

UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

ATOMIC SAFETY AND LICENSING BOARD

Before Administrative Judges:

Charles Bechhoefer, Chairman
Dr. Richard F. Cole
Dr. Charles N. Kelber

DOCKETED
USNRC

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OFFICE OF SECRETARY
RULEMAKING AND
ADJUDICATIONS STAFF

SERVED DEC - 4 1998

In the Matter of

Conam Inspection, Inc.
Itasca, Illinois
(License No. 12-16559-01)

Order Imposing Civil Monetary
Penalty

Docket No. 30-31373-CivP

ASLBP No. 98-735-01-CivP

EA 97-207

December 3, 1998

MEMORANDUM AND ORDER

(Further Deferral of Filing of Proposed Findings)

Proposed findings of fact and conclusions of law in this proceeding were originally scheduled to be filed by the NRC Staff on November 6, 1998, with filings by the Licensee and Staff reply findings scheduled for later dates. On November 4, 1998, both parties jointly requested an extension until November 20, 1998 (for the Staff), with proposed findings for the Licensee and reply findings of the Staff also delayed, to accommodate ongoing settlement negotiations. On November 20, 1998, a further extension was granted, requiring filing by the Staff by December 3, 1998.

On December 3, 1998, we received another extension request, until December 10, 1998 for the Staff. The Staff advises that "[u]nfortunately, the parties have not completed their approval of the wording to be used in the

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settlement agreement." The differences are said to be "minor."

Recognizing the desirability of reaching a settlement to which both parties agree, we hereby grant the Staff's request. The dates for filing the proposed findings of all parties are hereby deferred one additional week from the dates now established. Reflecting the desirability of settlement, the Licensing Board notes that, if the parties desire, it could appoint a Settlement Judge (not a member of the instant Atomic Safety and Licensing Board) to assist the parties in reaching an amicable settlement. A request for such service should be made to this Board.

IT IS SO ORDERED.

For the Atomic Safety and
Licensing Board

Charles Bechhoefer

Charles Bechhoefer, Chairman
ADMINISTRATIVE JUDGE

Rockville, Maryland
December 3, 1998

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NUCLEAR REGULATORY COMMISSION

In the Matter of

CONAM INSPECTION, INC.

(Order Imposing Civil Monetary
Penalty)

Docket No.(s) 30-31373-CIVP

CERTIFICATE OF SERVICE

I hereby certify that copies of the foregoing LB M&O (FURTHER DEFERRAL...) 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.

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U.S. Nuclear Regulatory Commission
Washington, DC 20555

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Charles Bechhoefer, Chairman
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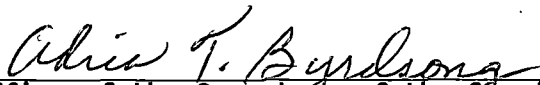
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Dated at Rockville, Md. this
4 day of December 1998


Office of the Secretary of the Commission