



UNITED STATES  
NUCLEAR REGULATORY COMMISSION  
WASHINGTON, D.C. 20555-0001

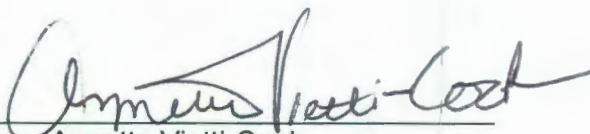
July 28, 2016

SECRETARY

MEMORANDUM TO: Board and Parties  
Rare Element Resources, Inc. (Bear Lodge Project)  
Docket No. 40-38367-ML

SUBJECT: MEMORANDUM AND ORDER DATED MARCH 23, 2016,  
GRANTING DEFENDERS OF THE BLACK HILLS' REQUEST TO  
WITHDRAW HEARING REQUEST AND TERMINATING  
PROCEEDING (LBP-16-02)

This is to inform you that the time provided by NRC regulation within which the Commission may act to review the decision of the Atomic Safety and Licensing Board (LBP-16-02) in this docket has expired. The Commission has declined any review of this decision. Accordingly, the decision became final agency action on July 21, 2016.

  
Annette Vietti-Cook  
Secretary

UNITED STATES OF AMERICA  
NUCLEAR REGULATORY COMMISSION

In the Matter of	)	
	)	
RARE ELEMENT RESOURCES, INC.	)	Docket No. 40-38367-ML
	)	
(Bear Lodge Project)	)	
	)	

CERTIFICATE OF SERVICE

I hereby certify that copies of the foregoing **MEMORANDUM FROM THE SECRETARY TO THE BOARD AND PARTIES REGARDING BOARD MEMORANDUM AND ORDER LBP-16-02** in the above-captioned proceeding have been served upon the following persons by Electronic Information Exchange.

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Docket No. 40-38367-ML

**MEMORANDUM FROM THE SECRETARY TO THE BOARD AND PARTIES REGARDING  
BOARD MEMORANDUM AND ORDER LBP-16-02**

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[Original Signed by Clara Sola \_\_\_\_\_]  
Office of the Secretary of the Commission

Dated at Rockville, Maryland  
this 28<sup>th</sup> day of July, 2016