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failed once again to provide a sufficient comparative discussion of the proposed alternatives in accordance with the National Environmental Policy Act (NEPA). As Intervenors have pointed out in their previous written presentations, the FEIS prepared by the NRC Staff does not comply with NEPA and the applicable implementing regulations because there is a lack of analysis and adequate explanation of why the Staff rejects Alternative 2 (modified action) and Alternative 4 (no action) in favor of Alternative 3 (Staff recommended alternative). See Final Written Presentation of Grace Sam and Marilyn Morris, February 19, 1999 at 14-24; ENDAUM's and SRIC's Written Presentation in Opposition to Hydro Resources, Inc's Application for a Materials License with Respect to: NEPA Issues Concerning Project Purpose and Need, Cost/Benefit Analysis, Action Alternatives, No Action Alternative, Failure to Supplement EIS, and Lack of Mitigation, February 19, 1999 at 56-60 (hereinafter "ENDAUM's NEPA Brief). Question 7 of the Presiding Officer's Memorandum and Order (Questions), April 21, 1999 ("April 21 Order") specifically requested a comparative analysis of the NRC-Staff recommended action (Alternative 3) to the modified action (Alternative 2) and the no-action alternative (Alternative 4). The NRC Staff submitted an initial answer to question 7 in regards to Section 8. See NRC Staff Response to Questions Posed in April 21 Order, May 11, 1999. As pointed out by Intervenors in their initial response to NRC's answers, the NRC staff had failed to present an adequate comparative analysis in their initial answer to question 7. See Intervenors' Joint Response to HRI's and the NRC Staff's Responses to the Presiding Officer's April 21, 1999 Memorandum and Order (Questions), May 25, 1999 at 47-52 (hereinafter "Intervenors' May 25 Response").

The Staff's June 7 Answer also fails to present a comparative analysis of the alternatives to the project.

APPLICABLE LEGAL STANDARD

Intervenors agree with HRI when it says that “an NRC FEIS need not document every problem and alternative ‘from every angle.’” HRI’s June 7 Answer at 4. However, the NRC Staff should adequately compare alternatives to an action which even the NRC itself felt compelled to mention and explore within the FEIS.¹ Similarly, under question 7, the Presiding Officer is not asking the NRC Staff to explore alternatives that the NRC have not themselves discussed before, but merely to adequately discuss and compare, in compliance with NEPA, alternatives that the NRC Staff have already put forth in the FEIS.

CEQ regulations require that an FEIS “present the environmental impacts of the proposal and the alternatives in comparative form, thus sharply defining the issues and providing a clear basis for choice among options by the decisionmaker and the public.” 40 C.F.R. § 1502.14. An FEIS should briefly discuss the reasons why an alternative was rejected and not further studied. Louisiana Energy Services, 47 N.R.C. at 98 citing Tongass Conservation Soc. v. Cheney, 924 F.2d 1137, 1141 (D.C. Cir. 1991). (“By merely reciting all of the benefits expected from the [project], the “no-action” section does not indicate how the agency evaluated the relative significance of these individually cited benefits.”) Thus, HRI cites to the correct legal standard when it puts forth that “[i]nformation has been considered sufficient if it permits a reasoned choice to be made among different courses of action and if it provides enough detail to enable those who did not have a part in compiling the information to understand and consider

¹ By limiting this discussion to the scope of the Presiding Officer's question, Intervenors do not in any way waive their argument that the FEIS contains an inadequate range of alternatives. See ENDAUM’s NEPA Brief at 56-59.

meaningfully the pertinent environmental influences involved.” HRI’s June 7 Answer at 4, citing 49 Fed. Reg. 9355. However, the NRC Staff continues to fail to provide any comparative analysis between Alternatives 2, 3, and 4. The conclusions found in its June 7 Answer are not supported by any analysis or comparative discussion which provides enough detail to enable others to understand and consider why the NRC Staff recommended Alternative 3.

DISCUSSION

Question 7. For Churchrock Section 8 (and 28 days later for the entire CUP): What is your comparative analysis of the NRC-Staff Recommended Action to: (1) the non-action alternative, and (2) Alternative 2 (modified action) -- including a concise, descriptive summary of the advantages and disadvantages of the options? See CEQ Memorandum to Agencies; Answers to 40 Most Asked Questions on NEPA Regulations, 46 Fed. Reg. 18,026; see also 40 C.F.R. § 1502.14 (Council on Environmental Quality, guidance). Louisiana Energy Services, L.P. (Claiborne Enrichment Center), CLI-98-3, 47 NRC 77, 98 (and 97-99) (1998). In your answers to this question, please consider the answers to the questions set forth above in your overall discussion.

