

UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

ATOMIC SAFETY AND LICENSING BOARD PANEL

Before the Licensing Board:

G. Paul Bollwerk, III, Chairman
Dr. Richard F. Cole
Dr. Craig M. White

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

May 23, 2014

MEMORANDUM AND ORDER
(Revised General Schedule)

By separate order issued today, the Licensing Board rules on a March 31, 2014 motion by Joint Intervenors¹ seeking to (1) migrate or amend the four already-admitted environmental contentions in this proceeding so as to carry them forward in light of the staff's final supplement to the agency's in situ recovery generic environmental impact statement (EIS); and (2) admit two new contentions based on the staff's final supplement to the generic EIS. See Licensing Board Memorandum and Order (Ruling on Motion to Migrate/Amend Existing Contentions and Admit New Contentions Regarding Final Supplement to Generic [EIS]) (May 23, 2014) (unpublished) [hereinafter Board Contentions Order]; see also [Joint Intervenors] Joint Motion to Migrate or Amend Contentions and to Admit New Contentions in Response to Staff's Final Supplemental Draft [EIS] (Mar. 31, 2014). In that decision, among other things, the Board allows environmental contentions 1, 2, and 3, to pass through for further litigation,

¹ Joint Intervenors are the Natural Resources Defense Council and the Powder River Basin Resource Council.

environmental contentions 1 and 3 because of the migration tenet and environmental contention 2 because it qualifies as an amended contention. See Board Contentions Order at 19.

As part of the Board's general schedule for this proceeding, in the case of admitted new/amended contentions, we have provided a period of fourteen days for the parties to update their mandatory disclosures. See Licensing Board Memorandum and Order (Revised General Schedule) (Nov. 6, 2013) app. A, at 2 (unpublished). In our ruling today, although we admitted an amended environmental contention 2, the nature of the amendment is such that it is unlikely the parties will need much, if any, time to make any required updates. As a consequence, we will revise the existing general schedule to provide them a shorter a period for such updates, with the result that the date for the filing of summary disposition motions, and any associated responses, will be advanced somewhat as well.

Accordingly, included as Appendix A to this issuance is the revised general schedule for this proceeding that incorporates the changes noted above.² Consistent with 10 C.F.R.

² The attached revised schedule also incorporates changes previously made to the time for filing party responses and replies to Joint Intervenors' March 31 motion. See Board Contentions Order at 4 n. 2

§ 2.329(e), any objections to, or other comments regarding, this memorandum and order shall be filed within five days after it is served.

It is so ORDERED.

FOR THE ATOMIC SAFETY
AND LICENSING BOARD

/RA/

G. Paul Bollwerk, III, Chairman
ADMINISTRATIVE JUDGE

Rockville, Maryland

May 23, 2014

APPENDIX A

Dated: 05/23/2014

REVISED GENERAL SCHEDULE -- Strata Energy, Inc. (Ross In Situ Recovery Uranium Project) Proceeding

Event	Environmental Contentions	Safety Contentions
Licensing Board Order on Standing/Admissibility of Contentions	Feb. 10, 2012	Not Applicable (N/A)
Mandatory Disclosures and Staff Hearing File Due	Apr. 2, 2012	N/A
Draft Supplemental Environmental Impact Statement (SEIS) Issued	Mar. 21, 2013	N/A
New/Amended Contention Motions Due	May 6, 2013	N/A
Answers to New/Amended Contention Motions Due	June 3, 2013	N/A
Replies to Answers re New/Amended Contention Motions Due	June 17, 2013	N/A
Licensing Board Ruling on New/Amended Contention Admission	July 26, 2013	N/A
Admitted New/Amended Contention Mandatory Disclosure Updates Completed	Aug. 5, 2013	N/A
Summary Disposition Motions re Admitted Contentions Due ¹	Sept. 3, 2013 (Contentions 1, 2, and 3)	N/A
Responses Supporting Summary Disposition Motion Due ²	Sept. 13, 2013 (Same)	N/A
Responses Opposing Summary Disposition Motion Due	Sept. 27, 2013 (Same)	N/A
Licensing Board Ruling on Summary Disposition Motions	Oct. 28, 2013 (Same)	N/A
Final Safety Evaluation Report Issued		Mar. 1, 2013
Final SEIS Availability Notice	Feb. 28, 2014	
New/Amended Contention Motions Due	Mar. 31, 2014	Apr. 1, 2013
Answers to New/Amended Contention Motions Due	Apr. 23, 2014	N/A

¹ If no new/amended contentions are submitted or no new/amended contentions are admitted/approved, the summary disposition motion/responses schedule for admitted contentions begins seven days from the date motions for new/amended contentions were due or were denied.

² If no responses supporting a summary disposition motion are filed, then responses opposing the motion are due within 20 days of the date of the dispositive motion.

Event	Environmental Contentions	Safety Contentions
Replies to Answers re New/Amended Contention Motions Due	May 7, 2014	N/A
Licensing Board Ruling on New/Amended Contention Admission	May 23, 2014	N/A
Admitted New/Amended Contention Mandatory Disclosure Updates Completed	May 30, 2014	N/A
Summary Disposition Motions re Admitted Contentions ³ /Motion to Invoke Subpart N Procedures Due	June 6, 2014	N/A
Responses Supporting Summary Disposition Motion Due ⁴	June 16, 2014	N/A
Responses Opposing Summary Disposition Motion Due	June 30, 2014	N/A
Licensing Board Ruling on Summary Disposition Motions	Aug. 15, 2014	N/A
Position Statements/Prefiled Direct Testimony Due	Aug. 22, 2014	N/A
Direct Testimony Proposed Cross-Examination Questions/Requests for Cross-Examination Due	Sept. 5, 2014	N/A
Response Statements/Prefiled Rebuttal Testimony Due	Sept. 11, 2014	N/A
Responses to Requests for Cross-Examination Due	Sept. 12, 2014	N/A
Rebuttal Testimony Proposed Cross-Examination Questions Due	Sept. 18, 2014	N/A
Evidentiary Hearing	Sept. 30-Oct. 2, 2014	N/A
Proposed Findings of Fact/Conclusions of Law Due	Nov. 3, 2014	N/A
Reply Findings of Fact/Conclusions of Law Due	Nov. 17, 2014	N/A
Licensing Board Initial Decision	Jan. 9, 2015	N/A

³ If no new/amended contentions are submitted or no new/amended contentions are admitted/approved, the summary disposition motion/responses schedule for admitted contentions begins seven days from the date motions for new/amended contentions were due or were denied.

⁴ If no responses supporting a summary disposition motion are filed, then responses opposing the motion are due within 20 days of the date of the dispositive motion.

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))
)
(Materials License Application))

CERTIFICATE OF SERVICE

I hereby certify that copies of a **MEMORANDUM AND ORDER (Revised General Schedule)** have been served upon the following persons by Electronic Information Exchange.

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STRATA ENERGY, INC., Ross In Situ Recovery Uranium Project, Docket No. 40-9091-MLA
MEMORANDUM AND ORDER (Revised General Schedule)

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[Original signed by Herald M. Speiser _____]
Office of the Secretary of the Commission

Dated at Rockville, Maryland
this 23rd day of May 2014