

RAS 8935

LBP-04-29  
DOCKETED 12/06/04

SERVED 12/06/04

UNITED STATES OF AMERICA  
NUCLEAR REGULATORY COMMISSION

ATOMIC SAFETY AND LICENSING BOARD PANEL

Before Administrative Judges:

Ann Marshall Young, Chair  
Alex S. Karlin  
Dr. Peter S. Lam

In the Matter of

US Inspection Services (USIS)

Dayton, Ohio

Docket No. 30-35059-CivP

ASLBP No. 04-834-01-CivP

December 6, 2004

ORDER  
(Terminating Proceeding)

Licensee US Inspection Service's November 16, 2004, withdrawal of its request for hearing, through its authorized representative<sup>1</sup> and as confirmed in a telephone conference held December 2, 2004, is hereby APPROVED. Based upon this withdrawal, this proceeding is TERMINATED.

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<sup>1</sup>Corporate Safety Manager Jon E. Silks, who filed both the request for hearing and withdrawal, was formally authorized to act for USIS by its President, James Bailey, by letter faxed to the Board Chair December 1, 2004.

It is so ORDERED.

THE ATOMIC SAFETY  
AND LICENSING BOARD

*/RA/*

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Ann Marshall Young, Chair  
ADMINISTRATIVE JUDGE

*/RA/*

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Alex S. Karlin  
ADMINISTRATIVE JUDGE

*/RA/*

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Dr. Peter S. Lam  
ADMINISTRATIVE JUDGE

Rockville, Maryland  
December 6, 2004<sup>2</sup>

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<sup>2</sup>Copies of this document were sent this date by internet e-mail to the representatives of all parties.

UNITED STATES OF AMERICA  
NUCLEAR REGULATORY COMMISSION

In the Matter of )  
 )  
US INSPECTION SERVICES ) Docket No. 30-35059-CIVP  
DAYTON, OHIO )  
 )  
(Civil Monetary Penalty) )

CERTIFICATE OF SERVICE

I hereby certify that copies of the foregoing LB ORDER (TERMINATING PROCEEDING) (LBP-04-29) have been served upon the following persons by U.S. mail, first class, or through NRC internal distribution.

Office of Commission Appellate  
Adjudication  
U.S. Nuclear Regulatory Commission  
Washington, DC 20555-0001

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Jon E. Silks  
Corporate Radiation Safety Officer  
US Inspection Services  
705 Albany St.  
Dayton, OH 45408

[Original signed by Evangeline S. Ngbea]

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Office of the Secretary of the Commission

Dated at Rockville, Maryland,  
this 6<sup>th</sup> day of December 2004