

DOCKETED
USNRC
June 1, 2001

01 JUN -6 P3:00

UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION
ATOMIC SAFETY AND LICENSING BOARD

OFFICE OF SECRETARY
RULEMAKINGS AND
ADJUDICATIONS STAFF

Before Administrative Judges:
Thomas S. Moore, Presiding Officer
Thomas D. Murphy, Special Assistant

In the Matter of)	
)	
HYDRO RESOURCES, INC.)	Docket No. 40-8968-ML
P.O. Box 15910)	ASLBP No. 95-706-01-ML
Albuquerque, NM 87174)	
)	

**INTERVENORS' SERVICE LIST CHANGES PER MAY 25, 2001 ORDER
AND OTHER MATTERS**

By order dated May 25, 2001, the Presiding Officer directed the parties to provide any changes to the service list submitted by Hydro Resources, Inc. ("HRI") (May 7, 2001) by June 1, 2001. May 25, Order (unpublished) at 6-7. With regard to a proper service list, Eastern Navajo Diné Against Uranium Mining ("ENDAUM") and Southwest Research and Information Center ("SRIC") (collectively "Intervenors") submit the following:

- the correct spelling of Douglas Meiklejohn;
- to properly serve ENDAUM, please do not send to Mitchell Capitan. Send to:

ENDAUM
P.O. Box 150
Crownpoint, N.M. 87313
attn: Officer Manager

- the current Attorney General of the Navajo Nation is Levon Henry, not Herb Yazzie.

Intervenors raise two other matters for clarification. With regard to the Areas of Concern listed in the May 25, 2001 Order, counsel for Intervenors and HRI have spoken regarding the ten Areas of Concern. Counsel for Intervenors and HRI respectfully suggest that the briefing schedule that will be submitted to the Presiding Officer by October 1, 2001 should contemplate eight sets of presentations rather than ten. Briefing on restoration plans and surety estimates (designated as Areas of Concern 1 and 2 in the May 25 Order) should be combined as they have been with Church Rock Section 8 and the liquid waste disposal and the surface water protection presentations should be combined. Further, environmental justice was separately briefed from the National Environmental Policy Act issues and we suggest that the parties do so here again. Finally, health impacts as a result of the Crownpoint project were briefed as adjunct to several of the issues and do not require separate briefing. If the Presiding Officer wishes to separate the briefing on any of these Areas of Concern, the parties await such instruction.

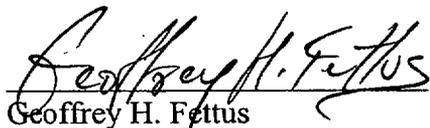
Intervenors raise one other matter to the Presiding Officer's attention. On page four, subsection (d) of the May 25, 2001 Order, the Presiding Officer spells out the details of service by e-mail. Intervenors note that (d)(ii) of the Presiding Officer's Order ("send any attachments or exhibits to a pleading that cannot be transmitted by e-mail to the Presiding Officer, Judge Murphy and Judge Brett by separate facsimile transmission or other means that will ensure receipt by the due date." May 25, 2001 Order at 4) causes a hardship to Intervenors. The instruction to receive all attachments or exhibits by the due date will cause Intervenors to either (1) file a week in advance by first class mail and trust that the package will arrive on the due date; (2) file by overnight mail the day before the filing is due; or (3) perhaps be placed in the position of having to fax possibly hundreds of pages of attachments that cannot be e-mailed. In

any scenario, the Intervenor will lose at least a day or more off their allotted time for filing and perhaps incur significant expense because Intervenor cannot hand-deliver to the Presiding Officer on the day the filing is due.

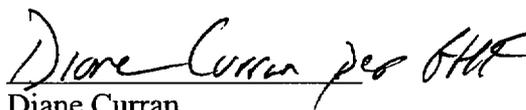
Intervenor will continue to file courtesy copies of briefs and testimony by e-mail, but request that the Presiding Officer provide further clarification or guidance on the filing of attachments that cannot be e-mailed. On the day a filing is due when there are attachments that cannot be e-mailed, the Intervenor suggest that the parties be required to send by overnight mail the entire filing (briefs, exhibits and attachments) to the NRC Judges and to one counsel of record for the other parties. The rest of the filings may be served by first class mail. With the continued use of e-mail for the briefs and the testimony, this system will ensure that all parties receive their allotted number of days and ensure that the Presiding Officer and the other judges receive the entire presentation, including electronically non-transferable attachments, the morning after the due date.

