

RAS 3662

UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

DOCKETED 12/13/01
SERVED 12/13/01

ATOMIC SAFETY AND LICENSING BOARD

Before Administrative Judges:

Thomas S. Moore, Presiding Officer
Thomas D. Murphy, Special Assistant
Robin Brett, Special Assistant

In the Matter of

HYDRO RESOURCES, INC.
PO Box 15910
Rio Rancho, New Mexico 87174

Docket No. 40-8968-ML

ASLBP No. 95-706-01-ML

December 13, 2001

MEMORANDUM

The settlement judge in this proceeding, Michael C. Farrar, has reported to me on the general nature of the conference call he convened among the parties on December 5, 2001. Judge Farrar stated that the parties are actively engaged in considering a comprehensive set of approaches for settling the proceeding but that these approaches must remain confidential. He indicated that the Intervenor's were undertaking a number of activities and that HRI has agreed to, and is comfortable with, awaiting the outcome of these activities. In addition, HRI's President has offered to make himself available, without counsel, to discuss matters with the Intervenor's if that would promote the settlement.

At Judge Farrar's suggestion, Intervenor's counsel has agreed to send an e-mail to all the parties and the settlement judge every two weeks advising them of significant milestones or developments. Judge Farrar will convene another conference call at the end of January unless one of the parties suggests the need for an earlier one. Finally, he reports that all parties

remain in agreement that settlement negotiations can best be conducted free of the adversarial atmosphere that necessarily would exist if the suspension of the pleading filing schedule was lifted.

Based upon Judge Farrar's report to me, I shall continue to hold the proceeding in abeyance and await his next periodic report on the progress of the settlement negotiations.

BY THE PRESIDING OFFICER¹

/RA/

Thomas S. Moore
ADMINISTRATIVE JUDGE

Rockville, Maryland

December 13, 2001

¹Copies of this Order were sent this date by Internet e-mail or facsimile transmission, if available, to all participants or counsel for participants.

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CERTIFICATE OF SERVICE

I hereby certify that copies of the foregoing LB MEMORANDUM DATED 12/13/01 have been served upon the following persons by U.S. mail, first class, or through NRC internal distribution.

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[Original signed by Evangeline S. Ngbea]

Office of the Secretary of the Commission

Dated at Rockville, Maryland,
this 13th day of December 2001