The FEIS focuses on four alternatives:

- Alternative 1 (the proposed action): issue HRI a license for the construction and operation of facilities for ISL uranium mining and processing at the Church Rock, Unit 1, and Crownpoint sites as proposed in the license application and related submittals;
- Alternative 2 (modified action): issue HRI a license for the construction and operation of facilities for ISL uranium mining and processing as proposed by HRI, but at alternative sites and/or using alternative liquid waste disposal methods;
- Alternative 3 (the NRC staff-recommended action): issue HRI a license for the construction and operation of facilities for ISL uranium mining and processing as proposed by HRI, but with additional measures required and recommended by the NRC staff to protect public health and safety and the environment; and
- Alternative 4 (no action): do not issue HRI a license for the construction and operation of facilities for ISL uranium mining and processing at the

Church Rock, Unit 1, or Crownpoint sites.

FEIS § 2 at 2-1. Although it is clear throughout the FEIS that the NRC staff recommends alternative 3, there is lack of analysis and adequate discussion regarding why alternative 2 (modified action) and alternative 4 (no action) are rejected. For this reason, the FEIS does not comply with NEPA and the applicable implementing regulations.

In the Staff's June 7 Answer, Robert D. Carlson² lists a short summary of the advantages and disadvantages of alternatives 2, 3, and 4. See NRC Staff's June 7 Answer, Staff Exhibit 3, Affidavit of Robert D. Carlson ¶¶4-6. However, this information is useless as a comparative analysis because the NRC Staff fails to provide any indication of how it weighed and considered the relative significance of the advantages and disadvantages of each alternative. For example, the NRC staff indicates that Alternative 3 "would have the advantage of allowing HRI to develop the CUP with acceptable environmental impacts, while providing more environmental protection than the Modified Action." Id. ¶ 4. The FEIS does not explain why the modified action, which proposes developing fewer sites would provide less environmental protection than Alternative 3. Moreover, there is no discussion of how these listed advantages are weighed in comparison to the advantages of avoiding all environmental impacts as listed for the No Action Alternative. See id. ¶ 6. In other words, using the standard put forth by HRI, this information cannot be considered sufficient because it does not provide "enough detail to enable those who did not have a part in compiling the information to understand and consider meaningfully the pertinent environmental

² Intervenor's renew their objection that Robert Carlson is not qualified to respond to Question 7. See Intervenor's May 25 Response at 6-7.

influences involved.”

The NRC Staff further submits tables on the various alternatives and their impacts³ but freely admits that these tables only “summarize information in FEIS Sections 4.1 through 4.12.” Id. ¶ 3. Any reliance by the NRC Staff on the FEIS, for a comparative analysis is faulty for the reasons previously stated in Intervenor’s written presentations. No comparative analysis among the various alternatives exists in the FEIS and the conclusory nature of the NRC Staff’s “analysis” is evident in its tables. In fact, if one were to consider the NRC Staff’s answer, including tables 1-12, as a true comparative analysis, one would have to conclude that Alternative 4 (no action) should be the preferred alternative. The tables clearly show that Alternative 4 will have the least amount of impacts, and there is no indication that the advantages and disadvantages of the other alternatives outweigh this benefit.

Finally, and perhaps most importantly, the conclusions provided by the NRC Staff in Tables 1 -12 beg the question of how the NRC Staff decided on Alternative 3 as a recommended action and what comparative analysis was utilized. Because the NRC Staff’s conclusions found in its June 7 response contradict information already found in the FEIS, the absence of a true comparative analysis becomes even more pronounced.

