

April 7, 2014

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. Craig M. White  
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:

In the prehearing conference held with the Board and the parties on February 25, 2014, counsel for the Staff indicated that should the Staff recommend in its Final Environmental Impact Statement (FSEIS) that a license be issued to Strata for the Ross Project site, the date for that event would most likely occur 30 days after the Environmental Protection Agency issued its *Federal Register* notice concerning issuance of the FSEIS. As reflected on the Staff's website for the Ross Project, the tentative date for the license issuance was today, April 7, 2014. However, as of today, the National Historic Preservation Act (NHPA) Section 106 process for the Ross Project is not yet complete. Therefore, the Staff will not be in a position to issue a license for the Ross Project before the end of today.

To fulfill its responsibilities under Section 106 of the NHPA, the Staff has developed a programmatic agreement (PA) with Strata and other consulting parties. The PA is currently with the Wyoming Attorney General's office for review and approval. Once the NRC receives that approval, and the PA is signed by the signatory parties, the Section 106 process will be complete and the Staff will be able to issue the license.<sup>1</sup> The Staff will notify the Board and the parties of the license issuance in a letter pursuant to 10 C.F.R. § 2.1202(a).

Respectfully submitted,

**/Signed (electronically) by/**

Emily Monteith  
Counsel for the NRC Staff

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<sup>1</sup> The Staff plans to update the Ross Project website with a new tentative date for license issuance once it is better able to estimate when the Section 106 process may be completed.

UNITED STATES OF AMERICA  
NUCLEAR REGULATORY COMMISSION

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	)	

CERTIFICATE OF SERVICE

Pursuant to 10 C.F.R. § 2.305 (revised), I hereby certify that copies of the foregoing "Letter to the Board Regarding Delay in License Issuance" in the above-captioned proceeding have been served via the Electronic Information Exchange (EIE) this 7th day of April, 2014.

**/Signed (electronically) by/**

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Date of Signature: April 7, 2014