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DOCKETED 03/29/05
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UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

ATOMIC SAFETY AND LICENSING BOARD

Before Administrative Judges:
Lawrence G. McDade, Chairman
E. Roy Hawkens
Dr. Peter S. Lam

In the Matter of

ALL TECH CORPORATION
Pocatello, Idaho

(Civil Monetary Penalty)

Docket No. 030-35321-CivP

ASLBP No. 05-836-02-CivP

March 29, 2005

ORDER SETTING PREHEARING CONFERENCE

This Board directs that the parties participate in a Prehearing Conference by telephone at 2 PM EDT, on April 8, 2005. At that conference the parties shall be prepared to state their respective positions regarding:

1. Whether this matter should proceed under Subpart G, Subpart L, or Subpart N of 10 C.F.R. Part 2;
2. What, if any, prehearing discovery should be taken, and how long should it take to complete that discovery;
3. What specific issues need to be resolved in this proceeding and which, if any, of those issues are ripe for summary disposition;
4. Where the hearing should be conducted, when the hearing should begin, and the time that each party believes will be necessary to complete the hearing.
5. When witness and exhibit lists should be exchanged; and
6. What subpoenas, if any, the parties will require.

It is the responsibility of the parties to insure that Mr. Rund, the Board's Law Clerk, has the telephone number at which they can be reached at the time set for this Prehearing Conference. Mr. Rund's phone number, e-mail address, and mail address have previously been provided to the parties.

The Board asks, but does not order, the parties to confer with each other prior to the Prehearing Conference for the purpose of exploring whether a settlement of this matter can be reached by the parties prior to litigation.

If either party has any objection to any aspect of this Order, or if either party has any additional matters they believe should be taken up at the Prehearing Conference, those objections and/or suggestions must be received by this Board no later than 5 PM EST, April 1, 2005.

IT IS SO ORDERED.¹

FOR THE ATOMIC SAFETY AND LICENSING BOARD:

/RA/

LAWRENCE G. McDADE, Chairman
ADMINISTRATIVE JUDGE

Rockville, Maryland
March 29, 2005

¹ Copies of this order were sent this date by Internet e-mail transmission to: (1) All Tech Corporation and (2) the NRC Staff.

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CERTIFICATE OF SERVICE

I hereby certify that copies of the foregoing LB ORDER SETTING PREHEARING CONFERENCE have been served upon the following persons by deposit in the 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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P.O. Box 2046
Pocatello, ID 83206

[Original signed by Evangeline S. Ngbea]

Office of the Secretary of the Commission

Dated at Rockville, Maryland,
this 29th day of March 2005