



UNITED STATES  
NUCLEAR REGULATORY COMMISSION  
WASHINGTON, D.C. 20555

OFFICE OF THE  
COMMISSIONER

May 18, 1981

MEMORANDUM FOR CHAIRMAN HENDRIE  
COMMISSIONER BRADFORD  
COMMISSIONER AHEARNE

SUBJECT: REVISED DRAFT POLICY STATEMENT ON THE  
CONDUCT OF NRC PROCEEDINGS

I've attached for your consideration a redrafted version of  
Section III.D. which I think more precisely reflects our  
concerns with discovery.

A handwritten signature in dark ink, appearing to read "Victor Gilinsky".

Victor Gilinsky

Attachment: a/s

cc: L. Bickwit, GC  
✓ S. Chilk, SECY

**POOR ORIGINAL**

8106080285

#### D. Board Management of Discovery

The purpose of discovery is to expedite hearings by the disclosure of information in the possession of the parties which is relevant to the subject matter involved in the proceeding so that issues may be narrowed, stipulated, or eliminated and so that evidence to be presented at hearing can be stipulated or otherwise limited to that which is relevant. The Commission is concerned that ~~abuse of discovery~~ ~~may delay hearings.~~ the number of interrogatories served in some cases may place an undue burden on the parties, particularly the NRC staff, and may, as a consequence, delay the start of the hearing without reducing the scope or the length of the hearing.

The Commission believes that the benefits presently obtained by the use of interrogatories could generally be obtained by using a smaller number of better focused interrogatories and is considering a proposed rule which would limit the number of interrogatories a party could file, absent a ruling by the Board that a greater number of interrogatories is justified. Pending a Commission decision on the proposed rule, the Boards are reminded that they may limit the number of interrogatories if they find that the benefits which can reasonably be anticipated from such interrogatories are out-weighted by the burdens which would be imposed on the parties.

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