

UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION
ATOMIC SAFETY AND LICENSING BOARD

Before Administrative Judge:

E. Roy Hawken
Presiding Officer

In the Matter of

AEROTEST OPERATIONS, INC.

(Aerotest Radiography and Research Reactor)

Docket No. 50-228-LT

ASLBP No. 14-931-01-LT-BD01

April 25, 2014

Order

(Memorializing Discussion at April 24, 2014 Pre-Hearing Conference)

On April 24, 2014, this Board held a pre-hearing conference via telephone with the parties to this proceeding -- Aerotest Operations, Inc. and Nuclear Labyrinth, LLC [hereinafter the Companies] and the NRC Staff. This Order memorializes material items discussed and directions given during that conference.

I. Oral Hearing

Consistent with the preference expressed by the Companies and the NRC Staff, an oral hearing will be conducted in this 10 C.F.R. Part 2, Subpart M proceeding.

II. Location of the Hearing

Consistent with the preference expressed by the Companies and the NRC Staff, the hearing will be held at the ASLBP Hearing Room in Rockville, Maryland.

III. Length of the Hearing

The parties estimated that two days should be adequate time to complete the hearing.

IV. Scheduling Matters

Acknowledging that it might be possible to commence the hearing during week of July 7, 2014, the parties agreed to discuss the matter further among themselves, and to submit a joint

proposed schedule by Monday, May 5. This document should include suggested scheduling for all necessary procedural events, including those discussed in 10 C.F.R. Part 2, Subpart M and in the Subpart M Model Milestones, 10 C.F.R. Part 2, App. B.¹

V. Other Matters

Without objection from the Companies, the NRC Staff stated that, no later than May 9, 2014, it will submit a response to the Companies' Statement of Areas of Controversy Regarding Denial of Indirect License Transfer. The Staff represented that the response would not exceed 7 pages.

It is so ORDERED.

THE ATOMIC SAFETY
AND LICENSING BOARD

/RA/

E. Roy Hawkens
PRESIDING OFFICER

Rockville, Maryland
April 25, 2014

¹ These events include mandatory disclosures; issuance of the scheduling order; submission of initial written statements of position; submission of direct written testimony with supporting affidavits; submission of responses; submission of rebuttal written testimony with supporting affidavits; submission of proposed questions for witnesses sponsoring direct and rebuttal testimony; submission of exhibits and exhibit lists; commencement of the hearing; submission of proposed transcript corrections; and submission of proposed findings of fact and conclusions of law.

The parties stated that they would discuss modifying the mandatory disclosure requirements in this proceeding. To the extent they reach an agreement, the parties should include the parameters of the agreed-upon disclosure requirements in their joint proposal.

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CERTIFICATE OF SERVICE

I hereby certify that copies of the foregoing **ORDER (Memorializing Discussion at April 24, 2014 Pre-Hearing Conference)** have been served upon the following persons by Electronic Information Exchange.

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Aerotest Operations, Inc., Docket No. 50-228-LT

ORDER (Memorializing Discussion at April 24, 2014 Pre-Hearing Conference)

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[Original signed by Herald M. Speiser _____]
Office of the Secretary of the Commission

Dated at Rockville, Maryland
this 25th day of April, 2014