

DOCKETED 7-21  
November 7, 1997  
USNRC

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

OFFICE OF SECRETARY  
RULEMAKING AND  
ADJUDICATIONS STAFF

Before Administrative Judges:  
Peter B. Bloch, Presiding Officer  
Charles N. Kelber, Special Assistant

**SERVED NOV - 7 1997**

In the matter of

International Uranium (USA)  
Corporation

(White Mesa Uranium Mill;  
Alternate Feed Material)

Docket No. 40-8681-MLA-2

Re: License Amendment

ASLBP No. 98-733-01-MLA

MEMORANDUM AND ORDER  
(Denial of Petition for a Hearing)

Petitions for Leave to Intervene were sent on September 16, 1997, to Shirley Jackson, Chairman, Nuclear Regulatory Commission, by Norman Begay, White Mesa Utes; Lula J. Katso, Community Spokesperson for the Westwater Navajo Community; and Winston M. Mason, for Great Avikan House. The amendment sought by International Uranium (USA) Corporation in this case would permit it to mill Cabot Corporation Nuclear Waste, at a facility that it is already licensed to mill uranium. Petitioners oppose this amendment.

In a Memorandum and Order of October 21, provision was made that "Amended petitions may be filed by 5 p.m. October 31, 1997."

SECY-EHD -007

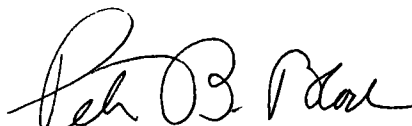
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That date has come and gone with no amended petition being filed. As a result, petitioners have failed to demonstrate grounds for their standing in this case. In particular they have not provided any plausible explanation of how the milling of Cabot Corporation Nuclear Waste by a licensed mill operator would cause petitioners (or people they are authorized to represent) "injury in fact." Consequently, the request for a hearing shall be denied.

ORDER

For all the foregoing reasons and upon consideration of the entire record in this matter, it is this 7th day of November, 1997, ORDERED, that:

The Petition for Leave to Intervene filed by Norman Begay, White Mesa Utes; Lula J. Katso, Community Spokesperson for the Westwater Navajo Community; and Winston M. Mason, for Great Avikan House is denied.



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Peter B. Bloch, Presiding Officer  
Administrative Judge

Rockville, Maryland

UNITED STATES OF AMERICA  
NUCLEAR REGULATORY COMMISSION

In the Matter of

INTERNATIONAL URANIUM (USA)  
CORPORATION  
(White Mesa Uranium Mill;  
Request for License Amendment)

Docket No.(s) 40-8681-MLA-2

CERTIFICATE OF SERVICE

I hereby certify that copies of the foregoing LB M&O (LBP-97-21) DENIAL OF 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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Docket No.(s)40-8681-MLA-2  
LB M&O (LBP-97-21) DENIAL OF

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Dated at Rockville, Md. this  
7 day of November 1997

  
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Office of the Secretary of the Commission