

**RAS 9157**

**DOCKETED 01/11/05**  
**SERVED 01/12/05**

UNITED STATES OF AMERICA  
NUCLEAR REGULATORY COMMISSION

ATOMIC SAFETY AND LICENSING BOARD

Before Administrative Judges:

Thomas S. Moore, Presiding Officer  
Richard F. Cole, 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

January 11, 2005

Order

(Establishing Filing Date for NRC Staff Response and Setting Oral Argument)

The NRC Staff's response to the December 29, 2004, electronically filed motion of the Eastern Navajo Diné Against Uranium Mining and Southwest Research and Information Center (Intervenors) for the issuance of a subpoena and to supplement the record shall be filed electronically no later than 3:00 p.m. EST on Thursday, January 13, 2005.

The Presiding Officer will hold oral argument on the Intervenors' motion by means of a telephone conference at 2:00 p.m. EST on Friday, January 14, 2005. Counsel for the Intervenors, the NRC Staff and Hydro Resources, Inc. shall participate by calling NRC at 1-800-638-8081 and entering the passcode 9174 a few minutes before 2:00 p.m. EST on Friday, January 14, 2005. Because all parties are represented by multiple counsel, any party whose lead counsel is unavailable at 2:00 p.m. EST on Friday, January 14, 2005, shall take steps to

ensure that they are represented at the telephonic argument by other counsel.

It is so ORDERED.

BY THE PRESIDING OFFICER<sup>1</sup>

*/RA/*

---

Thomas S. Moore  
ADMINISTRATIVE JUDGE

Rockville, Maryland  
January 11, 2004

---

<sup>1</sup>Copies of this Order were sent this date by Internet e-mail to counsel for (1) HRI, (2) NRC Staff, and (3) Intervenors.

UNITED STATES OF AMERICA  
NUCLEAR REGULATORY COMMISSION

In the Matter of )  
 )  
HYDRO RESOURCES, INC. ) Docket No. 40-8968-ML  
 )  
 )

CERTIFICATE OF SERVICE

I hereby certify that copies of the foregoing LB ORDER (ESTABLISHING FILING DATE FOR NRC STAFF RESPONSE AND SETTING ORAL ARGUMENT) have been served upon the following persons by U.S. mail, first class, or through NRC internal distribution.

Office of Commission Appellate  
Adjudication  
U.S. Nuclear Regulatory Commission  
Washington, DC 20555-0001

Administrative Judge  
Thomas S. Moore, Presiding Officer  
Atomic Safety and Licensing Board Panel  
Mail Stop - T-3 F23  
U.S. Nuclear Regulatory Commission  
Washington, DC 20555-0001

Administrative Judge  
Richard F. Cole, Special Assistant  
Atomic Safety and Licensing Board Panel  
Mail Stop - T-3 F23  
U.S. Nuclear Regulatory Commission  
Washington, DC 20555-0001

Administrative Judge  
Robin Brett  
2314 44<sup>TH</sup> Street, NW  
Washington, DC 20007

Administrative Judge  
Michael C. Farrar  
Atomic Safety and Licensing Board Panel  
Mail Stop - T-3 F23  
U.S. Nuclear Regulatory Commission  
Washington, DC 20555-0001

John T. Hull, Esq.  
Tyson R. Smith, Esq.  
Office of the General Counsel  
Mail Stop - O-15 D21  
U.S. Nuclear Regulatory Commission  
Washington, DC 20555-0001

David C. Lashway, Esq.  
Hunton & Williams LLP  
1900 K Street, NW  
Washington, DC 20006

Anthony J. Thompson, Esq.  
Christopher S. Pugsley, Esq.  
Law Offices of Anthony J. Thompson, P.C.  
1225 19<sup>th</sup> Street, NW, Suite 300  
Washington, DC 20036

Docket No. 40-8968-ML  
LB ORDER (ESTABLISHING FILING DATE FOR  
NRC STAFF RESPONSE AND SETTING ORAL  
ARGUMENT)

Geoffrey H. Fettus, Esq.  
Natural Resources Defense Council  
1200 New York Avenue, NW, Suite 400  
Washington, DC 20005

Eric D. Jantz, Esq.  
Douglas Meiklejohn, Esq.  
New Mexico Environmental Law Center  
1405 Luisa Street, Suite 5  
Santa Fe, NM 87505

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

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

William Paul Robinson  
Chris Shuey  
Southwest Research and  
Information Center  
P.O. Box 4524  
Albuquerque, NM 87106

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

Grace Sam  
P.O. Box 85  
Church Rock, NM 87311

William Zukosky, Esq.  
DNA-PEOPLE'S LEGAL SERVICES, INC.  
222 East Birch  
Flagstaff, AZ 86001

Laura Berglan, Esq.  
DNA-PEOPLE'S LEGAL SERVICES, INC.  
P.O. Box 765  
Tuba City, AZ 86045

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

[Original signed by Evangeline S. Ngbea]

---

Office of the Secretary of the Commission

Dated at Rockville, Maryland,  
this 12<sup>th</sup> day of January 2005