

May 2, 2013

G. Paul Bollwerk, III, Chair  
Administrative Judge  
Atomic Safety and Licensing Board Panel  
Mail Stop T-3 F23  
U.S. Nuclear Regulatory Commission  
Washington, DC 20555-0001

Dr. Kenneth L. Mossman  
Administrative Judge  
Atomic Safety and Licensing Board Panel  
Mail Stop T-3 F23  
U.S. Nuclear Regulatory Commission  
Washington, DC 20555-0001

Dr. Richard F. Cole  
Administrative Judge  
Atomic Safety and Licensing Board Panel  
Mail Stop T-3 F23  
U.S. Nuclear Regulatory Commission  
Washington, DC 20555-0001

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

Dear Administrative Judges:

Pursuant to 10 C.F.R. §§ 2.336(b) and (c) and 2.1203 and the Memorandum and Order (Additional Provisions Governing Mandatory Disclosures/Hearing File Updates) issued by the Atomic Safety and Licensing Board (Board) on May 2, 2012, the U.S. Nuclear Regulatory Commission (NRC) staff (Staff) provides the Board and the parties with an index listing documents required to be disclosed by the Staff (Attachment 1). These documents may be viewed by accessing the hearing file for this proceeding that is maintained by the NRC's Office of the Secretary. The Staff is also attaching one (1) index listing documents that, under 10 C.F.R. § 2.390, are exempt from disclosure and for which the Staff is asserting a privilege or immunity (Attachment 2).

Along with the attached lists, the Staff is providing an affidavit certifying that all relevant materials have been disclosed to the extent required by 10 C.F.R. § 2.336(b) and (c), as modified by the Board's Memorandum and Order (Additional Provisions Governing Mandatory Disclosures/Hearing File Updates) (May 2, 2012) (unpublished).

Respectfully submitted,

**/Signed (electronically) by/**

Molly Barkman Marsh  
Counsel for the NRC Staff  
U.S. Nuclear Regulatory Commission  
Mail Stop O-15 D21  
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(301) 415-1117  
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Enclosures: Attachment 1: Hearing File Index  
Attachment 2: Sensitive Information Log  
Affidavit of John Saxton

cc: Attached Service List

**ATTACHMENT 1**  
**STRATA ROSS HEARING FILE AND MANDATORY DISCLOSURES**  
**HEARING FILE INDEX**  
**Update – May 2, 2013**

	<b>Accession Number</b>	<b>Document Date</b>	<b>Title/Description</b>
847	ML13091A034	03/25/2013	Review of Revisions to Strata/Ross Permit #802, TFN 5 6/390.
848	ML13101A403	03/28/2013	K. Hsueh ltr. re: Ross ISR Project.
849	ML13105A114	04/08/2013	Approval of Non-Significant Revision Application, Ross Mine, Permit No. 802.
850	ML13120A610	04/18/2013	2013/04/18 Strata Energy Ross LA - RE: SHPO determination

**ATTACHMENT 2**  
**STRATA ROSS HEARING FILE AND MANDATORY DISCLOSURES**  
**SENSITIVE INFORMATION LOG**  
**Update – May 2, 2013**

Certain documents otherwise subject to inclusion in the hearing file and mandatory disclosures for this proceeding have been determined by the NRC Staff to contain information subject to withholding from public disclosure as sensitive information. Pursuant to 10 C.F.R. § 2.336(b)(5), the Staff is providing this log to identify the following documents withheld because they contain sensitive information that, under 10 C.F.R. § 2.390(a)(3), is exempt from disclosure.

