

## DEADLINES FOR HEARING ACTIVITIES – 10 CFR PART 2, SUBPART N

Subpart N is a simplified, informal hearing track for the expeditious resolution of disputes among parties. Proceedings under Subpart N are expected to require less than 2 days of oral hearings. These “fast-track” procedures can also be used upon mutual agreement of the parties, and “fast-track” may be particularly useful for cases involving small licensees. In such cases, the Subpart N procedures allow the parties to be heard in a simple, inexpensive, and informal proceeding that can be conducted quickly before an independent decision-maker. This guide is not a replacement for the procedural regulations in 10 CFR Part 2. To the extent users rely on this guide, they do so at their own risk.

<b>REQUEST FOR HEARING/PETITION TO INTERVENE AND RELATED FILINGS</b>			
<b>Action</b>	<b>Deadline</b>	<b>Notes</b>	<b>Section</b>
Request for Hearing/Petition to Intervene	For the applicant, within 20 days from date of notice of action/proposed action or as specified in the notice.		§2.103(b)(2)
	If notice is published in the <u>Federal Register</u> , within time specified (must be at least 60 days after publication) or, if no time is specified, within 60 days of the publication of proposed agency action or notice of hearing.	Include standing and contentions.	§ 2.309(a),(b)
	If a Federal Register notice is not published, not later than the latest of 60 days, after publication of notice on the NRC's Web site, <a href="http://www.nrc.gov/what-we-do/regulatory/adjudicatory/hearing-license-applications.html">http://www.nrc.gov/what-we-do/regulatory/adjudicatory/hearing-license-applications.html</a> , or 60 days after the requester received actual notice of a pending application, but not more than 60 days after agency action on the application.	Include standing and contentions.	§ 2.309(a),(b)
Answer	Filed within 25 days of request for hearing/petition to intervene.	Address, at a minimum, factors in § 2.309(a)–(g).	§ 2.309(h)(1)
Reply to Answers	Filed within 7 days of answer to request for hearing/petition to intervene.		§ 2.309(h)(2)
Decision on Request for Hearing/Petition to Intervene	Issued within 45 days of filing of answers or replies to answers (absent Commission extension).		§ 2.309(i)
<b>NRC ACTIONS</b>			
<b>Action</b>	<b>Deadline</b>	<b>Notes</b>	<b>Section</b>
Notification of NRC Party Status	Within 15 days of order granting request for hearing/petition to intervene.		§ 2.1403(b)(2)
<b>DISCOVERY</b>			
<b>Action</b>	<b>Deadline</b>	<b>Notes</b>	<b>Section</b>
Initial Mandatory Disclosures	Within 30 days of order granting request for hearing/petition to intervene.	Continuing duty of disclosure.	§§ 2.336(a)–(b), 2.1402(a)(6)

<b>PREHEARING CONFERENCES</b>			
<b>Action</b>	<b>Deadline</b>	<b>Notes</b>	<b>Section</b>
Prehearing Conferences	No later than 40 days after the order granting a request for hearing petition to intervene.		§ 2.1404(a)
Objection to Prehearing Conference Order	Within 5 days after service of prehearing conference order.		§ 2.329(e)
Scheduling Order	As soon as practicable.		§ 2.332
<b>SUMMARY DISPOSITION</b>			
<b>Action</b>	<b>Deadline</b>	<b>Notes</b>	<b>Section</b>
Summary Disposition	Not Permitted.		§ 2.1402(a)(3)
<b>ORAL HEARING</b>			
<b>Action</b>	<b>Deadline</b>	<b>Notes</b>	<b>Section</b>
Hearing Begins	No later than 20 days after conclusion of prehearing conference.		§ 2.1405(a)
<b>FINDINGS AND INITIAL DECISION</b>			
<b>Action</b>	<b>Deadline</b>	<b>Notes</b>	<b>Section</b>
Decision Issued	Generally issued orally from the bench and reduced to writing within 20 days.  If no oral decision, reduced to writing within 30 days.  Can be extended with permission of the Chief Administrative Judge, but no later than 60 days after hearing without express Commission approval.		§ 2.1406(a)
Decision Effectiveness	20 days after issuance, unless appealed to Commission or reviewed <i>sua sponte</i> by the Commission.		§ 2.1406(c)
<b>MOTIONS, STAYS AND REQUESTS FOR RECONSIDERATION</b>			
<b>Action</b>	<b>Deadline</b>	<b>Notes</b>	<b>Section</b>
Motions (generally)	All motions must be made orally.	Includes requests for cross-examination.	§ 2.1402(a)(4)
Motion for Reconsideration	Not permitted.		§ 2.1402(3)
Stay Motion	Within 10 days of service of a decision or action of a presiding officer.	Concise; 10 page limit, exclusive of affidavits.	§ 2.342(a)
Answer Supporting Stay Motion	Within 10 days of service of an application for stay.	Concise; 10 page limit, exclusive of affidavits.	§ 2.342(d)

<b>APPELLATE REVIEW</b>			
<b>Action</b>	<b>Deadline</b>	<b>Notes</b>	<b>Section</b>
Appeal From Initial Written Decision	Within 15 days of service of a written initial decision.	Concise; 20 page limit.	§ 2.1407(a)(1)--(2)
Answer	Within 15 days of service of a petition for review.	Concise; 20 page limit.	§ 2.1407(a)(3)
Reply to Answer	None.		§ 2.1407(a)(3)
Commission <i>Sua Sponte</i> Review	Within 20 days after the date of issuance of the written decision.		§ 2.1406(c)