

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

June 26, 2014

MEMORANDUM AND ORDER

(Opportunity for Party Comments on Site Visit Report)

In response to the Licensing Board's June 9, 2014 request, applicant Strata Energy, Inc., (SEI) submitted a June 23 report that provides a broad outline for the proposed site visits by the Board and the other parties to SEI's Ross in situ recovery (ISR) facility and the Uranerz Energy Corp. Nichols Ranch ISR site. See [SEI] Report on Site Tours (June 23, 2014) at 1–2 [hereinafter Site Visit Report]; see also Licensing Board Memorandum and Order (Requesting Further Site Visit Information) (June 9, 2014) at 2–3 (unpublished) [hereinafter Board Order]. This includes (1) meeting at the SEI office in Gillette, Wyoming, and using SEI-supplied transportation to reach the Ross and Nichols Ranch ISR sites; (2) touring the sites in SEI-supplied transportation; and (3) returning to Gillette using SEI-supplied transportation via, in the case of the Ross ISR facility tour, Hulett, Wyoming, to view the location, local residences, and Devils Tower. See Site Visit Report, unnumbered attach. 1, at 1 (ASLB Site Visit Schedule and Details).

As the Board indicated in its June 9 issuance, the NRC staff and Joint Intervenors<sup>1</sup> will have an opportunity to comment on the SEI report.<sup>2</sup> See Board Order at 3. Accordingly, the staff and Joint Intervenors may file comments regarding the June 23 SEI site visit report on or before Friday, July 11, 2014.<sup>3</sup>

It is so ORDERED.

FOR THE ATOMIC SAFETY  
AND LICENSING BOARD

/RA/

G. Paul Bollwerk, III, Chairman  
ADMINISTRATIVE JUDGE

Rockville, Maryland

June 26, 2014

---

<sup>1</sup> Joint Intervenors are the Natural Resources Defense Council and the Powder River Basin Resource Council.

<sup>2</sup> As SEI indicated in its report, the Board did not request that SEI coordinate its report with the other parties. See Site Visit Report at 3. Nonetheless, if either Joint Intervenors or the staff have any questions/objections regarding any aspect of the planned site visits as set forth in SEI's report, the Board would urge that party to contact SEI to afford it an opportunity to address that party's concerns prior to the party providing its comments to the Board.

<sup>3</sup> In this regard, the Board would appreciate any comments the staff might provide regarding the constraints that may exist under the Nuclear Regulatory Commission's ethics rules and guidelines regarding the receipt by agency personnel of SEI-supplied transportation and lunch under the circumstances described in the SEI report.

Also, as the Board indicated in its June 9 issuance, if one or more of the parties believes that efficiency would best be served by having a telephone conference regarding these site visits, at the earliest opportunity they should advise the Board in writing and include several suggested dates/times during which all the parties are available for such a conference . See Board Order at 3 n.3.

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 the foregoing **MEMORANDUM AND ORDER (Opportunity for Party Comments on Site Visit Report)** have been served upon the following persons by Electronic Information Exchange.

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

G. Paul Bollwerk, III, Chair  
Administrative Judge  
[paul.bollwerk@nrc.gov](mailto:paul.bollwerk@nrc.gov)

Dr. Richard F. Cole  
Administrative Judge  
[richard.cole@nrc.gov](mailto:richard.cole@nrc.gov)

Dr. Craig M. White  
Administrative Judge  
[craig.white@nrc.gov](mailto:craig.white@nrc.gov)

Kathleen Schroeder, Law Clerk  
[kathleen.schroeder@nrc.gov](mailto:kathleen.schroeder@nrc.gov)

U.S. Nuclear Regulatory Commission  
Office of Commission Appellate Adjudication  
Mail Stop O-7H4  
Washington, DC 20555-0001  
[OCAAMAIL@nrc.gov](mailto:OCAAMAIL@nrc.gov)

U.S. Nuclear Regulatory Commission  
Office of the General Counsel  
Mail Stop O-15D21  
Washington, DC 20555-0001  
Catherine Scott, Esq.  
Carrie Safford, Esq.  
Christopher Hair, Esq.  
Emily Monteith, Esq.  
Richard Harper, Esq.  
Sabrina Allen, Paralegal  
[catherine.scott@nrc.gov](mailto:catherine.scott@nrc.gov)  
[carrie.safford@nrc.gov](mailto:carrie.safford@nrc.gov)  
[christoper.hair@nrc.gov](mailto:christoper.hair@nrc.gov)  
[emily.monteith@nrc.gov](mailto:emily.monteith@nrc.gov)  
[richard.harper@nrc.gov](mailto:richard.harper@nrc.gov)  
[sabrina.allen@nrc.gov](mailto:sabrina.allen@nrc.gov)

U.S. Nuclear Regulatory Commission  
Office of the Secretary of the Commission  
Mail Stop O-16H12  
Washington, DC 20555-0001  
Hearing Docket  
[hearingdocket@nrc.gov](mailto:hearingdocket@nrc.gov)

STRATA ENERGY, INC., Ross In Situ Recovery Uranium Project, Docket No. 40-9091-MLA  
**MEMORANDUM AND ORDER (Opportunity for Party Comments on Site Visit Report)**

Strata Energy, Inc.  
Thompson & Pugsley, PLLC  
1225 19<sup>th</sup> Street, NW, Suite 300  
Washington, DC 20036  
Anthony J. Thompson, Esq.  
Christopher S. Pugsley, Esq.  
Cindy Seaton, Paralegal  
Alison Bimba, Legal Assistant  
Timothy Donis, Legal Assistant  
[ajthompson@athompsonlaw.com](mailto:ajthompson@athompsonlaw.com)  
[cpugsley@athompsonlaw.com](mailto:cpugsley@athompsonlaw.com)  
[cseaton@thompsonlaw.com](mailto:cseaton@thompsonlaw.com)  
[abimba@athompsonlaw.com](mailto:abimba@athompsonlaw.com)  
[tdonis@athompsonlaw.com](mailto:tdonis@athompsonlaw.com)

Powder River Basin Resource Council  
934 N. Main Street  
Sheridan, WY 82801  
Shannon Anderson, Esq.  
[sanderson@powderriverbasin.org](mailto:sanderson@powderriverbasin.org)

Natural Resources Defense Council, Inc.  
1152 15<sup>th</sup> Street, NW, Suite 300  
Washington, DC 20005  
Geoffrey H. Fettus, Esq.  
Senior Attorney  
[gfettus@nrdc.org](mailto:gfettus@nrdc.org)

Natural Resources Defense Council  
Powder River Basin Resource Council  
Meyer, Glitzenstein & Crystal  
1601 Connecticut Avenue, N.W., Suite 700  
Washington, DC 20009  
Howard M. Crystal, Esq.  
[hcrystal@meyerglitz.com](mailto:hcrystal@meyerglitz.com)

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

Dated at Rockville, Maryland  
this 26<sup>th</sup> day of June, 2014