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NRC JUDGE GRANTS HEARING IN CASE OF BUCKS COUNTY IRRADIATOR

A Nuclear Regulatory Commission judge has granted certain Quakertown residents a hearing to oppose an NRC license granted to CFC Logistics, Inc., for operation of a cobalt-60 irradiator in Milford Township (Bucks County), Pa. In a decision issued today, the judge has ruled that the petitioners had legal standing to seek the hearing and that some of their areas of concern are germane to the hearing process.

CFC Logistics filed its application for an NRC license on February 25. The citizen petitioners filed their request for a hearing on the validity of that application on June 23. Under NRC rules, the request for a hearing did not itself prohibit granting of the license, which the NRC Staff issued on August 27. Oral argument was held on the request for a hearing and a stay request on September 10 in Allentown, Pa. The judge denied the request for a stay of the NRC license on September 23, and cobalt-60 sources have since been loaded into the irradiator.

This order does not assess whether the petitioners' concerns have merit; only that the areas of concern are sufficiently "germane" to warrant a hearing. A decision on whether those concerns have merit will be made by the presiding officer as a result of the hearing, which involves written evidentiary presentations by both sides. The presiding officer also has the authority to call later for oral testimony.

The Chairman of the NRC's independent Atomic Safety and Licensing Board Panel appointed Judge Michael C. Farrar as presiding officer in this case. His Special Assistant for purposes of analyzing technical matters is Judge Charles N. Kelber, Ph.D.

The company has 10 days to appeal this decision to the Commission.

Copies of the decision may be obtained from the Region I Office of Public Affairs.

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