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UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

DOCKETED
USNRC

ATOMIC SAFETY AND LICENSING BOARD

Before Administrative Judges:
John H Frye, III, Chairman
Glenn O. Bright
Emmeth A. Luebke

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In the Matter of
THE REGENTS OF THE UNIVERSITY
OF CALIFORNIA
(UCLA Research Reactor)

Docket No. 50-142 OL
(Proposed Renewal of
Facility License)

August 6, 1984

MEMORANDUM AND ORDER

The Board has received UCLA's and Staff's replies to CBG's response to UCLA's request to withdraw its application. Similarly, the Board has received CBG's reply to Staff's response to UCLA's request. If they so desire, these parties may respond to each other's reply by September 7, 1984.

The Board notes that at page 9 (footnote 10) of its response to UCLA's request to withdraw its application, Staff points out that § 189 of the Atomic Energy Act does not provide for hearings in voluntary license termination proceedings. However, the Board also notes that on June 5, 1984, the Commission offered a hearing to interested parties with respect to the application of the Tuskegee Institute to dispose of the component parts of a training and research reactor in its possession and to terminate its license. (See 49 Fed.Reg. 24190, June 12, 1984.) In light of this, the Board wishes a further elaboration of Staff's position with regard to the applicability of § 189 to

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UCLA's request to decommission its reactor and terminate its license as well as the Staff's position, in the event it takes the view that § 189 is not applicable, on whether a hearing should be offered in UCLA's case as a matter of the Commission's discretion. Staff's response should be filed by September 7, 1984.

It is so ORDERED.

FOR THE ATOMIC SAFETY AND
LICENSING BOARD

A handwritten signature in black ink, consisting of several loops and a long horizontal stroke extending to the right.

John H. Foye, III, Chairman
ADMINISTRATIVE JUDGE

Bethesda, Maryland
August 6, 1984