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UNITED STATES OF AMERICA  
NUCLEAR REGULATORY COMMISSION

BEFORE THE PRESIDING OFFICER  
OFFICE OF SECRETARY  
MARKETING & SERVICE  
BRANCH

In the Matter of	)	
	)	Docket No. 40-8681-MLA-3
UMETCO MINERALS CORPORATION	)	
	)	
(Source Materials License	)	ASLBP No. 94-693-02-MLA-3
No. SUA-1358 )	)	

RESPONSE OF ENERGY FUELS NUCLEAR, INC. TO THE  
REQUESTS FOR HEARING FILED BY NORMAN BEGAY  
AND BY DOWNWINDERS, INC.

Energy Fuels Nuclear, Inc. (EFN), by its undersigned attorneys and pursuant to 10 C.F.R. § 2.1205(f), submits this memorandum in response to the respective hearing requests filed by Norman Begay and by Steve Erickson for Downwinders, Inc. (Downwinders).

1. Request of Norman Begay.

With respect to Mr. Begay's request, EFN concurs with NRC Staff Counsel's response dated June 10, 1994, concerning the deficiencies of Mr. Begay's request. EFN does not, however, object to Mr. Begay's request, with the understanding that Mr. Begay's request is made on his own behalf, and not on behalf of any other person, and that Mr. Begay will be required to provide additional information in support of his request, specifically including the location

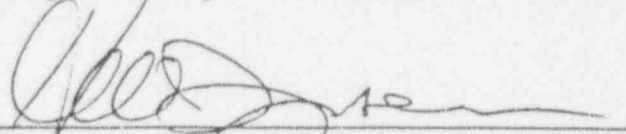
of and the completion data on the domestic well referred to in Paragraph 5 of his request dated May 14, 1994.

2. Request of Downwinders, Inc.

EFN also concurs with the recommendation of Staff Counsel that Mr. Erickson's request on behalf of Downwinders be denied for failure to meet any of the requirements of 10 C.F.R. § 2.1205(d).

An additional fact concerning this request should be brought to the Presiding Officer's attention. EFN is informed and believes that Mr. Erickson has misrepresented certain facts in his hearing request on behalf of Downwinders. A routine inquiry by EFN into the corporate status of Downwinders has revealed that Downwinders was involuntarily dissolved during 1991 by the Utah Division of Corporations. A copy of the Division's report confirming the status of Downwinders is hereto attached as Exhibit A. The information provided by the Utah Division of Corporations is directly contrary to the representations made by Mr. Erickson on behalf of Downwinders, and the affirmative misrepresentations in that hearing request should serve as an additional basis for denial.

Respectfully submitted,



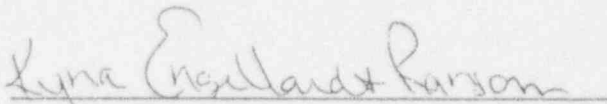
Henry W. Ipsen (#6225)  
Holme Roberts & Owen LLC  
1700 Lincoln, Suite 4100  
Denver, CO 80203  
(303) 861-7000  
Counsel for Energy Fuels Nuclear,  
Inc.

Brad Doores, Esq.  
Energy Fuels Nuclear, Inc.  
1515 Arapahoe St., #1000  
Denver, CO 80202  
(303) 899-4400

CERTIFICATE OF SERVICE

I hereby certify that on this 14<sup>th</sup> day of June, 1994, the original and two correct copies of the foregoing RESPONSE OF ENERGY FUELS NUCLEAR, INC. TO THE REQUESTS FOR HEARING FILED BY NORMAN BEGAY AND BY DOWNWINDERS, INC. for Henry W. Ipsen were mailed via UPS Mail, postage prepaid, addressed to the following:

Docketing and Service Branch  
Office of the Secretary  
Nuclear Regulatory Commission  
One White Flint North  
1155 Rockville Pike  
Rockville, MD 20852



I also hereby certify that on this 14<sup>th</sup> day of June, 1994, a true and correct copy of the foregoing RESPONSE OF ENERGY FUELS NUCLEAR, INC. TO THE REQUESTS FOR HEARING FILED BY NORMAN BEGAY AND BY DOWNWINDERS, INC. for Henry W. Ipsen was deposited in the United States mail, postage prepaid, addressed to the following:

