

**UNITED STATES OF AMERICA  
NUCLEAR REGULATORY COMMISSION**

**BEFORE THE COMMISSION**

In the Matter of:	)	
	)	
STRATA ENERGY, INC.	)	Docket No.: 40-9091-MLA
	)	
(Ross In Situ Uranium Recovery Facility)	)	Date: February 21, 2012
	)	
	)	
	)	

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**APPLICANT STRATA ENERGY, INC'S NOTICE OF APPEAL OF LBP-12-3**

Pursuant to 10 C.F.R. §§ 2.311(a), (c), and (d), Strata Energy, Inc. (Strata) hereby files this Notice of Appeal of the Atomic Safety and Licensing Board's Memorandum and Order, dated February 10, 2012, which granted standing and admitted five (5) contentions related to Strata's license application for its proposed Ross in situ leach uranium recovery (ISR) project and respectfully requests that the Commission reverse the Licensing Board's rulings regarding standing and deny the Natural Resources Defense Council/Powder River Basin Resource Council's (hereinafter the "Council") request for a hearing in its entirety. If the Licensing Board's standing determination in LBP-12-3 is upheld, then the Commission should reverse the Board's decision to admit Environmental Contentions 1 and 2. Further, given the complexity of the issues argued in this appeal, especially with respect to Strata's appeal of the admission of

Environmental Contentions 1 and 2, and the potential industry impact of this appeal, Strata respectfully requests that the Commission grant oral argument for this appeal.

Respectfully Submitted,

**/Executed (electronically) by and in  
accord with 10 C.F.R. § 2.304(d)/  
Christopher S. Pugsley, Esq.**

Dated: February 21, 2012

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