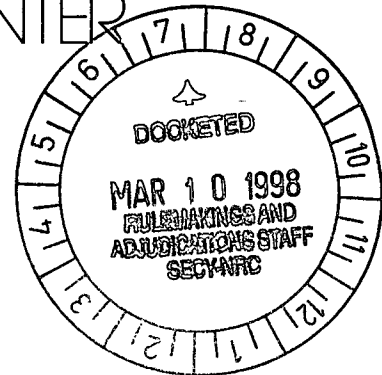


NEW MEXICO
ENVIRONMENTAL LAW CENTER

March 9, 1998

Joseph J. Holonich, Chief
Uranium Recovery Branch, Division of Waste Management
Office of Nuclear Material Safety and Safeguards
U.S. Nuclear Regulatory Commission
Washington, DC 20555-0001
VIA FACSIMILE AND U.S. MAIL



Re: Application of Hydro Resources Inc., Docket No. 40-8968-ML, ASLBP No. 95-706-01-ML

Dear Mr. Holonich:

I am in receipt of your memorandum of February 27, 1998, to B. Paul Cotter, Presiding Officer in the Hydro Resources Inc. ("HRI") proceeding. On behalf of Petitioners Eastern Navajo Diné Against Uranium Mining ("ENDAUM") and the Southwest Research and Information Center ("SRIC"), I am requesting the opportunity for representatives of Petitioners to attend the Staff's planned discussion with Professor Neuman described on page 3 of your memorandum.

Affording Petitioners an opportunity to attend is consistent with the Commission's open meetings policy, which states in pertinent part that "[a]ll meetings conducted by the NRC technical staff as part of its review of a particular domestic license or permit . . . will be open to attendance by all parties or petitioners for leave to intervene in the case." 43 Fed. Reg. 28058 (June 28, 1978). This specific policy derives from the general policy that "the Commission and staff try to involve concerned citizens in any Commission activity in which they have expressed an interest." Id. The planned meeting with Professor Neuman is squarely within these policies. As you stated on page 2 of your memo, "[m]any of the questions raised in Professor Neuman's slides were also raised by the petitioners in their petitions for leave to intervene." Petitioners also raised in their Motion for Stay, Request for Prior Hearing, and Request for Temporary Stay (January 15, 1998) and the supporting affidavits of Michael G. Wallace and Dr. Richard Abitz specific issues raised by Professor Neuman, including the assumptions of HRI's model, HRI's pump tests, and the conceptual framework behind the Final Environmental Impact Statement ("FEIS") for the HRI project.

Moreover, although it is unclear from your memorandum whether HRI representatives will attend, participation by HRI would constitute the provision of information to the Staff by HRI, and hence would only heighten the policy grounds for allowing Petitioners to attend. Further, even if HRI attends only as an observer, fairness dictates that Petitioners have the same opportunity.

Accordingly, please advise me immediately of the schedule for the meeting with Professor Neuman "so that appropriate arrangements for attendance can be made." 43 Fed. Reg. 28058.

Sincerely,

Susan G. Jordan

cc: see service list 1405 Luisa St., Suite 5 Santa Fe, N.M. 87505
(505) 989-9022 FAX (505) 989-3769

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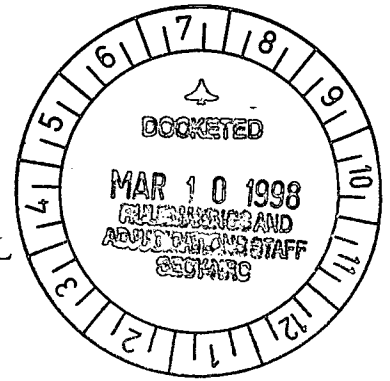
U.S. NUCLEAR REGULATORY COMMISSION
RULEMAKINGS & ADJUDICATIONS STAFF
OFFICE OF THE SECRETARY
OF THE COMMISSION

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



Before Chief Administrative Judge
B. Paul Cotter, Jr., Presiding Officer
Administrative Judge
Thomas D. Murphy, Special Assistant

In the Matter of)
)
HYDRO RESOURCES, INC.)
12750 Merit Drive)
Suite 1210 LB12)
Dallas, TX 75251)
)

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

CERTIFICATE OF SERVICE

I hereby certify that:

On March 9, 1998, I caused to be served copies of the following:

Letter from Susan G. Jordan, New Mexico Environmental Law Center, to Joseph J. Holonich, Chief, Uranium Recovery Branch, Division of Waste Management, Office of Nuclear Material Safety and Safeguards, U.S. Nuclear Regulatory Commission, dated March 9, 1998

upon the following persons by U.S. mail, first class, and in accordance with the requirements of 10 C.F.R. § 2.712. The parties marked by an asterisk (*) were also served by facsimile. The envelopes were addressed as follows:

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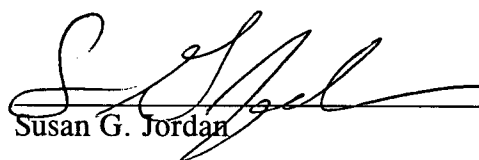
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Dated at Santa Fe, NM this
9th day of March 1998.


Susan G. Jordan