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UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

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USNRC

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ATOMIC SAFETY AND LICENSING BOARD PANEL

Before Administrative Judges:

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B. Paul Cotter, Jr., Presiding Officer
Peter A. Morris, Special Assistant

SERVED JUN - 3 1996

In the Matter of

EMERICK S. MCDANIEL

Docket No. 55-21849-OT

ASLBP No. 96-716-01-OT

June 3, 1996

ORDER

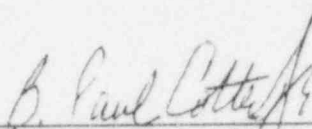
This proceeding concerns a denial of a reactor operator's license to Emerick S. McDaniel. In a letter to the Secretary of April 28, 1996, Mr. McDaniel requested a hearing to contest this denial. The matter was subsequently referred to the Atomic Safety and Licensing Board Panel for resolution.

Under the provisions of 10 C.F.R. § 2.1213, the NRC Staff is required to be a party to this proceeding. Pursuant to its party status, on or before June 7, 1996, Staff should answer Mr. McDaniel's hearing request. See 10 C.F.R. §§ 2.1205 (f) and 2.1213.

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In the meantime, Staff should prepare a hearing file so that Mr. McDaniel and the presiding officer can receive relevant documents within seven days after the date that the presiding officer might grant Mr. McDaniel's hearing request. A shortened period for the hearing file's production should not be a burden to Staff because the file likely will be small. The file should contain, among other things, copies of Mr. McDaniel's examinations and any notes, memoranda, and correspondence pertaining to them.

It is so ORDERED.


B. Paul Cotter, Jr., Presiding Officer
CHIEF ADMINISTRATIVE JUDGE

Rockville, Maryland

June 3, 1996

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Docket No.(s) 55-21849-OT

CERTIFICATE OF SERVICE

I hereby certify that copies of the foregoing LB ORDER (RE HEARING REQUEST) have been served upon the following persons by U.S. mail, first class, except as otherwise noted and in accordance with the requirements of 10 CFR Sec. 2.712.

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

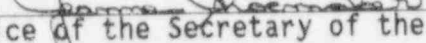
Administrative Judge
B. Paul Cotter, Jr., Chairman
Atomic Safety and Licensing Board
Mail Stop T-3 F 23
U.S. Nuclear Regulatory Commission
Washington, DC 20555

Administrative Judge
Peter A. Morris
10825 South Glen Road
Potomac, MD 20854

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Mail Stop 0-15 B 18
U.S. Nuclear Regulatory Commission
Washington, DC 20555

Emerick S. McDaniel
417 McIntosh Drive
Waynesboro, GA 30830

Dated at Rockville, Md. this
3 day of June 1996


Office of the Secretary of the Commission