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June 1, 2001

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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. )  
P.O. Box 15910 )  
Albuquerque, NM 87174 )

Docket No. 40-8968-ML  
ASLBP No. 95-706-01-ML

**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 May 25, Order (unpublished) at 6-7.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.

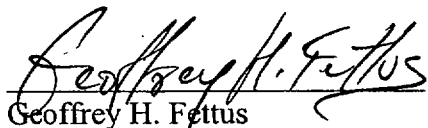
Intervenors raise one other matter to the Presiding Officer's attention. On page four, subsection (d) of the May 25, 2001 Order, the Presiding Officer spells out the details of service by e-mail. Intervenors note that (d)(ii) of the Presiding Officer's Order ("send any attachments or exhibits to a pleading 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.

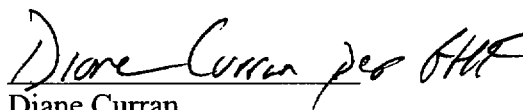
Intervenor will continue to file courtesy copies of briefs and testimony by e-mail, but request that the Presiding Officer provide further clarification or guidance on the filing of attachments that cannot be e-mailed. On the day a filing is due when there are attachments that cannot be e-mailed, the 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,



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Docket No. 40-8968-ML  
ASLBP No. 95-706-01-ML

**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  
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Washington, D.C. 20555-0001

Office of Commission Appellate  
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Crownpoint, NM 87313  
Attn: Office Manager

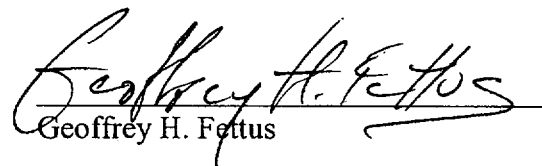
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Window Rock, AZ 86515

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

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

  
Geoffrey H. Fettus