

**UNITED STATES OF AMERICA  
NUCLEAR REGULATORY COMMISSION**

**BEFORE THE ATOMIC SAFETY AND LICENSING BOARD**

In the Matter of:

STRATA ENERGY, INC.

(Ross In Situ Uranium Recovery Facility)

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) Docket No.: 40-9091-MLA  
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) Date: April 29, 2014  
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**STRATA ENERGY, INC.'S PROPOSED AMENDMENT TO GENERAL HEARING  
SCHEDULE**

Strata Energy, Inc. (Strata), by its undersigned counsel of record, hereby submits this Proposed Amendment to General Hearing Schedule. In a Joint Motion dated April 7, 2014, the Natural Resources Defense Council and the Powder River Basin Resource Council (hereinafter the "Intervenors") and Strata requested that Strata be accorded an additional nine (9) days to respond to Intervenors' March 31, 2014 pleading regarding new/amended contentions, thereby moving the due date for such a response from April 14 to April 23, 2014. Further, the Joint Motion requested that Intervenors be granted an extension for a reply to Strata's response until May 7, 2014. NRC Staff took no position on this Joint Motion.

In its April 8, 2014 Order, the Licensing Board stated that the combined timeframe for the Joint Motion, approximately sixteen (16) days, would result in pushing the scheduled hearing date back to a point where holding such hearing in Gillette or Sundance, Wyoming would not be feasible. Board Order at 2. The

Licensing Board cites to a transcript from the Powertech (USA), Inc. proceeding in which that Licensing Board requested an alternate schedule for a hearing in August, so that the hearing would be “seasonably appropriate.” *Id.* Using this transcript, the Licensing Board determined that grant of the Joint Motion would result in the hearing being held in the United States Nuclear Regulatory Commission’s Headquarters in Rockville, Maryland, rather than in the State of Wyoming. *Id.*

In a Joint submission dated April 21, 2014, the Parties submitted that the aforementioned 16 days could be made up by holding the hearing the week of October 20, 2014. Unfortunately, the next day, Strata’s counsel was informed that its primary witness on issues related to groundwater would not be available from October 16-26, 2014 and, thus, could not participate in the hearing. As a result, there remains the issue of resolving the additional 16 days accorded as a result of time extension granted to both Strata and the Intervenors with the current general hearing schedule and the unavailability of Strata’s aforementioned key groundwater witness.

In an effort to resolve this issue, Strata has prepared the following proposed general hearings schedule amendment for the Licensing Board’s consideration with a hearing the week of October 6, 2014 (more specifically October 8-10, 2014). Strata has conferred with both NRC Staff and the Intervenors and have obtained concurrence.

## **PROPOSED SCHEDULE FOR HEARING WEEK OF OCTOBER 6, 2014**

<b><u>EVENT</u></b>	<b><u>ENVIRONMENTAL CONTENTIONS</u></b>	<b><u>SAFETY CONTENTIONS</u></b>
Answers to New/Amended Contentions	April 23, 2014	N/A
Replies to Answers Re: New/Amended Contentions	May 7, 2014	N/A
Licensing Board Ruling on New/Amended Contentions Admission	June 9, 2014	N/A
Admitted New/Amended Contention Mandatory Disclosure Updates	June 23, 2014	N/A
Summary Disposition Motions Re: Admitted Contentions/Motion to Invoke Subpart N Procedures	June 30, 2014	N/A
Responses Opposing Summary Disposition	July 14, 2014	N/A
Licensing Board Ruling on Summary Disposition Motions	August 22, 2014	N/A
Position Statements/Pre-filed Direct Testimony Due	August 29, 2014	N/A
Direct Testimony/Proposed Cross-Examination Questions/Requests for Cross-Examination	September 12, 2014	N/A
Response Statements/Pre-filed Rebuttal Testimony	September 18, 2014	N/A
Responses to Requests for Cross-Examination	September 19, 2014	N/A
Rebuttal Testimony/Proposed Cross-Examination Questions	September 26, 2014	N/A
Evidentiary Hearing	October 8-10, 2014	N/A
Proposed Findings of Fact/Conclusions of Law	November 11, 2014	N/A
Reply Findings of Fact/Conclusions of Law	November 25, 2014	N/A
Licensing Board Initial Decision	January 19, 2014	N/A

As stated previously, Strata has obtained concurrence from both NRC Staff and the Intervenors on this new hearing schedule and respectfully requests that the Licensing Board approve it.

Respectfully submitted,

**/Signed (electronically) by/  
Christopher S. Pugsley, Esq.**

Dated: April 29, 2014

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