April 14, 1998

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OFFICE OF SECRETARY
RULEMAKINGS AND
ADJUDICATIONS STAFF

UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

BEFORE THE ATOMIC SAFETY AND LICENSING BOARD

In the Matter of	)	
	)	Docket No. 30-31373-CivP
CONAM INSPECTION, INC	)	
Itasca, Illinois	)	ASLBP No. 98-735-01-CivP
	)	
(Order Imposing Civil Monetary Penalty)	)	

NRC STAFF MOTION TO EXTEND THE DISCOVERY PERIOD

Discovery in the subject proceeding closes on April 23, 1998, under the Licensing Board's Order of March 19, 1998. The Staff Moves the Licensing Board to extend the period for discovery to and including Tuesday, May 12, 1998 for the following reasons:

1. Counsel for their parties had agreed to conduct depositions of the persons they felt necessary to the proceeding during the week of March 23, 1998 at the NRC's Regional office in Lisle, Illinois. On Friday, March 20, 1998, the Staff was informed that counsel for Conam Inspection, Inc. (Conam) had been involved in an accident and would not be able to either attend or conduct depositions during the week of March 23. Therefore, the Staff canceled the depositions it had noticed.

2. The Staff has made every reasonable effort to reschedule its depositions, and to provide its employees for deposition by Conam, to suit the convenience of Conam's counsel. Staff's efforts have thus far been fruitless. It is clear as of the date of this motion that discovery cannot be completed by April 23, 1998.

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3. The Staff has also requested that the Chairman issue subpoenas today for depositions on Tuesday, April 21, 1998, of the two persons the Staff wishes to depose. The depositions themselves may lead to additional discovery.

In view of the above, the Staff moves the Licensing Board to extend the period for discovery to and including Tuesday, May 12, 1998.

Respectfully submitted,

Charles A. Barth
Counsel for NRC Staff

Dated at Rockville, Maryland
this 14th day of April 1998

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	)	

CERTIFICATE OF SERVICE

I hereby certify that copies of "NRC STAFF MOTION TO EXTEND THE DISCOVERY PERIOD" in the above-captioned proceedings have been served on the following by deposit in the United States mail, first class; or as indicated by an asterisk, through deposit in the Nuclear Regulatory Commission's internal mail system this 14th day of April 1998.

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