

July 5, 2005

UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

BEFORE THE PRESIDING OFFICER

In the Matter of)	
)	
HYDRO RESOURCES, INC.)	Docket No. 40-8968-ML
P.O. Box 777)	
Crownpoint, NM 87313)	

NRC STAFF'S NOTICE OF INTENT

On June 13, 2005, intervenors Eastern Navajo Diné Against Uranium Mining, and Southwest Research and Information Center (collectively, "Intervenors"), submitted a written presentation on their areas of concern pertaining to radiological air emissions at the Church Rock Section 17 site. See "[Intervenors'] Written Presentation in Opposition to Hydro Resources, Inc.'s Application for a Materials License With Respect to: Radiological Air Emissions for Church Rock Section 17" (June 13 Brief). Additionally, on June 24, 2005, the above intervenors, joined by intervenors Grace Sam and Marilyn Morris, submitted a written presentation on their areas of concern pertaining to National Environmental Policy Act (NEPA) issues at the Church Rock Section 17, Unit 1 and Crownpoint sites. See "[Intervenors'] Written Presentation in Opposition to Hydro Resources, Inc.'s Application for a Materials License With Respect to: NEPA Issues for Church Rock Section 17, Unit 1 and Crownpoint" (June 24 Brief). The NRC Staff's responses to the June 13 Brief and the June 24 Brief are due on August 8, 2005, and August 15, 2005, respectively.

The NRC Staff hereby gives notice that its response to the June 13 Brief will include a discussion of the law of the case doctrine, and will set forth previous rulings relevant to the radiological air emission areas of concern presented in the June 13 Brief. Similarly, the NRC Staff gives notice that its response to the June 24 Brief will include a discussion of the law

of the case doctrine, and will set forth previous rulings relevant to the NEPA areas of concern presented in the June 24 Brief. This notice is being filed in accordance with the Presiding Officer's May 25, 2001 order (unpublished), at 6.

Respectfully submitted,

/RA/

John T. Hull
Counsel for NRC Staff

Dated at Rockville, Maryland
this 5th day of July, 2005

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CERTIFICATE OF SERVICE

I hereby certify that copies of "NRC STAFF'S NOTICE OF INTENT" in the above-captioned proceeding have been served on the following persons, by electronic mail, and by deposit in the United States mail, first class, or as indicated by an asterisk (*) through deposit in the Nuclear Regulatory Commission's internal distribution system, on this 5th day of July, 2005.

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