

UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

DOCKETED
USNRC

ATOMIC SAFETY AND LICENSING BOARD

'98 JUN 10 A9:17

Before Administrative Judges:

Charles Bechhoefer, Chairman
Dr. Jerry R. Kline
Dr. Peter S. Lam

OFFICE OF THE
REGISTERED
ADJUDICATOR

SERVED JUN 10 1998

In the Matter of

MAGDY ELAMIR, M.D.
Newark, New Jersey

Order Superseding Order
Prohibiting Involvement in
NRC-Licensed Activities
(Effective Immediately)

Docket No. IA 97-070

ASLBP No. 98-734-01-EA

June 10, 1998

NOTICE OF EVIDENTIARY HEARING

This proceeding concerns the request of Magdy Elamir, M.D., for a hearing with respect to the Order Superseding Order Prohibiting Involvement in NRC Licensed Activities (Effective Immediately), dated September 15, 1997, published at 62 Fed. Reg. 49536 (September 22, 1997). The parties to the proceeding are Dr. Elamir and the NRC Staff. The issue to be considered is whether the Superseding Order should be sustained--in particular, whether the NRC Staff's currently effective suspension of Dr. Elamir from engaging in NRC-licensed activities should be continued for a period of five years from July 31, 1997, as a result of alleged deliberate violations of NRC requirements.

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Notice is hereby given that, as set forth in the Atomic Safety and Licensing Board's Memorandum and Order (Telephone Conference: Lifting of Stay; Schedules for Proceeding and Hearing), dated May 1, 1998, the evidentiary hearing in this proceeding will commence on Tuesday, July 14, 1998, beginning at 9:30 a.m., at Room 204-205 (second floor), 970 Broad Street (enter on Walnut Street), Newark, New Jersey 07102. The hearing will continue, to the extent necessary, on July 15-16, 1998, at that same location, beginning at 9:00 a.m. each day. (The sessions are expected to adjourn at approximately 5:00 p.m. daily.)

As provided by our May 1, 1998 Memorandum and Order, and consistent with 10 C.F.R. § 2.743(b)(3), written direct testimony of the parties need not be utilized, but the parties must have in our hands by Wednesday, July 8, 1998, lists of witnesses and documents they propose to use, together with statements of the qualifications of those witnesses (curriculum vitae). (If either of the parties elects to use prefiled written direct testimony, such testimony should be filed so as to be in our hands by July 8, 1998.)

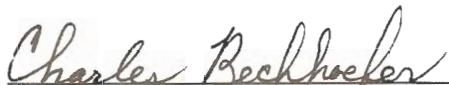
Notice is also hereby given that, in accordance with 10 C.F.R. § 2.715(a), the Licensing Board will hear oral limited appearance statements on Tuesday, July 14, 1998, at the outset of the hearing and in the aforementioned hearing room. A person not a party to the proceeding will be

permitted to make such a statement, setting forth his or her position on the issues. The number of persons making oral statements and the time allotted for each statement may be limited depending on the number of persons present at the designated time. (Normally, each oral statement may extend for up to five (5) minutes.) These statements do not constitute testimony or evidence but may assist the Licensing Board and parties in defining the scope of the issues in the proceeding.

Requests to make oral statements may be submitted to the Office of the Secretary, Docketing and Service Branch, U.S. Nuclear Regulatory Commission, Washington, D.C. 20555. A copy of each such request should also be submitted to Judge Charles Bechhoefer, Chairman of this Licensing Board, U.S. Nuclear Regulatory Commission, ASLBP, T-3 F23, Washington, D.C. 20555.

Documents relating to this proceeding are on file at the Commission's Public Document Room, the Gelman Building, 2120 L Street, N.W., Washington, D.C. 20555, and at the Commission's Region I office, 475 Allendale Road, King of Prussia, Pennsylvania 19406-1415.

FOR THE ATOMIC SAFETY AND
LICENSING BOARD



Charles Bechhoefer, Chairman
ADMINISTRATIVE JUDGE

Rockville, Maryland
June 10, 1998

UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

In the Matter of

MAGDY ELAMIR, M.D.

(Superseding Order Prohibiting
Involvement in Licensed Activities)

Docket No.(s) IA 97-070

CERTIFICATE OF SERVICE

I hereby certify that copies of the foregoing LB NOT. OF EVIDENTIARY 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
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U.S. Nuclear Regulatory Commission
Washington, DC 20555

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Charles Bechhoefer, Chairman
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Dated at Rockville, Md. this
10 day of June 1998


Office of the Secretary of the Commission