



OFFICE OF THE  
GENERAL COUNSEL

UNITED STATES  
NUCLEAR REGULATORY COMMISSION  
WASHINGTON, D.C. 20555-0001

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USNRC

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OFFICE OF SECURITY  
RULEMAKING AND  
ADJUDICATIONS STAFF

Peter B. Bloch, Presiding Officer  
Administrative Judge  
Atomic Safety and Licensing Board Panel  
U.S. Nuclear Regulatory Commission  
Washington, DC 20555

Richard F. Cole, Special Assistant  
Administrative Judge  
Atomic Safety and Licensing Board Panel  
U.S. Nuclear Regulatory Commission  
Washington, DC 20555

In the Matter of  
HYDRO RESOURCES, INC (HRI)  
Docket No. 40-8968-ML

Dear Administrative Judges:

The Staff is in receipt of "ENDAUM's and SRIC's Motion for Issuance of A Subpoena for the Production of Documents, or, Alternatively, to Supplement the Hearing Record and to Postpone the Deadline for Filing Written Presentations on Groundwater Issues and NEPA Issues; Expedited Consideration Requested," dated December 10, 1998 (Motion), which was transmitted by e-mail on December 11, 1998. The Motion, in part, asks that a subpoena be issued, requiring HRI *and the Staff* to produce certain documents. See Motion at 1.

The statement on page two of that filing, that the "Staff takes no position on the motion," is not accurate. When undersigned counsel last spoke to Ms. Matanich, Ms. Matanich was informed, *inter alia*, that the NRC did not have the documents sought and that any request should be directed to HRI. Staff counsel also indicated that she was unable to provide a position on the request for extension of the February 1, 1999, filing deadline during the phone call. This letter is to inform you that the Staff will provide a written response to the matters raised in the Motion.

Sincerely,

  
Mitzi A. Young  
Counsel for NRC Staff

ccs: Johanna Matanich  
Anthony Thompson  
Roderick Ventura  
Diane Curran

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