



**Department of Energy**

Nevada Operations Office  
P.O. Box 98518  
Las Vegas, NV 89193-8518

DOCKETED  
USNRC

JUN 04 1997

97 JUN -9 P4:39

OFFICE OF SECRETARY  
DOCKETING & SERVICE  
BRANCH

Administrative Judge  
Peter B. Bloch  
Presiding Officer  
Atomic Safety and Licensing Board  
Third Floor, Two White Flint North  
11545 Rockville Pike  
Rockville, MD 20852

Administrative Judge  
Charles N. Kelber  
Special Assistant  
Atomic Safety and Licensing Board  
Third Floor, Two White Flint North  
11545 Rockville Pike  
Rockville, MD 20852

RE: Clarification of Department of Energy Nevada Operations Office (DOE/NV), May 2, 1997,  
Request to Participate; In the Matter of Energy Fuels Nuclear, Inc. (White Mesa Uranium  
Mill License Amendment); Docket No. 40-8681-MLA

The DOE/NV wishes to clarify its letter of May 2, 1997, by which it requested "leave to participate in any hearings or preliminary conferences that the NRC may hold concerning Amendment 1 of the White Mesa Mill NRC license number SUA-1358." Based on the Memorandum and Order issued in this case on May 27, 1997, we believe that our letter may have been misinterpreted as a request for a hearing in the matter. While we understand that other parties have requested a hearing on the license amendment, it was not our intent to make such a request. Rather, since we have interests that may be affected by the outcome of a hearing, we would like to merely reserve our right to file a petition to intervene, pursuant to the applicable NRC regulations, in the event that the petitioners' hearing request is granted.

Should you have any questions or require further clarification, please contact Sharon A. Hejazi, General Attorney with the Office of Chief Counsel at (702) 295-1347.

G. Leah Dever, Assistant Manager  
for Environmental Management

SECY-EHD-001

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UNITED STATES OF AMERICA  
NUCLEAR REGULATORY COMMISSION

DOCKETED  
USNRC

In the Matter of

97 JUN -9 P4:39

ENERGY FUELS NUCLEAR, INC.

Docket No.(s) 40-8681-MIA  
OFFICE OF THE SECRETARY  
DOCKETING & SERVICE  
BRANCH

(White Mesa Uranium Mill  
Request for License Amendment)

CERTIFICATE OF SERVICE

I hereby certify that copies of the foregoing Letter of Clarification of Department of Energy, Nevada Operations Office, May 2, 1997, Request to Participate... have been served upon the following persons by express mail, except as otherwise noted and in accordance with the requirements of 10 CFR Sec. 2.712.

Office of the Secretary  
One White Flint North  
11555 Rockville Pike  
Rockville, MD 20852  
Attention: Rulemakings and Adjudications Staff

Administrative Judge  
Peter B. Bloch  
Presiding Officer  
Atomic Safety and Licensing Board  
Third Floor, Two White Flint North  
11545 Rockville Pike  
Rockville, MD 20852

Administrative Judge  
Charles N. Kelber  
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Senior Attorney  
Atomic Safety and Licensing Board  
U.S. Nuclear Regulatory Commission  
Washington, DC 20555

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Office of the General Counsel  
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Washington, DC 20555

Richard A. Munson, Esq.  
One Tabor Center, Suite 1000  
1200 Seventeenth Street  
Denver, CO 80202

Docket No.(s)40-8681-MLA

Letter of Clarification of DOE/NV, May 2, 1997, Request to Participate...

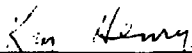
Michelle R. Rehmann  
Environmental Manager  
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\*Norman Begay  
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Blanding, UT 84511

Lula J. Katso  
Westwater Navajo Community  
c/o M. Hutchins  
264 West 100 North  
Blanding, UT 84511

Dated at Las Vegas, NV. this  
6th day of June 1997

  
\_\_\_\_\_  
Kay Henry, Secretary  
Office of Chief Counsel  
U.S. Department of Energy  
Nevada Operations Office

\* Service by U.S. Mail, first class, since express mail is undeliverable to post office box.  
Docket No.(s) 40-8681-MLA