

UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

ATOMIC SAFETY AND LICENSING APPEAL BOARD

Richard S. Salzman, Chairman
Dr. Lawrence R. Quarles
Michael C. Farrar



NRC PUBLIC DOCUMENT ROOM

In the Matter of)

RADIATION TECHNOLOGY, INC.)

Lake Denmark Road)
Rockaway, New Jersey 07866)

) By-product Material License
) No. 29-13613-02

ORDER

June 21, 1979

We previously calendared oral argument of this appeal for July 18th in the Commission's public hearing room in Bethesda, Maryland. In doing so, we considered but were unable to accede to a request of licensee's president, who is representing his corporation in person. He asked that argument be held in Morris County, New Jersey for his personal convenience. Instead, we offered the option of submitting the appeal on the papers, in which event we would cancel the argument order. See 10 C.F.R. §2.763 and Appendix A to 10 C.F.R. Part 2, §IX(e) ("The holding of oral argument, whether or not specifically requested by a party, is within the Appeal Board's discretion * * *).

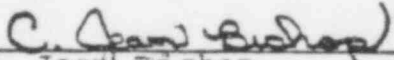
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It is anticipated that oral argument will be conducted in either Washington, D.C. or Bethesda, Md.")

By letter of June 15, 1979, licensee's president states in no uncertain terms that he "will not go to the expense of making the trip to Bethesda." Accordingly, that portion of our order of June 13 calendaring this cause for oral argument is withdrawn and the case stands submitted on the briefs.

It is so ORDERED.

FOR THE APPEAL BOARD


C. Jean Bishop
Secretary to the
Appeal Board

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