

UNITED STATES OF AMERICA  
NUCLEAR REGULATORY COMMISSION  
ATOMIC SAFETY AND LICENSING BOARD

Before Administrative Judges:

Ronald M. Spritzer, Chairman  
Dr. Gary S. Arnold  
Nicholas G. Trikouros

In the Matter of

CAMMENGA AND ASSOCIATES, LLC

(Denial of License Amendment Requests)

Docket No. 030-38679-LA

ASLBP No. 21-972-01-LA-BD01

August 25, 2021

ORDER

(Granting Hearing Request; Deferring Scheduling Conference)

Cammenga and Associates, LLC (Cammenga) filed a hearing request challenging the NRC Staff's July 1, 2021, denial of its application to amend its Materials License No. 21-26460-03E and its Registration Certificate NR-0210-D-101-E.<sup>1</sup> On August 16, the NRC Staff filed an answer to the hearing request, stating that "[b]ecause the denial of these amendments authorizes Cammenga to demand a hearing in accordance with 10 C.F.R. § 2.103(b), the NRC Staff agrees that the hearing request should be granted."<sup>2</sup> The Board therefore grants Cammenga's hearing request.

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<sup>1</sup> Cammenga & Associates, LLC Hearing Request (July 20, 2021) (non-public). As the NRC Staff explains, Cammenga emailed its hearing request to the NRC Staff on July 21, 2021. NRC Staff's Answer to the Hearing Request of Cammenga and Associates, LLC at 6 n.28 (Aug. 16, 2021) [hereinafter NRC Staff Answer]. On July 22, Cammenga served the request as a non-public filing on the Electronic Information Exchange. *Id.* The NRC Staff states that "Cammenga timely transmitted its hearing request on July 21," *id.* at 6, indicating that the NRC Staff accepts Cammenga's July 21 email submission as sufficient to make the hearing request timely under 10 C.F.R. § 2.103(b)(2) (requiring that the applicant demand a hearing within twenty days of the date of the notice of denial).

<sup>2</sup> NRC Staff Answer at 1.

Ordinarily at this point, the Board would set a date for a scheduling conference. The Board has recently been informed, however, that Cammenga is in the process of obtaining counsel to represent its interests in this proceeding. The Board will therefore defer setting a date for the scheduling conference until Cammenga has retained counsel. The Board expects that Cammenga will make prompt and diligent efforts to obtain counsel, and that it will promptly notify the Board's law clerk, Ian Curry, at [Ian.Curry@nrc.gov](mailto:Ian.Curry@nrc.gov), when it has retained counsel. In the unlikely event that Cammenga has not been able to retain counsel within thirty days from the date of this Order, it should so notify Mr. Curry.

It is so ORDERED.

FOR THE ATOMIC SAFETY  
AND LICENSING BOARD

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Ronald M. Spritzer, Chairman  
ADMINISTRATIVE JUDGE

Rockville, Maryland  
August 25, 2021

UNITED STATES OF AMERICA  
NUCLEAR REGULATORY COMMISSION

In the Matter of )  
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CAMMENGA AND ASSOCIATES, LLC ) Docket No. 030-38679-LA  
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(License Amendment) ) ASLBP No. 21-972-01-LA-BD01  
 )

CERTIFICATE OF SERVICE

I hereby certify that copies of the **ORDER (Granting Hearing Request; Deferring Scheduling Conference)** have been served upon the following persons by Electronic Information Exchange.

U.S. Nuclear Regulatory Commission  
Office of Commission Appellate  
Adjudication  
Mail Stop: O-16B33  
Washington, DC 20555-0001  
E-mail: [ocaamail@nrc.gov](mailto:ocaamail@nrc.gov)

U.S. Nuclear Regulatory Commission  
Office of the Secretary of the Commission  
Mail Stop: O-16B33  
Washington, DC 20555-0001  
E-mail: [hearingdocket@nrc.gov](mailto:hearingdocket@nrc.gov)

U.S. Nuclear Regulatory Commission  
Atomic Safety and Licensing Board Panel  
Mail Stop: T-3F23  
Washington, DC 20555-0001

U.S. Nuclear Regulatory Commission  
Office of the General Counsel  
Mail Stop - O-14A44  
Washington, DC 20555-0001  
Patrick Moulding, Esq.  
Mauri Lemoncelli, Esq.  
Nicolas Mertz, Esq.  
Lisa Clark, Esq.  
Brian Newell, Paralegal  
E-mail: [patrick.moulding@nrc.gov](mailto:patrick.moulding@nrc.gov)  
[mauri.lemoncelli@nrc.gov](mailto:mauri.lemoncelli@nrc.gov)  
[brian.newell@nrc.gov](mailto:brian.newell@nrc.gov)  
[nicolas.mertz@nrc.gov](mailto:nicolas.mertz@nrc.gov)  
[lisa.clark@nrc.gov](mailto:lisa.clark@nrc.gov)

Ronald M. Spritzer, Chairman  
Administrative Judge  
[ronald.spritzer@nrc.gov](mailto:ronald.spritzer@nrc.gov)

Dr. Gary S. Arnold  
Administrative Judge  
[gary.arnold@nrc.gov](mailto:gary.arnold@nrc.gov)

Nicholas G. Trikouros  
Administrative Judge  
[nicholas.trikouros@nrc.gov](mailto:nicholas.trikouros@nrc.gov)

Ian Curry, Law Clerk  
[ian.curry@nrc.gov](mailto:ian.curry@nrc.gov)

Christopher Karchon  
Cammenga and Associates, LLC  
2011 Bailey St.  
Dearborn, MI 48124  
[cj@cammenga.com](mailto:cj@cammenga.com)

Dated at Rockville, Maryland  
this 25<sup>th</sup> day of August 2021

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Office of the Secretary of the Commission