

UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

ATOMIC SAFETY AND LICENSING BOARD PANEL

Before the Licensing Board:

G. Paul Bollwerk, III, Chairman
Michael M. Gibson
Dr. Gary S. Arnold

In the Matter of
JAMES CHAISSON
(Enforcement Action)

Docket No. IA-14-025-EA
ASLBP No. 14-932-02-EA-BD01
April 6, 2015

MEMORANDUM AND ORDER
(Suspending Prehearing Conference and Requesting
Status Report on Settlement Agreement)

Per the April 3, 2015 e-mail from James Chaisson included as attachment A to this issuance, and as confirmed by NRC staff counsel in a telephone conversation today with Licensing Board law clerk Matthew Zogby, Mr. Chaisson and the staff apparently have reached an agreement to settle this proceeding. A hearing notice already having been issued in case, see LBP-14-11, 80 NRC __ (Sept. 8, 2014), to be binding in this proceeding any settlement agreement must be set forth in a document that is (1) signed by both parties; and (2) submitted to and approved by the Board, see 10 C.F.R. § 2.338(g), (i).

Under the circumstances, we will suspend the prehearing conference now scheduled for April 8, 2015, see Licensing Board Memorandum and Order (Scheduling Prehearing Conference) (Apr. 3, 2015) at 1 (unpublished), pending Board receipt of the signed settlement agreement. Additionally, we request that on or before Monday, April 13, 2015, the staff submit to the Board a status report providing an estimate of when the Board might expect to receive the parties' signed settlement agreement.

Pending further order of the Board, the evidentiary hearing schedule set forth in the Board's March 31 issuance remains in effect. See Licensing Board Memorandum and Order (Tentative Schedule for Evidentiary Hearing) (Mar. 31, 2015) app. A (unpublished).

It is so ORDERED.

FOR THE ATOMIC SAFETY
AND LICENSING BOARD

/RA/

G. Paul Bollwerk, III, Chairman
ADMINISTRATIVE JUDGE

Rockville, Maryland

April 6, 2015

ATTACHMENT A

From: [Docket, Hearing](#)
To: [Zogby, Matthew](#); [Wase, Alana](#)
Subject: FW: Atomic Safety and Licensing Board Memorandum and Order (Scheduling Prehearing Conference)
Date: Friday, April 03, 2015 5:05:30 PM

From: James Chaisson [mailto:xrayjames01@yahoo.com]
Sent: Friday, April 03, 2015 5:04 PM
To: Docket, Hearing
Subject: Re: Atomic Safety and Licensing Board Memorandum and Order (Scheduling Prehearing Conference)

Hi I am happy to inform all I will be involved in the phone conference on 3/8/2015 but it will be to inform the board that myself and the NRC have reached a settlement agreement and both parties are confident this will resolve the issues between both parties. thank You James Chaisson

On Friday, April 3, 2015 9:41 AM, "Docket, Hearing" <Hearing.Docket@nrc.gov> wrote:

Mr. Chaisson,

The attached Atomic Safety and Licensing Board Memorandum and Order (Scheduling Prehearing Conference) has been served on the parties in the enforcement action proceeding with which you are a party to.

Please feel free to contact the Office of the Secretary at hearingdocket@nrc.gov should you have any questions.

Brian Newell
Rulemakings and Adjudications Staff
Office of the Secretary
U.S. Nuclear Regulatory Commission
Phone: (301) 415-4659

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In the Matter of)
)
Mr. James Chaisson) IA-14-025-EA
)
(Enforcement Action))

CERTIFICATE OF SERVICE

I hereby certify that copies of the foregoing **MEMORANDUM AND ORDER (Suspending Prehearing Conference and Requesting Status Report on Settlement Agreement)** have been served upon the following persons by Electronic Information Exchange or via Electronic Mail where indicated by an asterisk.

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[Original signed by Brian Newell ____]
Office of the Secretary of the Commission

Dated at Rockville, Maryland,
this 6th day of April, 2015