

IN RESPONSE, PLEASE
REFER TO: M140410A

April 10, 2014

MEMORANDUM FOR: Brooke Poole, Director
Office of Commission Appellate Adjudication

FROM: Annette L. Vietti-Cook, Secretary **/RA/**

SUBJECT: STAFF REQUIREMENTS - AFFIRMATION SESSION, 9:25 A.M.,
THURSDAY, APRIL 10, 2014, COMMISSIONERS'
CONFERENCE ROOM, ONE WHITE FLINT NORTH,
ROCKVILLE, MARYLAND (OPEN TO PUBLIC ATTENDANCE)

- I. SECY-14-0011 – Aerotest Operations, Inc. (Aerotest Radiography and Research Reactor), Joint Demand for Hearing on Denial of License Renewal and Indirect License Transfer Regarding Aerotest Radiography and Research Reactor Facility Operating License No. R-98 (Aug. 13, 2013); Joint Answer to and Demand for Hearing on Order Prohibiting Operation of Aerotest Radiography and Research Reactor Facility Operating License No. R-98 (Aug. 13, 2013); NRC Staff Motion to Sever the Demand for Hearing on Denial of License Renewal from the Demand for Hearing on Indirect License Transfer Regarding Aerotest Radiography and Research Reactor (Aug. 21, 2013)

The Commission approved a Memorandum and Order responding to (1) the hearing requests of Aerotest Operations, Inc. and Nuclear Labyrinth, LLC (together, the companies) on three related NRC staff actions (denials of license transfer and license renewal applications, and issuance of a related enforcement order), and (2) the NRC staff's "motion to sever" the license transfer proceeding from the license renewal proceeding. The Memorandum and Order denies both the NRC staff's Motion to Sever and the companies' request to consolidate the three matters, grants the companies' hearing request on the denial of the license transfer application, defers consideration of the companies' hearing request on the denial of the license renewal application and the associated enforcement order, and provides further direction for the license transfer proceeding.

(Subsequently, on April 10, 2014, the Secretary signed the Memorandum and Order.)

cc: Chairman Macfarlane
Commissioner Svinicki
Commissioner Apostolakis
Commissioner Magwood
Commissioner Ostendorff
EDO
OGC
CFO
OCA
OIG
OPA
Office Directors, Regions, ACRS, ASLBP (via E-Mail)
PDR