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UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

OFFICE OF SECRETARY
RULEMAKING AND
ADJUDICATION STAFF

ATOMIC SAFETY AND LICENSING BOARD PANEL

Before Administrative Judges:
Peter B. Bloch, Presiding Officer
Richard F. Cole, Special Assistant

SERVED AUG - 4 1998

In the matter of

INTERNATIONAL URANIUM (USA)
CORPORATION

(Receipt of Material from
Tonawanda, New York)

Docket No. 40-8681-MLA-4

Re: Material License Amendment

ASLBP No. 98-748-03-MLA

MEMORANDUM AND ORDER
(Effect of Commission Decision)

Envirocare of Utah, Inc. (Envirocare) has filed a petition for a hearing in this case. The Envirocare petition was docketed on July 24, 1998. That petition does not appear to reference *Quivira Mining Company* (Ambrosia Lake Facility, Grants, New Mexico), CLI-98-11, 47 NRC ____, *slip op.* (July 17, 1998).

Since *Quivira Mining* may require me to dismiss Envirocare's petition in this case, I have decided pursuant to 10 C.F.R. § 2.1209(a) to require that Envirocare file an amendment to its petition stating why its petition should not be dismissed pursuant to *Quivira*. The amendment shall be filed so that it is received by the members of the service list by close of business August 14, 1998. No responses need be filed by other participants

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unless I request them. Responses to the Envirocare petition may be deferred until I set a date for filing.¹

IT IS SO ORDERED.



Peter B. Bloch, Administrative Judge
Presiding Officer

Rockville, Maryland

¹The "Opposition of International Uranium (USA) Corporation to Envirocare of Utah, Inc.'s Request for Hearing," August 3, 1998, has already been filed and will be considered.

UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

In the Matter of

INTERNATIONAL URANIUM (USA)
CORPORATION (IUSA)
(Request for Material License
Amendment)

Docket No.(s) 40-8681-MLA-4

CERTIFICATE OF SERVICE

I hereby certify that copies of the foregoing LB M&O-EFFECT OF COMM. DECIS. have been served upon the following persons by U.S. mail, first class, except as otherwise noted and in accordance with the requirements of 10 CFR Sec. 2.712.

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Dated at Rockville, Md. this
4 day of August 1998

Adria T. Byrdson
Office of the Secretary of the Commission