



GENERAL COUNSEL

UNITED STATES
NUCLEAR REGULATORY COMMISSION
WASHINGTON, D.C. 20555-0001

May 4, 2023

Dr. David M. Slaughter
President and Reactor Administrator
Aerotest Operations, Inc.
3455 Fostoria Way
San Ramon, CA 94583

SUBJECT: THE NUCLEAR REGULATORY COMMISSION'S RESPONSE TO "LETTER FROM AEROTEST OPERATIONS, INC REGARDING DEMAND FOR DAMAGES BEFORE FILING LAWSUIT"

Dear Dr. Slaughter:

On behalf of the U.S. Nuclear Regulatory Commission (NRC), I am responding to your letter dated March 29, 2023 (Agencywide Documents Access and Management System Accession No. ML23094A070), regarding your "Demand for Damages before Filing Lawsuit in the amount of \$9,826,645.97."

The NRC has reviewed your letter. To the extent you are raising a claim under the Federal Tort Claims Act codified in 28 U.S. Code Chapter 171, "Tort Claims Procedure" and the regulations set forth in Title 10 of the *Code of Federal Regulations* (10 C.F.R.) Part 14, your claim is denied. Your claim did not reveal that you suffered any damage to or loss of property or personal injury or death caused by the negligent or wrongful act or omission of any employee of the Nuclear Regulatory Commission acting within the scope of their office or employment.

Further, the NRC is not aware of any factual or legal basis to support your claim for damages. However, to the extent you are raising claims under any other law or regulation, the NRC reserves the right to respond to those claims or actions as appropriate.

This response serves as a notification of final denial under 10 C.F.R. § 14.37, "Final Denial of Claim." If you are dissatisfied with the NRC's determination, you may file suit in an appropriate U.S. District Court no later than 6 months after the date of mailing of this notification.

Sincerely,

A handwritten signature in blue ink, appearing to read "Marian Zabler".

Marian L. Zabler
General Counsel