<b>ID#</b>	<b>Accession Number</b>	<b>Author/ Affiliation</b>	<b>Title / Description</b>	<b>Document Date</b>	<b>Document Type</b>	<b>Comment</b>	<b>Page Count</b>
S-00-27	ML13120A762	Moore, Johari (NRC/FSME)	2013/03/11 Strata Energy Ross LA - Update - Ross Project TCP Survey	03/11/2013	Email	Proprietary	6
S-00-28	ML13120A602	Moore, Johari (NRC/FSME)	2013/03/15 Strata Energy Ross LA - Re: Ross ISR TCP	03/15/2013	Email	Intergovernmental	2
S-00-29	ML13120A761	Moore, Johari (NRC/FSME)	2013/03/21 Strata Energy Ross LA - RE: Dewey Burdock Ross and NRC Projects	03/21/2013	Email	Intergovernmental	8
S-00-30	ML13120A605	Thomas, Richard (Santee Sioux Nation)	2013/03/22 Strata Energy Ross LA - Tribal Interest, Ross Project	03/22/2013	Email	Intergovernmental	2
S-00-31	ML13120A603	Young, Waste'Win (Standing Rock Sioux Tribe)	2013/03/22 Strata Energy Ross LA - projects	03/22/2013	Email	Intergovernmental	2
S-00-32	ML13120A604	Moore, Johari (NRC/FSME)	2013/03/22 Strata Energy Ross LA - RE: TCP Survey of the Proposed Ross Project Area	03/22/2013	Email	Intergovernmental	6
S-00-33	ML13120A694	Young, Waste'Win (Standing Rock Sioux Tribe)	2013/03/28 Strata Energy Ross LA -	03/28/2013	Email	Intergovernmental	2
S-00-34	ML13120A695	Belgard, Morris (Fort Belknap Indian Community)	2013/03/29 Strata Energy Ross LA - field survey letter	03/29/2013	Email	Intergovernmental	2

ID#	Accession Number	Author/ Affiliation	Title / Description	Document Date	Document Type	Comment	Page Count
S-00-35	ML13120A697	Wiley, Andrew (Cheyenne Arapaho)	2013/03/29 Strata Energy Ross LA - Field Survey Participation	03/29/2013	Email	Intergovernmental	2
S-00-36	ML13120A732	Nadeau, Bruce (Turtle Mountain Band of Chippewa Indians)	2013/04/02 Strata Energy Ross LA - Fwd: Snow Delay and revisions to Work Plan and Field Rep Packet	04/02/2013	Email	Intergovernmental	43
S-00-37	ML13120A734	Nadeau, Bruce (Turtle Mountain Band of Chippewa Indians)	2013/04/02 Strata Energy Ross LA - Fwd: BLM Draft Work Plan Bear Den	04/02/2013	Email	Intergovernmental	15
S-00-38	ML13120A699	Chapman, Cheryl (Tribal Consultant)	2013/04/02 Strata Energy Ross LA - Ross Project Correspondence	04/02/2013	Email	Intergovernmental	3
S-00-39	ML13120A733	Young, Waste'Win (Standing Rock Sioux Tribe)	2013/04/02 Strata Energy Ross LA -	04/02/2013	Email	Intergovernmental	14
S-00-40	ML13120A724	Moore, Johari (NRC/FSME)	2013/04/02 Strata Energy Ross LA - FW: Update - Ross Project TCP Survey	04/02/2013	Email	Intergovernmental	7
S-00-41	ML13120A753	Wiley, Andrew (Cheyenne Arapaho)	2013/04/03 Strata Energy Ross LA - RE: Field Survey Participation	04/03/2013	Email	Intergovernmental	2
S-00-42	ML13120A759	Moore, Johari (NRC/FSME)	2013/04/04 Strata Energy Ross LA - RE:	04/04/2013	Email	Intergovernmental	13
S-00-43	ML13120A752	Currit, Richard (Wyoming SHPO)	2013/04/05 Strata Energy Ross LA - Re: Ross	04/05/2013	Email	Intergovernmental	3
S-00-44	ML13120A751	Young, Waste'Win (Standing Rock Sioux Tribe)	2013/04/05 Strata Energy Ross LA - RE:	04/05/2013	Email	Intergovernmental	4
S-00-45	ML13120A758	Moore, Johari (NRC/FSME)	2013/04/05 Strata Energy Ross LA - Tribal Working Group Proposed	04/05/2013	Email	Proprietary	10