Counsel for HRI concurred with this suggestion and agreed that a method of filing such as the one above is appropriate for all parties to ensure prompt and efficient receipt of materials.

Respectfully submitted,



Geoffrey H. Fettus
Heather L. Green
Douglas Meiklejohn
NM ENVIRONMENTAL LAW CENTER
1405 Luisa Street, Suite 5
Santa Fe NM 87505
(505) 989-9022



Diane Curran
HARMON, CURRAN, SPIELBERG &
EISENBERG, LLP
1726 M Street, N.W., Suite 600
Washington DC 20036
(202) 328-6874

June 1, 2001

UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

ATOMIC SAFETY AND LICENSING BOARD

Before Administrative Judges:
Thomas S. Moore, Presiding Officer
Thomas D. Murphy, Special Assistant

In the Matter of)	
)	
HYDRO RESOURCES, INC.)	Docket No. 40-8968-ML
P.O. Box 15910)	ASLBP No. 95-706-01-ML
Rio Rancho, NM 87174)	
)	

CERTIFICATE OF SERVICE

I hereby certify that on June 1, 2001, I caused to be served copies of the foregoing:

**INTERVENORS' SERVICE LIST CHANGES PER MAY 25, 2001 ORDER
AND OTHER MATTERS**

upon the following persons by U.S. mail, first class, and in accordance with the requirements of 10 C.F.R. § 2.712. Service was also made via e-mail to the parties marked below by an asterisk. The envelopes were addressed as follows:

Administrative Judge
Thomas S. Moore,* Presiding Officer
Atomic Safety and Licensing Board
U.S. Nuclear Regulatory Commission
Washington, D.C. 20555-0001

Office of the Secretary
U.S. Nuclear Regulatory Commission*
Washington, D.C. 20555-0001
Attn: Rulemakings and Adjudications
Staff

Administrative Judge
Thomas D. Murphy, Special Assistant
Atomic Safety and Licensing Board
U.S. Nuclear Regulatory Commission
Washington, D.C. 20555-0001

Adjudicatory File
Atomic Safety and Licensing Board
U.S. Nuclear Regulatory Commission*
Washington, D.C. 20555-0001

Atomic Safety and Licensing Board
Panel
U.S. Nuclear Regulatory Commission*
Washington, D.C. 20555-0001

Office of Commission Appellate
Adjudication
U.S. Nuclear Regulatory Commission
Washington, D.C. 20555

John T. Hull, Esq.
Mitzi Young, Esq.
Office of the General Counsel*
U.S. Nuclear Regulatory Commission
Washington, D.C. 20555-0001

Anthony J. Thompson, Esq.
Anthony J. Thompson, P.C.*
1225 19th Street, N.W., Suite 200
Washington, D.C. 20036

David Lashway, Esq.
SHAW PITTMAN*
2300 "N" Street, N.W.
Washington, D.C. 20037-1128

Diane Curran, Esq.
HARMON, CURRAN, SPIELBERG &
EISENBERG, LLP*
1726 M Street, N.W., Suite 600
Washington DC 20036

Chris Shuey
SRIC*
P.O. Box 4524
Albuquerque, NM 87106

ENDAUM
P.O. Box 150
Crownpoint, NM 87313
Attn: Office Manager

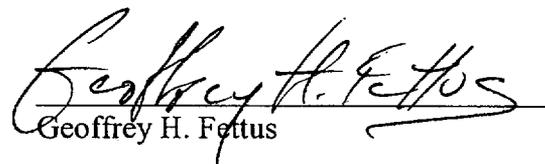
Mr. Mark Pelizza, President
Uranium Resources Inc.
650 South Edmonds Lane, Suite 108
Lewisville, TX 75067

Edward M. Dobson
DNA-People's Legal Services, Inc.
P.O. Box 310458
Mexican Hat, Utah 84531

Levon Henry, Attorney General
Steven J. Bloxham, Esq.
Navajo Nation Department of Justice
P.O. Drawer 2010
Window Rock, AZ 86515

Jep Hill, Esq.
Jep Hill & Associates
P.O. Box 30254
Austin, TX 78755

Dated at Santa Fe, New Mexico,
June 1, 2001


Geoffrey H. Fettus