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April 17, 2013

U.S. Nuclear Regulatory Commission  
Document Control Desk  
Director, Office of Federal and State Materials and Environmental Management Programs  
U.S. Nuclear Regulatory Commission  
Washington, DC 20555-0001

RE: Ross ISR Project, Docket #040-09091,  
National Register of Historic Places Evaluations: Additional Testing Plan

Strata Energy, Inc. (Strata) hereby submits an Additional Testing Plan for National Register of Historic Places (NRHP) evaluations associated with the Ross ISR Project located in Crook County, Wyoming. Section 106 consultations with the Wyoming State Historic Preservation Office (Currit 2013) resulted in a request for additional testing of select sites in order to make a determination of NRHP Eligibility, or to make a Determination of Effect. The enclosed Additional Testing Plan and confidentiality affidavit are submitted per 10 CFR Section 2.390(a)(3) as this document is Privileged and Confidential.

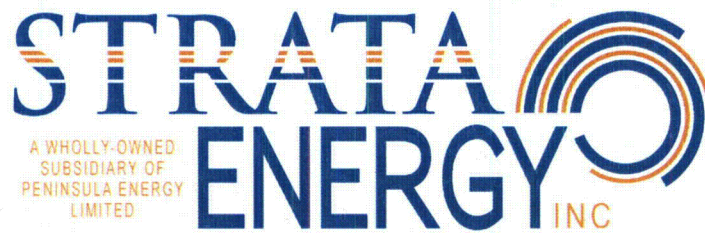
Strata requests that NRC provide concurrence with the testing plan or comments within 30 days. In order to meet field work and licensing schedule requirements we plan to implement the Additional Testing Plan in May 2013.

If you should have any questions or need additional information, please call me at (307) 686-4066 or e-mail me at [mgriffin@stratawyo.com](mailto:mgriffin@stratawyo.com).

Sincerely  
STRATA ENERGY INC.

Mike Griffin  
Vice President of Permitting, Regulatory and Environmental Compliance

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Enclosure: As Stated

Cc: John Saxton, NRC  
Dr. Alice Tretabas, BLM-NFO  
Richard Currit, WSHPO

**STRATA ENERGY, INC.**

**Docket #040-09091**

**AFFIDAVIT OF RALPH KNODE, CHIEF EXECUTIVE OFFICER, STRATA ENERGY, INC.**

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1. My name is Ralph Knode and I am the Chief Executive Officer (CEO) of Strata Energy, Inc. (Strata). I am authorized to execute this affidavit on behalf of Strata and may bind Strata to the statements contained herein;
2. This affidavit is attached to Strata's submission of an application to the United States Nuclear Regulatory Commission (NRC) for a combined source and 11e.(2) byproduct material license for its proposed in situ leach uranium recovery (ISR) project to be located near Oshoto in the State of Wyoming, NRC Docket #040-09091;
3. As part of its license application, Strata submitted a Technical Report (TR) and an Environmental Report (ER) that include data, information, and other items that qualify for withholding pursuant to 10 CFR § 2.390;
4. Portions of the license application submitted by Strata include cultural resources information that could be misused by unscrupulous artifact collectors to disturb archaeological or other historic and cultural sites and that should be subject to protection from public disclosure pursuant to 10 CFR § 2.390(a)(3);
5. By letter dated March 28, 2013 the Wyoming SHPO determined that certain sites should be "eligible pending formal testing" and suggested that NRC in consultation with SHPO and other parties as determined by NRC develop a testing plan that would determine project effect and test affected unevaluated sites for NRHP eligibility. Strata hereby requests that the following testing plan be withheld from public disclosure:

NATIONAL REGISTER OF HISTORIC PLACES EVALUATIONS: TESTING OF SITES 48CK1603, 48CK2073, 48CK2076 and 48CK2083 AT THE PROPOSED ROSS ISR PROJECT, CROOK COUNTY, WYOMING.

6. For the following reasons, Strata asserts that the aforementioned testing plan regarding historic and cultural resources should be withheld from public disclosure as privileged and confidential information:
  - i. The data and information contained in the above-mentioned testing plan are customarily held in confidence by businesses and other organizations seeking to protect information related to certain historic and cultural resources or confidential and/or proprietary business information;

- ii. The data and information regarding historic and cultural resources or confidential and/or proprietary business information listed in Strata's license application are not available in any public sources;
- iii. Release of the data and information contained in the above-mentioned testing plan may cause substantial harm to cultural resources on private and public property or Strata as a corporate entity for the following reasons:
  - a) Certain individuals may use the information to unlawfully collect cultural artifacts for personal use; and
  - b) The Wyoming State Historic Preservation Office is responsible for the study and protection of cultural sites and artifacts and will be issued a full report detailing the location(s) and artifact(s) discovered;
- iv. If it were to become publicly available, the historic and cultural resource information would provide no tangible benefit to members of the public since artifacts cannot be legally collected. Therefore, withholding the data and information designated by Strata for protection from public disclosure will not harm members of the public. However, as stated above, releasing the location of historic and cultural resource sites could result in the theft or destruction of potentially significant cultural artifacts; and
- v. Strata fully understands that withholding the designated data and information does not deprive any independent party from inspecting the confidential information under the terms of an appropriate protective order in the context of an NRC licensing hearing or other administrative proceeding.

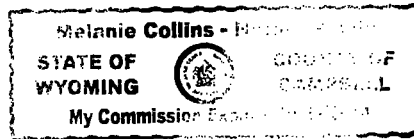
A handwritten signature in black ink, reading "Ralph Knode", is written over a horizontal line.

Ralph Knode, CEO Strata Energy, Inc.

State of Wyoming )

)

County of Campbell )



The foregoing Affidavit was affirmed and acknowledged before me this 18 day of April, 2013, by Mr. Ralph Knode, CEO of Strata Energy, Inc., a Wyoming corporation.

Witness my hand and official seal.

Melanie Collins

Notary Public

My commission expires: 9/23/14