



UNITED STATES
NUCLEAR REGULATORY COMMISSION
WASHINGTON, D. C. 20555

January 22, 1988

MEMORANDUM TO: Martin G. Malsch
Deputy General Counsel for
Licensing and Regulation
Office of the General Counsel

FROM: William J. Olmstead
Assistant General Counsel for Hearings
Office of the General Counsel

SUBJECT: REQUEST FOR HEARING BY WILLIAM D. PULAK ON
DENIAL OF SENIOR REACTOR OPERATOR'S LICENSE
FOR LA SALLE COUNTY STATION

By letter dated January 7, 1988, Mr. William D. Pulak through his attorney requested a hearing on the denial of his application for a senior reactor operator's license for La Salle County Station. By letter dated January 8, 1988 Mr. Pulak's attorney advised me that Mr. Pulak had resigned from his employment at La Salle but that he wished to know the status of the denied license. The two letters are enclosed for your information. The Commission's regulation, 10 C.F.R. § 2.103(b), provides an applicant with an opportunity for a hearing on such denials. However, 10 C.F.R. Part 55 requires that each operator's license be issued for a particular unit of a nuclear power plant.

Mr. Pulak originally asked for a hearing in a letter dated June 4, 1987 in response to Region III's May 20, 1987 denial of his application. On June 22, 1987, Region III advised Mr. Pulak that it had reviewed his examination, taking his submitted comments into consideration, and found no adequate basis to overturn its original denial. On December 2, 1987, the Operator Licensing Branch, Division of Human Factors Technology, NRR, reviewed the actions taken by Region III along with additional information provided by Mr. Pulak and found that the actions taken by Region III were performed in accordance with Examiner Standard ES-112, as set forth in NUREG-1021 and that Mr. Pulak failed to provide sufficient documentation to support a reversal of Region III's conclusions. Mr. Pulak was notified of the review results and by the January 7, 1988 letter of counsel to me reaffirmed his request for a hearing. The letter requesting a hearing was followed by a letter notifying me that Mr. Pulak has resigned from La Salle County Station, but that he wished to know the status of the license requested.

While we believe that events have caught up with Mr. Pulak's request for a hearing and that the issue that he raises is now moot, such a determination should be made by the Secretary and not by the Staff. Accordingly, Mr. Pulak's request for hearing and information about the status of the denied license is accordingly referred to you for appropriate action by the Commission.



William J. Olmstead
Assistant General Counsel
for Hearings
Office of the General Counsel

Attachment: As stated

cc: Victor Stello, EDO
Thomas Murley, NRR
W. T. Russell, RI