Administrative Judge  
James P. Gleason  
Presiding Officer  
Atomic Safety and Licensing Board  
U.S. Nuclear Regulatory Commission  
Washington, DC 20555

Administrative Judge  
Thomas D. Murphy  
Special Assistant  
Atomic Safety and Licensing Board  
U.S. Nuclear Regulatory Commission  
Washington, DC 20555

Secretary  
U.S. Nuclear Regulatory Commission  
Attn: Docketing & Service Branch  
Washington, DC 20555

Office of Commission Appellate Adjudication  
U.S. Nuclear Regulatory Commission  
Washington, DC 20555

UMETCO Minerals Corporation  
P.O. Box 1029  
Grand Junction, CO 81502

Sherwin E. Turk, Esq.  
Staff Counsel  
U.S. Nuclear Regulatory Commission  
Washington, DC 20555

Norman Begay  
P.O. Box 1138  
Blanding, UT 84511

Steve Erickson  
for Downwinders, Inc.  
c/o 961 E. 600 South  
Salt Lake City, UT 84102

OFFICE OF SECRETARY  
DOCKETING & SERVICE  
BRANCH

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USNRC

Kumarachandran Rangan

06/13/94 --- UTAH DIVISION OF CORPORATIONS & COMMERCIAL CODE ---  
\*\*CORPORATION INFORMATION -

CO FILE # 096658 DOWNWINDERS, INC.

STATUS: INVOLUNTARILY DISSOLVED 08/01/91-FAILURE TO FILE AN ANNUAL REPORT

NAME IN HOME STATE:

PRINCIPAL ADDRESS:

INCORPORATED/QUALIFIED: 02/03/1982

LAST ANNUAL REPORT: 02/06/90

REG. AGENT: DIV. OF CORP DIRECTOR  
160 E 300 S 2ND FLOOR  
BOX 45801 SLC UT  
84145

ANNUAL REPORT FILED BY COUPON:

HOME STATE: UTAH

PRESIDENT:  
PRESTON J TRUMAN  
966 E WILSON AVE  
SALT LAKE CITY UT  
841050000  
TREASURER:

VICE PRESIDENT:  
MONTE BRIGHT  
966 E WILSON AVE  
SALT LAKE CITY UT  
841050000

SECRETARY:  
DENNIS BEDOLLA  
BOX 24  
MODENA UTAH  
84753

SIC: 8299 SCHOOLS & EDUCATIONAL SERVICES, NEC

TRUSTEES  
PRESTON J TRUMAN  
966 E WILSON AVE  
SALT LAKE CITY UT  
841050000

MONTE BRIGHT  
966 E WILSON AVE  
SALT LAKE CITY UT  
84105

DENNIS BEDOLLA  
BOX 24  
MODENA UTAH  
84753

ADDITIONAL DIRECTORS: NO

AUTHORIZED SHARES:

NUMBER

CLASS

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50,000

COMMON

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PROFIT CORPORATION: NO  
PROFESSIONAL CORPORATION: NO  
CORPORATION SOLE: NO

06/13/94 --- UTAH DIVISION OF CORPORATIONS & COMMERCIAL CODE --- 14:00:00  
\*\*REMARKS\*\*

00 FILE # 096658 DOWNWINDERS, INC.  
01 9-8-82 AMENDED ARTICLES OF INCORPORATION  
02 4-21-83 AMENDED ARTICLES OF INCORPORATION  
03 12-31-86 INVOLUNTARY DISSOLUTION FOR FAILURE TO FILE AN ANNUAL REPORT.  
04 1-27-87 REINSTATED. (MF)  
05 4-1-88 SUSPENDED FOR FAILURE TO FILE AN ANNUAL REPORT (EFS)  
06 12-27-88 REINSTATED (EFS)  
07 4-1-89 SUSPENDED FOR FAILURE TO FILE AN ANNUAL REPORT MC  
08 2-6-90 REINSTATED MC  
09 08-01-91 REGISTERED AGENT CHANGED  
10 08-01-91 REGISTERED AGENT ADDRESS CHANGED

06/13/94 --- UTAH DIVISION OF CORPORATIONS & COMMERCIAL CODE --- 14:00:19  
\*\*FORMER NAMES AND RELATED ENTITIES\*\*

00 FILE # 096658 DOWNWINDERS, INC.

STATUS: I BUS TYPE: STATE: UTAH INCORP DATE: 02/03/1982