

UNITED STATES NUCLEAR REGULATORY COMMISSION

WASHINGTON, D.C. 20555-0001

DOCKETED USNRC

December 11, 1997

DEC 11 P2:18

OFFICE OF SECRETARY RULEMAKINGS AND ADJUDICATIONS STAFF

SERVED DEC 1 1 1997

MEMORANDUM TO: Board and Parties

BARNETT INDUSTRIAL X-RAY, INC.

Docket No. 30-30691-CIVP

SUBJECT:

LICENSING BOARD'S MEMORANDUM AND ORDER

APPROVING SETTLEMENT AGREEMENT AND DISMISSING

PROCEEDING DATED October 24, 1997 (LBP-97-19)

This is to inform you that the time provided by NRC regulation within which the Commission may act to review the decision of the Atomic Safety and Licensing Board (LBP-97-19) in this docket has expired. The Commission has declined any review. Accordingly, the decision became final agency action on December 8, 1997.

SECY-EHD-007

UNITED STATES OF AMERICA NUCLEAR REGULATORY COMMISSION

In the Matter of

BARNETT INDUSTRIAL X-RAY, INC.

(Order Imposing Civil Monetary Penalty)

Docket No.(s) 30-30691-CIVP

CERTIFICATE OF SERVICE

I hereby certify that copies of the foregoing HOYLE MEMO TO B&P RE LBP-97-19 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 B. Paul Cotter, Jr., Chairman Atomic Safety and Licensing Board Mail Stop - T-3 F23 U.S. Nuclear Regulatory Commission Washington, DC 20555

Administrative Judge Richard F. Cole Atomic Safety and Licensing Board Mail Stop - T-3 F23 U.S. Nuclear Regulatory Commission Washington, DC 20555

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Barnett, President Barnett Industrial X-Ray, Inc. P.O. Box 1991 Stillwater, OK 74076

Dated at Rockville, Md. this 11 day of December 1997