

UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

BEFORE THE ATOMIC SAFETY AND LICENSING BOARD

In the Matter of

JAMES CHAISSON

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Docket No. IA-14-025-EA

ASLBP No. 14-932-02-EA-BD01

NRC STAFF MOTION TO STAY PROCEEDING PENDING SETTLEMENT

Pursuant to 10 C.F.R. § 2.323, the staff of the Nuclear Regulatory Commission (NRC) hereby requests the Atomic Safety and Licensing Board (Board) to stay this proceeding pending settlement. On April 17, 2015, the staff and Mr. James Chaisson filed a Joint Motion to Approve Settlement Agreement and Terminate Proceeding. Prior to the joint motion, the Board issued a Memorandum requesting the availability of the parties to convene a brief teleconference and proposing several dates and times for the teleconference. See Memorandum (Advising the Parties About Planned Teleconference) (Apr. 15, 2015) (unpublished). When a teleconference was unable to be scheduled, the Board issued a Memorandum and Order proposing new dates and times for a teleconference and reiterated that it would need to speak with the parties prior to taking action on the joint motion. See Memorandum and Order (Rescheduling Telephone Conference) (Apr. 21, 2015) (unpublished). The Board also noted that the general schedule for the proceeding remains in effect, including the May 1, 2015 deadline for submitting position statements and prefilled direct testimony and exhibits. See *id.* at 2; Licensing Board Memorandum and Order (Tentative Schedule for Evidentiary Hearing) (Mar. 31, 2015) app. A (unpublished).

The staff understands that a teleconference has yet to be scheduled and that recent efforts to contact Mr. Chaisson by the Board and the staff have been unsuccessful. Therefore, it is unlikely that the teleconference and any subsequent Board action on the joint motion will occur prior to the deadline for the initial hearing filings. Because the staff anticipates successful

resolution of the joint motion, the staff believes that maintaining the current hearing schedule is unnecessary. Therefore, the staff respectfully requests the Board to stay the proceeding until the Board can hold a teleconference with the parties and disposition the joint motion. Pursuant to 10 C.F.R. § 2.323(b), the staff certifies that it has made a sincere effort to contact Mr. Chaisson and resolve the issue and has been unsuccessful in reaching Mr. Chaisson via telephone or electronic mail.

Respectfully submitted,

Signed (electronically) by
Christopher C. Hair
Counsel for NRC Staff

Dated in Rockville, Maryland
this 28th day of April 2015

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CERTIFICATE OF SERVICE

I hereby certify that the foregoing "NRC STAFF MOTION TO STAY PROCEEDING PENDING SETTLEMENT," dated April 28, 2015, has been served over the Electronic Information Exchange, the NRC's E-Filing System, this 28th day of April 2015.

/Signed (electronically) by/

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