

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 21, 2015

MEMORANDUM AND ORDER
(Rescheduling Telephone Conference)

By memorandum dated April 15, 2015, the Licensing Board notified the parties that (1) the Board wished to conduct a brief teleconference on either Tuesday or Wednesday, April 21-22, regarding an anticipated joint motion requesting that the Board accept a settlement agreement and terminate this proceeding; and (2) once the parties' joint motion was received, Board law clerk Matthew Zogby would be contacting the parties regarding proposed times on those dates. See Licensing Board Memorandum (Advising the Parties About Planned Teleconference) (Apr. 15, 2015) at 1–2 (unpublished). On April 17, the Board received that motion, see Joint Motion to Approve Settlement Agreement and Terminate Proceeding (Apr. 17, 2015), and Mr. Zogby attempted to contact both the NRC staff and hearing requestor James Chaisson regarding their availability for an April 21-22 telephone conference. The staff indicated it was available either date, but Mr. Zogby's several e-mails and telephone messages to Mr. Chaisson have not been answered.

As the Board indicated previously, prior to taking action on the parties' pending April 17 joint motion, the Board needs to speak with the parties. Given that an April 21-22 teleconference is now impractical, the Board wishes to reschedule such a conference for next week. The Board is available for a telephone conference at 11:00 a.m. Eastern Time (9:00 a.m. Mountain Time) on either Tuesday, April 28, Thursday, April 30, or Friday, May 1, and requests that the parties promptly contact Mr. Zogby (e-mail: matthew.zogby@nrc.gov; telephone: 301-415-5880) regarding their availability on these dates/times.

The Board would reiterate that convening this telephone conference is a prerequisite to Board action on the parties' pending joint motion for approval of their settlement agreement.

The Board also notes that, pending some response by each of the parties to this scheduling request, the general schedule for this proceeding as set forth in the Board's March 31 issuance remains in effect, including the May 1, 2015 date for submitting position statements and prefiled direct testimony and exhibits. See Licensing Board Memorandum and Order (Suspending Prehearing Conference and Requesting Status Report on Settlement

Agreement) (Apr. 6, 2015) at 2 (unpublished); see also 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 21, 2015

* In addition to being served by e-mail, a copy of this order was sent to Mr. Chaisson by overnight express service at his home address in Orem, Utah.

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NUCLEAR REGULATORY COMMISSION

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 (Rescheduling Telephone Conference)** 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 Herald M. Speiser]
Office of the Secretary of the Commission

Dated at Rockville, Maryland,
this 21st day of April, 2015