

February 3, 2005

UNITED STATES OF AMERICA  
NUCLEAR REGULATORY COMMISSION

BEFORE THE ATOMIC SAFETY AND LICENSING BOARD

In the Matter of	)	
	)	
ALL TECH CORPORATION	)	Docket No. 30-35321-CivP
	)	
Pocatello, Idaho	)	ASLBP No. 05-836-02-CivP
(Civil Monetary Penalty)	)	

NRC STAFF ANSWER TO REQUEST FOR HEARING

Pursuant to 10 C.F.R. § 2.309(h)(1), the NRC Staff (Staff) hereby answers All Tech Corporation's (All Tech) January 10, 2005 request for hearing.

On December 10, 2004, the Staff issued an Order Imposing a Civil Monetary Penalty on All Tech in the amount of \$6000.<sup>1</sup> The Order provided All Tech with the opportunity to request a hearing within 30 days of the date of the Order. All Tech responded on January 10, 2005, requesting a hearing on the Staff's Order.<sup>2</sup> Inasmuch as All Tech's January 10, 2005 hearing request was timely, the Staff does not oppose the request.

Respectfully submitted,

*/RA/*

Tyson R. Smith  
Counsel for NRC Staff

Dated at Rockville, Maryland  
this 3rd day of February, 2005

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<sup>1</sup> See In the Matter of All Tech Corporation, Pocatello, Idaho; Order Imposing Civil Monetary Penalty, 69 Fed. Reg. 76019 (December 20, 2004).

<sup>2</sup> See Email from Richard Booth, President, All Tech Corp., to Gary Sanborn, Region IV, "Request for Hearing" (January 10, 2005).

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NOTICE OF APPEARANCE

Notice is hereby given that the undersigned attorney enters an appearance in the above-captioned matter. In accordance with 10 C.F.R. § 2.314(b), the following information is provided:

Name:	Tyson R. Smith
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Admissions:	State of California
Name of Party:	NRC Staff

Respectfully Submitted,

**/RA/**

Tyson R. Smith  
Counsel for NRC Staff

Dated at Rockville, Maryland  
this 3<sup>rd</sup> day of February, 2005

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CERTIFICATE OF SERVICE

I hereby certify that copies of "NRC STAFF ANSWER TO REQUEST FOR HEARING" and "NOTICE OF APPEARANCE FOR TYSON R. SMITH" in the above-captioned proceeding have been served on the following by deposit in the United States mail or by deposit in the Nuclear Regulatory Commission's internal system, and by electronic email as indicated by an asterisk (\*) on this 3rd day of February, 2005.

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Administrative Judge\*  
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Administrative Judge\*  
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**/RA/**

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Tyson R. Smith  
Counsel for NRC Staff