For example, in regards to air quality and noise, the NRC Staff concludes that Alternative 3 would create fewer environmental impacts than Alternative 2 because of mitigation measures

³ The Staff’s June 7 Response includes Tables 1-12, which summarize the FEIS’ conclusions on the alternatives in regards to air quality and noise (table 1), geology and soils (table 2), groundwater (table 3), surface water (table 4), transportation risk (table 5), health physics and radiological impacts (table 6), ecology (table 7), land use (table 8), socioeconomics (table 9), aesthetics (table 10), cultural resources (table 11), and environmental justice (table 12).

required under Alternative 3. Such a conclusion is not credible in light of the nature of Alternative 2. Alternative 2 is described in the FEIS as a “modified action.” As such, it considers various configurations in the number and combination of the sites at which HRI proposes to mine; other possible sites for yellowcake drying and packaging; and liquid waste disposal site options. See FEIS at 2-28 to 2-31. In short, Alternative 2 limits the number of sites at which ISL mining would be permitted and looks at alternatives for processing and liquid waste disposal.

In regards to Air Quality and Noise impacts and Alternative 2, the FEIS states that impacts on air quality “could be avoided by not developing one or two of the three proposed sites” and that “[u]sing an alternative site for yellowcake drying and packaging would help avoid additional fugitive dust emissions around the Crownpoint facility.” FEIS at 4-4. There is no discussion offered by the NRC Staff as to how the lessening of impacts under Alternative 2 compare to the mitigation of impacts under Alternative 3. Furthermore, close reading of the FEIS reveals that the NRC Staff actually offers no mitigation at all for noise impacts. In light of this, the NRC Staff’s preference for Alternative 3 is puzzling. Thus, once again in the words of the standard that HRI puts forth, the NRC’s discussion is insufficient under NEPA because it does not permit “a reasoned choice to be made among different courses of action” and does not provide “enough detail to enable those who did not have a part in compiling the information to understand and consider meaningfully the pertinent environmental influences involved.”

The following summary details the NRC Staff’s conclusions, and why the conclusions, when contrasted with the FEIS, indicate a strong need for and an absolute lack of sufficient comparative analysis of the alternatives.

Air Quality and Noise:

NRC Staff's Conclusion:

The NRC Staff maintains that impacts under Alternative 2 would be more significant than under Alternative 3. There would be no impacts under Alternative 4.

Problems with Conclusion that Indicate a Lack of Comparative Analysis

Contrary to the NRC Staff's conclusion, the FEIS points to a conclusion that Alternative 2 would create fewer impacts. The FEIS concedes that "[a]dditional air and noise pollution in the local area could be avoided by not developing one or two of the three proposed sites" and that "[u]sing an alternative site for yellowcake drying and packaging would help avoid additional fugitive dust emissions around the Crownpoint facility." FEIS at 4-4. Furthermore, the NRC staff does not even provide any mitigation measures for noise under Alternative 3 while the FEIS concedes that additional noise pollution in the local area could be avoided under Alternative 2.

Id.

There is no discussion of how the Alternative 3 mitigation measures of dust suppression techniques compare to the lessening of air quality impacts under Alternative 2 by reducing the number of proposed sites.

Noise impacts should be lower and therefore preferable under Alternative 2, not Alternative 3, since Alternative 3 provides no mitigation measures for noise. The Staff's failure to include an explanation of these inconsistencies between the FEIS information and its conclusion reveals a failure to "present the environmental impacts of the proposal and the alternatives in comparative form, thus sharply defining the issues and providing a clear basis for choice among options by the decisionmaker and the public." 40 C.F.R. § 1502.14.

Geology and Soils:

NRC Staff's Conclusion:

The NRC Staff maintains that impacts under Alternative 2 are more significant than under Alternative 3; no impacts under Alternative 4.

Problems with Conclusion that Indicate a Lack of Comparative Analysis

Contrary to the NRC Staff's conclusion, the FEIS points to the conclusion that Alternative 2 would create less impacts than Alternative 3. The FEIS concludes that under Alternative 2 "[t]here would be no significant impact on geologic and soil resources from using the existing drying and packaging facilities at HRI's Kingsville Dome site in Texas or at the Ambrosia Lake Uranium Mill north of Milan, New Mexico." FEIS at 4-13.

There is no comparative discussion of how the Alternative 3 mitigation measures presented by the NRC Staff compare to the lessening of impacts on geology and soils under Alternative 2 by reducing the number of proposed sites. Thus, the NRC Staff violates the NEPA mandate to present a comparative analysis that sharply defines the issues and provides "a clear basis for choice among options by the decisionmaker and the public." 40 C.F.R. § 1502.14.

