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UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

ATOMIC SAFETY AND LICENSING BOARD PANEL

OFFICE OF SECRETARY
RULEMAKING AND
ADJUDICATION STAFF

Before Administrative Judges:
Peter B. Bloch, Presiding Officer
Thomas D. Murphy, Special Assistant

SERVED MAR 10 1999

In the matter of

HYDRO RESOURCES, INC.
(2929 Coors Road
Suite 101
Albuquerque, New Mexico 87120)

Docket No. 40-8968-ML

Re: Leach Mining
and Milling License

ASLBP No. 95-706-01-ML

MEMORANDUM AND ORDER

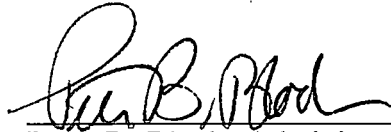
(Denial of Motion to Reply on Financial Assurance for Decommissioning)

"ENDAUM's and SRIC's Motion for Leave to File A Reply Brief and Rebuttal Testimony on Issues of Financial Assurance for Decommissioning and Financial and Technical Qualifications Or, in the Alternative, to Strike Documents Submitted on Those Issues," February 26, 1999, is *denied* with respect to the Financial Assurance for Decommissioning. The Presiding Officer determined this issue without relying on the new information to which ENDAUM and SRIC sought to reply.

Similarly, there is no need to reply to HRI's challenges to the qualifications of Dr. Michael F. Sheehan. The challenges did not affect the outcome. Interpretation of regulations is, in the first instance, a legal matter. Since the Presiding Officer did not find

ambiguities in the regulations, there was no need to rely on expert opinion as an aid to interpretation.

IT IS SO ORDERED.



Peter B. Bloch, Administrative Judge
Presiding Officer

Rockville, Maryland

UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

In the Matter of
HYDRO RESOURCES, INC.

Docket No.(s) 40-8968-ML

CERTIFICATE OF SERVICE

I hereby certify that copies of the foregoing LB M&O (DENIAL OF MOTION...) 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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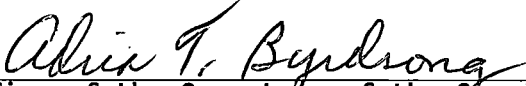
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Dated at Rockville, Md. this
10 day of March 1999


Office of the Secretary of the Commission