ID#	Accession Number	Author/ Affiliation	Title / Description	Document Date	Document Type	Comment	Page Count
			Approach for Ross Project Field Survey				
S-00-46	ML13120A735	Thomas, Richard (Santee Sioux Nation)	2013/04/15 Strata Energy Ross LA - Field Study	04/15/2013	Email	Intergovernmental	2
S-00-47	ML13120A736	Wiley, Andrew (Cheyenne Arapaho)	2013/04/15 Strata Energy Ross LA - RE: Field Survey Participation Dates	04/15/2013	Email	Intergovernmental	2
S-00-48	ML13120A760	Moore, Johari (NRC/FSME)	2013/04/16 Strata Energy Ross LA - FW: Update - Ross Project TCP Survey	04/16/2013	Email	Intergovernmental	7
S-00-49	ML13120A743	Griffin, Mike (Strata Energy, Inc.)	2013/04/17 Strata Energy Ross LA - Comments on TWG proposal	04/17/2013	Email	Proprietary	11
S-00-50	ML13120A744	Vance, Steve (Cheyenne River Sioux Tribe)	2013/04/19 Strata Energy Ross LA - RE: Dewey Burdock Field Survey Temporarily Suspended again due to weather conditions	04/19/2013	Email	Intergovernmental	7
S-00-51	ML13120A750	Clouthier, Terence (Standing Rock Sioux Tribe)	2013/04/22 Strata Energy Ross LA - RE:	04/22/2013	Email	Intergovernmental	6
S-00-52	ML13120A749	Grant, Brady (Turtle Mountain Band of Chippewa Indians)	2013/04/24 Strata Energy Ross LA - Re: Ross Wyoming project	04/24/2013	Email	Intergovernmental	3
S-00-53	ML13120A748	Nadeau, Bruce (Turtle Mountain Band of Chippewa Indians)	2013/04/24 Strata Energy Ross LA - Re: Ross Project	04/24/2013	Email	Intergovernmental	4
S-00-54	ML13120A747	Currit, Richard (Wyoming SHPO)	2013/04/25 Strata Energy Ross LA - Re: Ross Project Clarification	04/25/2013	Email	Intergovernmental	3

ID#	Accession Number	Author/ Affiliation	Title / Description	Document Date	Document Type	Comment	Page Count
S-00-55	ML13120A745	Nadeau, Bruce (Turtle Mountain Band of Chippewa Indians)	2013/04/26 Strata Energy Ross LA - Re: tribal working group	04/26/2013	Email	Intergovernmental	2
S-00-56	ML13120A746	Nadeau, Bruce (Turtle Mountain Band of Chippewa Indians)	2013/04/26 Strata Energy Ross LA - Ross	04/26/2013	Email	Intergovernmental	2

May 2, 2013

UNITED STATES OF AMERICA  
NUCLEAR REGULATORY COMMISSION

BEFORE THE ATOMIC SAFETY AND LICENSING BOARD

In the Matter of	)	
	)	
STRATA ENERGY, INC.	)	Docket No. 40-9091-MLA
	)	
(Ross In Situ Recovery Uranium Project)	)	ASLBP No. 12-915-01-MLA-BD01
	)	

AFFIDAVIT OF JOHN SAXTON CONCERNING  
MANDATORY DISCLOSURE  
REQUIREMENT OF 10 C.F.R. § 2.336(c)

I, John Saxton, do hereby state as follows:

1. I am employed as a Hydrogeologist in the U.S. Nuclear Regulatory Commission's Office of Federal and State Materials and Environmental Management Programs, Division of Waste Management and Environmental Protection, Decommissioning and Uranium Recovery Licensing Directorate. Among my responsibilities, I serve as Project Manager for Strata Energy, Inc.'s (Strata) application for a license to be used in connection with the proposed Ross *in situ* uranium recovery project. In this capacity, I am managing the preparation of the NRC Staff's hearing file and mandatory disclosures in connection with Strata's application.

2. I hereby certify that all materials that the Staff must disclose in this proceeding under 10 C.F.R. § 2.336(b) and (c), as modified by the Atomic Safety and Licensing Board's Memorandum and Order (Additional Provisions Governing Mandatory Disclosures/Hearing File Updates) (May 2, 2012) (unpublished), have been disclosed, and that the disclosures are accurate and complete as of the date of this certification.



3. I declare under penalty of perjury that the foregoing is true and correct to the best of my knowledge, information and belief.

***Executed in Accord with 10 CFR 2.304(d)***

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John Saxton  
U.S. Nuclear Regulatory Commission  
Mail Stop T-8F5  
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301-415-0697  
John.Saxton@nrc.gov

Executed in Rockville, MD  
this 2nd day of May, 2013

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)	)	ASLBP No. 12-915-01-MLA-BD01
	)	

CERTIFICATE OF SERVICE

Pursuant to 10 C.F.R § 2.305 (revised), I hereby certify that copies of the foregoing "NRC STAFF'S MAY 2013 UPDATE TO HEARING FILE AND DISCLOSURES" in the above-captioned proceeding have been served via the Electronic Information Exchange (EIE) this 2nd day of May, 2013.

**/Signed (electronically) by/**

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Date of Signature: May 2, 2013