Groundwater

NRC Staff's Conclusion:

The NRC Staff maintains that impacts under Alternative 2 would be more significant than under Alternative 3. No impacts to groundwater under Alternative 4.

Problems with Conclusion that Indicate a Lack of Comparative Analysis

There is no discussion of how the mitigation measures presented by the NRC Staff compare to the lessening of impacts on groundwater under Alternative 2 by reducing the number

of proposed sites. Thus, it becomes once again evident that the NRC Staff has failed to provide an adequate comparative analysis as required under NEPA. 40 C.F.R. § 1502.14.

Surface Water

NRC's Conclusion:

The NRC Staff maintains that impacts under Alternative 2 would be more significant than under Alternative 3. No impacts to surface water under Alternative 4.

Problems with Conclusion that Indicate a Lack of Comparative Analysis

The FEIS concludes that under Alternative 2, “[i]mpacts for each of the alternative sites would be less than the impacts of the proposed project,” (FEIS at 4-65) but there is no discussion by the NRC Staff of how the mitigation measures presented by the NRC Staff compare to the lessening of impacts on surface water under Alternative 2 by reducing the number of proposed sites. Thus, it becomes once again evident that the NRC Staff has failed to provide an adequate comparative analysis as required under NEPA. 40 C.F.R. § 1502.14.

Transportation Risks

NRC Staff's Conclusion:

Impacts under Alternative 2 would be more significant than under Alternative 3. No increased transportation risk under Alternative 4.

Problems with Conclusion that Indicate a Lack of Comparative Analysis

The Staff's mitigation measures are overrated as providing an advantage for Alternative 3. The Staff's recommended mitigation measures of delivery truck drivers carrying appropriate licenses and delivery trucks carrying appropriate safety certificates would be required by law regardless of NRC conditions.

There is no discussion of how the mitigation measures presented by the NRC Staff compare to the difference of impacts of Transportation Risks under Alternative 2 by reducing the number of proposed sites or by changing processing sites. Since the NRC Staff's mitigation measures would be required under any alternative, it is difficult to understand how the NRC staff came to the conclusion that impacts under Alternative 2 would be more significant than under Alternative 3. The NRC Staff simply does not "provide enough detail to enable those who did not have a part in compiling the information to understand and consider meaningfully the pertinent environmental influences involved." 49 Fed. Reg. 9355. The NRC Staff has failed to provide an adequate comparative analysis as required under NEPA. 40 C.F.R. § 1502.14.

Health Physics and Radiological Impacts

NRC Staff's Conclusion:

Impacts under Alternative 2 would be more significant than under Alternative 3. No health physics or radiological impacts under Alternative 4.

Problems with Conclusion that Indicate a Lack of Comparative Analysis

The FEIS points to the different conclusion that Alternative 2 would create less impacts. The FEIS states that "[r]educing the number of sites would reduce the number of potential sources of radon." FEIS at 4-86.

There is no discussion of how the mitigation measures presented by the NRC Staff compare to the lessening of impacts of Health Physics and Radiological Impacts under Alternative 2 by reducing the number of proposed sites or by changing processing sites. Because air quality impacts are particularly severe at Church Rock, modified action under Alternative 2 that does not include operations at Church Rock would significantly reduce air quality impacts as

compared to Alternative 3, which includes operations at Church Rock. See Eastern Navajo Diné Against Uranium Mining's and Southwest Research and Information Center's Brief Regarding Radioactive Air Emissions at the Crownpoint Project at 10-14, 22 (January 11, 1999); ENDAUM's and SRIC's Response to LBP-99-15, Questions Concerning Radioactive Air Emissions (April 7, 1999). Thus, it becomes once again evident that the NRC Staff has failed to provide an adequate comparative analysis as required under NEPA. 40 C.F.R. § 1502.14.

Ecology

NRC Staff's Conclusions:

Impacts under Alternative 2 would be more significant than under Alternative 3. No impacts to ecological resources under Alternative 4.

Problems with Conclusion that Indicate a Lack of Comparative Analysis

The FEIS points to the different conclusion that Alternative 2 would create less impacts. The FEIS states that "In general, limiting well field operations to no more than two of the three proposed sites would lessen the probable extent of impacts on biota by limiting the area involved."

