

UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

BEFORE THE ATOMIC SAFETY AND LICENSING BOARD

In the Matter of)
)
DALE L. MILLER) IA-05-053
)
)

NRC STAFF ANSWER TO REQUEST FOR A HEARING

On January 4, 2006 the NRC Staff (Staff) issued to Dale L. Miller, an Order Prohibiting Involvement in NRC-Licensed Activities.¹ The Order provided Mr. Miller with the opportunity to request a hearing within 20 days of the date of the Order. On January 19, 2006, Mr. Miller requested an extension of time to respond. The Director of the Office of Enforcement granted Mr. Miller's request. Mr. Miller responded on February 23, 2006, requesting a hearing on the Staff's Order.² Since Mr. Miller's February 23, 2006 hearing request was timely, the Staff does not oppose the request.³

Respectfully submitted,

/RA by Mary C. Baty/

Sara E. Brock
Mary C. Baty
Counsel for NRC Staff

Dated at Rockville, Maryland
this 20th day of March, 2006

¹ See Dale L. Miller; Order Prohibiting Involvement in NRC-Licensed Activities, 71 Fed. Reg. 2579 (January 17, 2006).

² See Request for Hearing in Response to Order Prohibiting Involvement in NRC-Licensed Activities *Dale L. Miller, IA-05-053* (February 23, 2006).

³ Counsel for NRC staff and counsel for Mr. Miller are working on a joint proposed protective order and a joint proposed discovery schedule to avoid impacting on-going criminal proceedings.

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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: Sara E. Brock
Address: U.S. Nuclear Regulatory Commission
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Admissions: Virginia
Name of Party: NRC Staff

Respectfully submitted,

/RA/

Sara E. Brock
Counsel for NRC Staff

Dated at Rockville, Maryland
this 20th day of March, 2006

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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: Mary C. Baty
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E-mail Address: mcb1@nrc.gov
Admissions: Iowa
Name of Party: NRC Staff

Respectfully submitted,

/RA/

Mary C. Baty
Counsel for NRC Staff

Dated at Rockville, Maryland
this 20th day of March, 2006

UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

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In the Matter of

DALE L. MILLER

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IA-05-053

CERTIFICATE OF SERVICE

I hereby certify that copies of "NRC STAFF ANSWER TO REQUEST FOR A HEARING" and "NOTICE[S] OF APPEARANCE" for Sara E. Brock and Mary C. Baty in the above captioned proceeding have been served on the following persons by deposit in the United States mail; through deposit in the Nuclear Regulatory Commission internal mail system as indicated by an asterisk (*); and by electronic mail as indicated by a double asterisk (**) on this 20th day of March, 2006.

Administrative Judge *
Michael C. Farrar, Chair
Atomic Safety and Licensing Board Panel
Mail Stop: T-3 F23
U.S. Nuclear Regulatory Commission
Washington D.C. 20555-001

Administrative Judge *
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Administrative Judge *
Nicholas G. Trikouros
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Adjudicatory File *
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U.S. Nuclear Regulatory Commission
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Office of the Secretary * **
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/RA/

Mary C. Baty
Counsel for NRC Staff