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UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

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USNRC

ATOMIC SAFETY AND LICENSING BOARD PANEL 97 MAR 27 10:45

Before Presiding Officer:
G. Paul Bollwerk, III, Administrative Judge

OFFICE OF SECRETARY
DOCKETING & SERVICE
BRANCH

Special Assistant:
Thomas D. Murphy, Administrative Judge

SERVED MAR 27 1997

In the Matter of

FRANK J. CALABRESE JR.

(Denial of Senior Reactor
Operator's License)

Docket No. 55-61425-SP

ASLBP No. 97-725-02-SP

March 27, 1997

MEMORANDUM AND ORDER
(Initial Order)

In this proceeding, Frank J. Calabrese Jr., challenges the March 3, 1997 action of the NRC staff denying him a senior reactor operator's (SRO) license based on his failure to pass the operating test portion of the SRO license examination administered to him on October 21-23, 1996. In accordance with my authority under 10 C.F.R. § 2.1209, I set forth the following directives regarding the conduct of this proceeding:

I. Staff Answer to Hearing Request

Any staff answer to Mr. Calabrese's March 14, 1997 letter requesting a hearing shall be filed on or before Monday, April 7, 1997. In its answer, the staff should provide an estimate of how much time it will need to compile

the hearing file for this proceeding. In addition, with its answer the staff should provide copies of EO-100-104, EO-100-112, and EO-100-113, which are referenced in the attachments to the document entitled "NRC Review for Frank J. Calabrese Jr. - SRO Candidate" that accompanied the staff's March 3, 1997 denial letter.

II. Administrative Matters

A. Notice of Appearance

On or before Monday, April 7, 1997, counsel for the staff and Mr. Calabrese shall file a notice of appearance complying with the requirements of 10 C.F.R. § 2.713(b). In each notice of appearance, in addition to providing a business address and telephone number, counsel should provide a facsimile number and an Internet e-mail address.

If Mr. Calabrese wishes to represent himself in this proceeding, on or before Monday, April 7, 1997, he should file (i.e., mail) a written notification of that election that provides a daytime telephone number along with a facsimile number and/or Internet e-mail address, if he has one.

B. Service on the Presiding Officer and the Special Assistant

For each pleading or other submission filed before the Presiding Officer or the Commission in this proceeding, in addition to submitting an original and two conforming copies

to the Office of the Secretary as required by 10 C.F.R. § 2.1203(c) and serving a copy on each participant in accordance with sections 2.701(b) and 2.1203(e), one conforming copy should be served on the Presiding Officer and the Special Assistant in accordance with the following instructions:

1. Regular Mail

To complete service via United States Postal Service first-class mail, a conforming copy should be sent to the Presiding Officer and the Special Assistant at the following address:

Atomic Safety and Licensing Board Panel
U.S. Nuclear Regulatory Commission
Washington, D.C. 20555-0001

For regular mail service, the staff may use the NRC internal mail system (Mail Stop T-3F23) in lieu of first-class mail.

2. Overnight or Hand Delivery

To complete service via overnight (e.g., express mail) or hand delivery, a conforming copy should be sent to the Presiding Officer and the Special Assistant at the following address:

Atomic Safety and Licensing Board Panel
Third Floor, Two White Flint North
11545 Rockville Pike
Rockville, MD 20852

3. Facsimile Transmission

To complete service by facsimile transmission (1) one copy should be sent by rapifax to the attention of the

Presiding Officer and the Special Assistant at (301) 415-5599 (verification (301) 415-7405); and (2) conforming copies should be sent that same date to the Presiding Officer and the Special Assistant by regular mail at the address given in paragraph II.B.1 above.

4. E-Mail

To complete service by e-mail transmission (1) the participant's filing (which should include the certificate of service) should be sent as a file (preferably in WordPerfect 5.1 or 6.1 format) attached to an e-mail message directed to the Presiding Officer and the Special Assistant (Internet IDs: gpb@nrc.gov, tdm@nrc.gov; NRC Agency Upgrade of Technology for Office Systems (AUTOS) Wide Area Network (WAN) System IDs: GPB, TDM); (2) any attachments or exhibits to a pleading that cannot be transmitted by e-mail should be sent to the Presiding Officer and the Special Assistant by a separate facsimile transmission or other means that will ensure receipt by the due date; and (3) paper conforming copies should be sent that same date to the Presiding Officer and the Special Assistant by regular mail at the address given in paragraph II.B.1 above.

5. Timely Service by Hand Delivery, Facsimile Transmission, or E-Mail

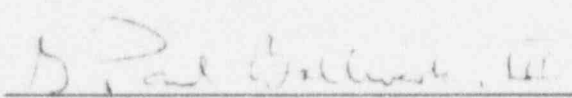
To be timely, any pleading or other submission served on the Presiding Officer and the Special Assistant by hand delivery, facsimile transmission, or e-mail must be received

by the Presiding Officer and the Special Assistant no later than 4:30 p.m. Eastern Time on the date due.

C. Exhibits/Attachments to Filings

If a participant files a pleading or other submission with the Presiding Officer that has additional documents appended to it as exhibits or attachments, a separate alpha or numeric designation for each appended document (e.g., Exhibit 1; Attachment A) should be given to each appended document, either on the first page of the appended document or on a cover/divider sheet in front of the appended document.

It is so ORDERED.



G. Paul Bollwerk, III
ADMINISTRATIVE JUDGE

Rockville, Maryland

March 27, 1997

UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

in the Matter of

FRANK J. CALABRESE, JR.

(Denial of Senior Reactor
Operator's License)

Docket No.(s) 55-61425-SP

CERTIFICATE OF SERVICE

I hereby certify that copies of the foregoing LB M&O (INITIAL ORDER) 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

Administrative Judge
G. Paul Bollwerk, III, Presid'g Ofcr
Atomic Safety and Licensing Board
Mail Stop - T-3 F23
U.S. Nuclear Regulatory Commission
Washington, DC 20555

Administrative Judge
Thomas D. Murphy
Special Assistant
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Lawrence J. Chandler, Esq.
Office of the General Counsel
Mail Stop - O-15 B18
U.S. Nuclear Regulatory Commission
Washington, DC 20555

Frank J. Calabrese, Jr.
698 S. Kennedy Drive
McAdoo, PA 18237

Dated at Rockville, Md. this
27 day of March 1997

Adria T. Byrdson
Office of the Secretary of the Commission