There is no discussion of how the mitigation measures presented by the NRC staff compare to the lessening of impacts of ecology under Alternative 2 by reducing the number of proposed sites or by changing processing sites. Thus, it becomes once again evident that the NRC Staff has failed to provide an adequate comparative analysis as required under NEPA. 40 C.F.R. § 1502.14.

Land Use

NRC Staff's Conclusion:

Impacts under Alternative 2 would be the same as under Alternative 3. (Section 8)
Impacts under Alternative 2 would be more significant than under Alternative 3 (Unit 1 and Crownpoint). No land use impacts under Alternative 4.

Problems with Conclusion that Indicate a Lack of Comparative Analysis

Given the lack of any real mitigation measures in the FEIS or in Table 11 of the Staff's response, Table 11's conclusion that impacts under Alternative 2 and Alternative 3 would be the same or more is simply incorrect. The FEIS points to the different conclusion that Alternative 2 would create less impacts: "In terms of the temporary revocation of grazing permits, impacts would be reduced by not developing the Crownpoint and/or Unit 1 sites. The potential impacts of resident relocation could be avoided altogether by not developing the Unit 1 site." FEIS at 4-94. No mitigation measures proposed by the NRC Staff would reduce impacts on land use, rather they would merely provide compensation for the disruption of land use.

There is no discussion of how the mitigation measures presented by the NRC staff compare to the lessening of impacts of Land Use under Alternative 2 by reducing the number of proposed sites or by changing processing sites. Given the information found in the FEIS, it is difficult to understand how the NRC staff could possibly have come to the conclusion that impacts under Alternative 2 would be the same or greater than under Alternative 3. The NRC Staff simply does not "provide enough detail to enable those who did not have a part in compiling the information to understand and consider meaningfully the pertinent environmental influences involved." 49 Fed. Reg. 9355. The NRC Staff has failed to provide an adequate

comparative analysis as required under NEPA. 40 C.F.R. § 1502.14.

Socioeconomics

NRC Staff's Conclusion:

The NRC Staff concludes that impacts under Alternative 2 would be more significant than under Alternative 3. No socioeconomic impacts under Alternative 4.

Problems with Conclusion that Indicate a Lack of Comparative Analysis

The FEIS does not even include an analysis of socioeconomics under Alternative 2. *See* FEIS § 4.9 at 4-96 through 4-105. Thus, it is difficult to understand how the NRC staff could conclude that there would be more socioeconomic impacts under Alternative 2. Furthermore, the FEIS alleges that the proposed project would have positive socioeconomic impacts in the region. FEIS at 4-105, 4-118. If this were true, and the Staff is correct that Alternative 2 would produce more significant impacts than Alternative 3 as the NRC Staff indicates in Table 9, then it becomes even more mysterious why the NRC Staff would choose Alternative 3 over Alternative 2. Finally, there is no comparative analysis of the socioeconomic benefits versus the environmental impacts for each alternative. Thus, we do not know how the NRC staff weighed the alleged socioeconomic benefits against the negative environmental impacts. The NRC Staff simply does not “provide enough detail to enable those who did not have a part in compiling the information to understand and consider meaningfully the pertinent environmental influences involved.” 49 Fed. Reg. 9355. The NRC Staff has failed to provide an adequate comparative analysis as required under NEPA. 40 C.F.R. § 1502.14.

Aesthetics

NRC Staff's Conclusion:

Impacts under Alternative 2 would be more significant than under Alternative 3. No impacts to aesthetic resources under Alternative 4.

Problems with Conclusion that Indicate a Lack of Comparative Analysis

The FEIS points to a different conclusion. Under Alternative 2, "limiting well field construction and operation to just two of the three proposed sites would lessen the likely extent of aesthetic impacts by limiting the affected areas." Id. At 4-108.

There is no discussion of how the mitigation measures presented by the NRC Staff compare to the lessening of impacts of aesthetics under Alternative 2 by reducing the number of proposed sites or by changing processing sites. The NRC Staff has failed to provide an adequate comparative analysis as required under NEPA. 40 C.F.R. § 1502.14.

Cultural Resources

NRC Staff's Conclusion:

Impacts under Alternative 2 would be more significant than under Alternative 3. No impacts to cultural resources under Alternative 4.

Problems with Conclusion that Indicate a Lack of Comparative Analysis

The FEIS suggests that Alternative 2 would produce less impacts. Under the FEIS, "developing only one or two sites instead of three would be expected to reduce impacts to cultural resources proportionately." FEIS at 4-111.

