

April 25, 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

NRC STAFF'S NOTICE OF LICENSE ISSUANCE

Dear Administrative Judges and Parties:

Today the Nuclear Regulatory Commission (NRC) Staff issued Strata Energy, Inc. (Strata) NRC Source Materials License No. SUA-1601. The license allows Strata to possess and use source and byproduct material in connection with its Ross Project in Crook County, Wyoming. The license is available in the NRC's Agencywide Documents Access Management System (ADAMS) under Accession Number ML14069A335.¹

When the Staff issues a license while there is a hearing pending under Subpart L of 10 C.F.R. Part 2, as is the case here, its notice to the Board and parties "must include the NRC staff's explanation why the public health and safety is protected and why the action is in accord with the common defense and security despite the pendency of the contested matter before the presiding officer." 10 C.F.R. § 2.1202(a).

As documented in the Staff's Safety Evaluation Report for Strata's application, the Staff finds that the application complies with the Atomic Energy Act and the NRC's regulations. More specifically, the Staff finds that Strata's application meets all applicable requirements in 10

¹ ADAMS Accession Package No. ML14069A315 includes the license transmittal letter and the license. The NRC staff also issued its Record of Decision for the Ross Project today and it, along with the Staff's final Environmental Impact Statement (FSEIS) for the Ross Project and an errata to the FSEIS, may be found at ADAMS Accession Package No. ML14112A447. The Final Safety Evaluation Report for the Ross Project may be found in ADAMS Accession Package No. ML14108A088. The Final Programmatic Agreement for the Ross Project was executed April 24, 2014 and is available in ADAMS Accession Package No. ML14111A346.

C.F.R. Parts 20 and 40. In particular, under 10 C.F.R. § 40.32(b), the Staff finds that Strata is qualified by reason of training and experience to use source material for its requested purpose. Under § 40.32(c), the Staff finds that the equipment and procedures Strata proposes to use at the Ross Project are adequate to protect public health and minimize danger to life or property.

Based on these findings and the specific analysis in its Safety Evaluation Report, pursuant to § 40.32(b), the Staff finds that issuing a license to Strata is not inimical to either public health and safety or common defense and security. The pending hearing before the Board does not affect these conclusions. The Staff has considered the arguments raised by the Intervenors in the hearing, but those arguments do not affect the conclusions in the Safety Evaluation Report.

Sincerely,

/Signed (electronically) by/

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U.S. Nuclear Regulatory Commission
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cc: Electronic Information Exchange Service List

UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

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CERTIFICATE OF SERVICE

Pursuant to 10 C.F.R § 2.305, I hereby certify that copies of the foregoing "NRC STAFF'S NOTICE OF LICENSE ISSUANCE" in the above-captioned proceeding have been served via the Electronic Information Exchange (EIE) this 25th day of April, 2014.

/Signed (electronically) by/

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Date of Signature: April 25, 2014