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October 21, 1996

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

OFFICE OF THE SECRETARY
DOCKETED

Before Administrative Judge:
Peter B. Bloch, Presiding Officer
Dr. Peter Lam, Special Assistant

SERVED OCT 21 1996

In the matter of

RALPH L. TETRICK

(Denial of Application
for Reactor Operator License)

Docket No. 55-20726-SP

Re: License Amendment
(Transfer to Southern
Nuclear)

ASLBP No. 97-721-01-SP

MEMORANDUM AND ORDER
(Grant of Request for a Hearing; Scheduling)

This proceeding concerns a denial of a reactor operator's license to Ralph L. Tetrick. In a letter to the Secretary of September 25, 1996, Mr. Tetrick requested a hearing to contest this denial. The matter was subsequently referred to the Atomic Safety and Licensing Board Panel for resolution and I was designated as Presiding Officer by Order of the Chief Administrative Judge on October 9, 1996. Because this proceeding involves an application for a license for an operator of a nuclear power plant, it is governed by 10 CFR Subpart L. 10 CFR § 2.1201 (a)(2).

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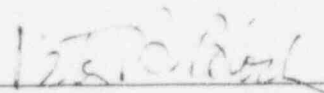
Under the provisions of 10 CFR §§ 2.1205(b), 2.1213, the NRC Staff is required to be a party to this proceeding. Pursuant to its party status, on October 18, 1996, Staff answered Mr. Tetrick's hearing request by stating that the hearing request was timely and the Staff does not oppose his request for a hearing. See 10 CFR §§ 2.1205(f) and 2.1213.

I have determined that Mr. Tetrick's request for a hearing is timely and it is hereby granted. As it has stated that it is prepared to do, Staff shall prepare a hearing file pursuant to 10 CFR § 2.1231. Pursuant to my authority under 10 CFR § 2.1209(a), I direct that the hearing file be served on Mr. Tetrick and on me by 6 pm E.S.T. on Friday, November 8. The hearing file shall comply with 10 CFR § 2.1231(b). Mr. Tetrick shall serve his written presentation, under oath or affirmation,¹ so that it is received by me and by the Staff by November 25, pursuant to and in compliance with 10 CFR § 2.1233.

¹Factual statements generally are sworn to before a notary so that my determination in this case will be based on facts sworn to by the parties.

The Staff may respond with a document that complies with the regulations and is received by me and by Mr. Tetrick by 6 pm E.S.T. on December 13, 1996.

It is so ORDERED.



Peter B. Bloch, Presiding Officer

Rockville, Maryland

UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

In the Matter of

RALPH L. TETRICK

(Denial of Senior Reactor Operator's
License)

Docket No.(s) 55-20726-SP

CERTIFICATE OF SERVICE

I hereby certify that copies of the foregoing LB M&O GRANTING HEARING have been served upon the following persons by U.S. mail, first class, except as otherwise noted and in accordance with the requirements of 10 CFR Sec. 2.712.

Office of Commission Appellate
Adjudication
U.S. Nuclear Regulatory Commission
Washington, DC 20555

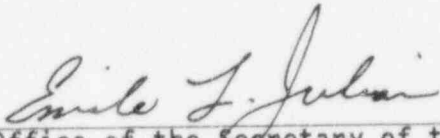
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Washington, DC 20555

Lawrence J. Chandler, Esq.
Office of the General Counsel
Mail Stop - O-15 B18
U.S. Nuclear Regulatory Commission
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Dated at Rockville, Md. this
21 day of October 1996


Office of the Secretary of the Commission