There is no discussion of how the mitigation measures presented by the NRC staff compare to the lessening of impacts on cultural resources under Alternative 2 by reducing the

number of proposed sites or by changing processing sites. Thus, it becomes once again evident that the NRC Staff has failed to provide an adequate comparative analysis as required under NEPA. 40 C.F.R. § 1502.14.

Environmental Justice

NRC Staff's Conclusion:

Impacts under Alternative 2 would be more significant than under Alternative 3. No environmental justice impacts under Alternative 4.

Problems with Conclusion that Indicate a Lack of Comparative Analysis

Regardless of which alternative is considered, environmental justice impacts should be considered. See Louisiana Energy Services, 47 N.R.C. at 100-110 (In upholding a disparate impact analysis for advancing environmental justice under NEPA, the Commission stated “[t]he NRC’s goal is to identify and adequately weigh, or mitigate, effects on low-income and minority communities that become apparent only by considering factors peculiar to those communities.”) Since environmental justice issues should be considered regardless of which alternative is taken, it is enigmatic why the NRC Staff would conclude that impacts would be more significant under Alternative 2. Regardless, without any comparative analysis the reasoning behind the Staff’s conclusion remains unknown. The NRC Staff simply does not “provide enough detail to enable those who did not have a part in compiling the information to understand and consider meaningfully the pertinent environmental influences involved.” 49 Fed. Reg. 9355. The NRC Staff has failed to provide an adequate comparative analysis as required under NEPA. 40 C.F.R. § 1502.14.

CONCLUSION

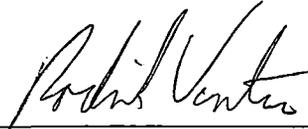
Merely rewriting conclusions and mitigation measures into a table format does not constitute a sufficient comparative analysis under NEPA. No comparative analysis of the various alternatives exists in the FEIS, and thus the conclusory nature of the NRC's analysis is equally evident in its June 7 Reply, which relies heavily on the FEIS. A sufficient comparative analysis should contain enough detail to enable those who did not have a part in compiling the information to understand and consider meaningfully the pertinent environmental influences involved. The insufficiency of the NRC's "analysis" is made even more evident when these conclusions are compared to information previously provided in the FEIS. The NRC's conclusions contradict the FEIS and the NRC never explains the reasons behind their conclusions, leaving one to wonder exactly what were the NRC staff's true considerations of the alternatives and how it came upon its conclusion that Alternative 3 should be recommended.

The Staff's arguments that supplementation of the FEIS is not required in this instance are beside the point. Staff June 7 Answer at 1-2. The Staff refers to the legal standard for supplementation when new information on environmental impacts comes to light. Id.⁴ Intervenor's do not allege, and never have, that new information is available on the alternatives for the project. Because the NRC Staff has failed to provide a sufficient comparative analysis pursuant to NEPA, the FEIS is fatally flawed and the license, which rests on the FEIS, must be

⁴ The Staff omits the key standard for supplementation in its citation - supplementation is required when new information that is environmentally significant is available. Courts will defer to agency expertise only in evaluating environmental significance when it is reasoned and based on an evaluation of the new information. Marsh v. Oregon Natural Resources Defense Council, Inc., 490 U.S. 360, 373-78 (1989).

revoked.

Dated: June 21, 1999



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UNITED STATES OF AMERICA
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ATOMIC SAFETY AND LICENSING BOARD PANEL

OFFICE OF SECRETARY
RULEMAKINGS AND
ADJUDICATIONS STAFF

Before Administrative Judge Peter B. Bloch, Presiding Officer

_____)	
In the Matter of)	
)	
HYDRO RESOURCES, INC.)	Docket No. 40-8968-ML
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Albuquerque, NM 87120)	
_____)	

CERTIFICATE OF SERVICE

I hereby certify that on June 21, 1999, I caused to be served copies of the following:

INTERVENORS' JOINT RESPONSE TO HRI'S AND THE NRC STAFF'S JUNE 7 RESPONSES TO THE PRESIDING OFFICER'S APRIL 21, 1999 MEMORANDUM AND ORDER (QUESTION 7)

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 e-mail. The envelopes were addressed as follows:

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