

UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

RAS 1851

DOCKETED 10/27/00

BEFORE THE PRESIDING OFFICER

In the Matter of)	
)	
GRAY*STAR, INC.)	Docket No. SSD 99-27
)	
(Suite 103, 200 Valley Road)	
Mt. Arlington, New Jersey 07856))	

NRC STAFF'S ANSWER TO HEARING REQUEST

Pursuant to the Memorandum and Order (Schedule for NRC Staff Answer) dated June 16, 2000 entered in this proceeding, the Staff files this answer to GRAY*STAR, Inc.'s (GrayStar) June 1, 2000 request for hearing.

GrayStar's application for registration of its proposed Model GS-42 sealed source was denied, and review of its application for registration of its proposed Model 1 irradiator was suspended, as stated in the Staff's letter to GrayStar dated May 24, 2000. The letter gave GrayStar 20 days to request a hearing regarding these decisions, pursuant to 10 C.F.R. §2.103(b). In a response letter dated June 1, 2000, GrayStar requested, in part, that the Staff reconsider its denial and suspension decisions. In the alternative, GrayStar requested a hearing regarding these decisions. On reconsideration, the Staff sustained its decisions, as stated in the Staff's letter to GrayStar dated June 8, 2000.

Inasmuch as GrayStar's June 1 hearing request was timely, the Staff does not oppose the request. If this hearing request is granted, the Staff will be prepared to submit a hearing file pursuant to 10 C.F.R. §2.1231.

Respectfully submitted,

John T. Hull */RA/*
Counsel for NRC Staff

Dated at Rockville, Maryland
this 26th day of June 2000

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NOTICE OF APPEARANCE

Pursuant to order dated June 16, 2000, and in accordance with 10 C.F.R. §§ 2.713(b) and 2.1215(a), the undersigned attorney gives notice and enters his appearance in the above-captioned matter, as counsel representing the staff of the Nuclear Regulatory Commission. The following information is provided:

Name:	John T. Hull, Esq.
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Telephone Number:	(301) 415-1573 (Fax: 301-415-3725)
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Admissions:	Court of Appeals for the District of Columbia Court of Appeals of Maryland
Name of Party:	NRC Staff

Respectfully submitted,

John T. Hull */RA/*
Counsel for NRC Staff

Dated at Rockville, Maryland
this 26th day of June, 2000

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CERTIFICATE OF SERVICE

I hereby certify that signed copies of "NRC STAFF'S ANSWER TO HEARING REQUEST," and "NOTICE OF APPEARANCE," have been served on those listed below either by U.S. Mail, first class, or by internal distribution, this 26th day of June 2000. Additionally, electronic copies have been transmitted this date to those listed below and marked by single asterisks. As indicated by a plus sign (+), GrayStar was also served by facsimile transmission on this date.

Administrative Judge
G. Paul Bollwerk, III, Presiding Officer *
Atomic Safety and Licensing Board Panel
U. S. Nuclear Regulatory Commission
Mail Stop: T-3F23
Washington, D.C. 20555

Administrative Judge
Frederick J. Shon, Special Assistant *
Atomic Safety and Licensing Board Panel
U. S. Nuclear Regulatory Commission
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Office of Commission Appellate
Adjudication
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Office of the Secretary *
ATTN: Rulemaking and Adjudications
Staff
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Russell N. Stein, Vice President +
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Counsel for NRC Staff