETY & LICENSING BOARD

In the Matter of	)	Docket No. 40-9091-MLA
	)	
STRATA ENERGY, INC.,	)	ASLBP No. 12-915-01-MLA-BD01
	)	
(Ross In Situ Recovery Uranium Project)	)	February 28, 2014

**NATURAL RESOURCES DEFENSE COUNCIL'S & POWDER RIVER BASIN  
RESOURCE COUNCIL'S NOTICE REGARDING MATTERS RAISED AT THE  
FEBRUARY 25, 2014 TELEPHONIC CONFERENCE**

During the telephonic conference held before the Board on February 25, 2014, the Board and the parties raised several issues the Board directed the parties to address in a short pleading to be filed by February 28, 2014. Intervenors Natural Resources Defense Council and Powder River Basin Resource Council ("Intervenors") hereby respond as follows:

1. With respect to one or more site visits, Intervenors do not believe that the Board's consideration of Intervenors' contentions would be particularly furthered by a visit to the site of the proposed Ross ISL mining operation.

As regards a potential visit to another ISL mining operation, Intervenors do not object if the Board concludes it would benefit from such a visit to better understand how such a facility operates. If the Board so concludes, Intervenors concur that such a visit should occur the day before the hearing commences.

2. During the conference Intervenors made two procedural proposals as to which they had obtained the applicant and Staff's consent. Those proposals are as follows:

a. The Initial Prehearing Order recognizes that the 10 page limit on motions is not practicable in the event of a motion seeking admission of more than one new or amended contention. Nov. 3, 2011 Order at 3 n.1. The Board addressed that issue by urging the filing of

a motion to extend the page limit to allow one filing, rather than a separate motion for each new or amended contention. *Id*; *see also* Apr. 10, 2012 Order at 4.

Although Intervenors cannot know in advance the number of new or amended contentions that might flow from issuance of the Final SEIS, the parties have agreed that it would promote efficiency to simply agree at this time that, in the event Intervenors file such contentions or amended contentions, they may all be contained in a single motion, the page limit of which will be 10 pages for each such contention or amended contention. Any responses would be subject to the same page limitation.

b. The Initial Order also provides that, upon issuance of the FEIS, "absent some other agreement among the parties," mandatory disclosures will occur every 14 days. Nov. 3, 2011 Order at 4, n.4. The parties also agree that the deadline for disclosures upon issuance of the FSEIS should remain at 30 day intervals.

Intervenors therefore respectfully urge that the Board adopt these two proposals.

Respectfully submitted,

s/ (electronically signed)  
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Date: February 28, 2014

**CERTIFICATE OF SERVICE**

I hereby certify that copies of the foregoing INTERVENORS' NOTICE OF FILING in the above-captioned proceeding were served via the Electronic Information Exchange (EIE) on the 28th day of February 2014, which to the best of my knowledge resulted in transmittal of same to those on the EIE Service List for the captioned proceeding.

Howard M. Crystal (electronic signature)

Date: February 28, 2014