

August 30, 2021

UNITED STATES OF AMERICA  
NUCLEAR REGULATORY COMMISSION

BEFORE THE ATOMIC SAFETY AND LICENSING BOARD

In the Matter of

CAMMENGA AND ASSOCIATES, LLC

Denial of License Amendment Requests

Docket No. 030-038679-LA

**UNOPPOSED NRC STAFF MOTION TO DEFER INITIAL DISCOVERY DEADLINES UNDER  
10 C.F.R. §§ 2.336 AND 2.1203**

**INTRODUCTION**

In accordance with 10 C.F.R. § 2.323(a), the NRC Staff requests that the Atomic Safety and Licensing Board (Board) issue an Order temporarily deferring the initial thirty-day deadlines for general discovery in 10 C.F.R. § 2.336 and the availability of the hearing file in § 2.1203. The NRC Staff proposes that the Board defer a decision on the timing of discovery and the hearing file until after Cammenga and Associates, LLC, (Cammenga) obtains legal counsel and the parties have the opportunity to confer. The NRC Staff has discussed this matter with Christopher J. Karchon, Director of Strategic Initiatives for Cammenga, and understands that Cammenga supports deferring the initial thirty-day deadlines.

On August 25, 2021, the Board issued an Order granting Cammenga's hearing request.<sup>1</sup> The Order also noted that the Board had recently learned "that Cammenga is in the process of obtaining counsel to represent its interests in this proceeding."<sup>2</sup> Consequently, the Board

---

<sup>1</sup> *Cammenga and Associates, LLC* (Denial of License Amendment Requests), Order (Granting Hearing Request; Deferring Scheduling Conference) (Aug. 25, 2021) (ML21237A312).

<sup>2</sup> *Id.* at 2.

“defer[red] setting a date for the scheduling conference until Cammenga has retained counsel.”<sup>3</sup>

Under 10 C.F.R. § 2.336, after the Board issues an order granting a hearing, both the NRC Staff and Cammenga have thirty days to disclose or provide certain documents. Additionally, under 10 C.F.R. § 2.1203 the NRC Staff has thirty days to “make available to the parties of the proceeding a hearing file.”

As Cammenga is currently in the process of obtaining counsel, temporarily deferring the initial deadlines for discovery and the hearing file will permit the NRC Staff to consult with Cammenga’s counsel about the discovery schedule in advance of the initial scheduling conference.

**/Signed (electronically) by/**

Nicolas Mertz  
Counsel for NRC Staff  
Mail Stop: O-14-A44  
U.S. Nuclear Regulatory Commission  
Washington, DC 20555-0001  
Telephone: (301) 415-0035  
E-mail: Nicolas.Mertz@nrc.gov

Dated in Washington, DC  
this 30th day of August 2021

---

<sup>3</sup> *Id.*

CONSULTATION CERTIFICATION

Pursuant to 10 C.F.R. § 2.323(b), I hereby certify that the Staff has made a sincere effort to contact the other participants in this proceeding and resolve the issues raised in the above motion and, this motion is the result of that consultation.

**/Signed (electronically) by/**

Nicolas Mertz  
Counsel for NRC Staff  
Mail Stop: O-14-A44  
U.S. Nuclear Regulatory Commission  
Washington, DC 20555-0001  
Telephone: (301) 415-0035  
E-mail: Nicolas.Mertz@nrc.gov

Dated in Washington, DC  
this 30th day of August 2021

UNITED STATES OF AMERICA  
NUCLEAR REGULATORY COMMISSION

BEFORE THE ATOMIC SAFETY AND LICENSING BOARD

In the Matter of

CAMMENGA AND ASSOCIATES, LLC

Denial of License Amendment Requests

Docket No. 030-038679-LA

**Certificate of Service**

Pursuant to 10 C.F.R § 2.305, I hereby certify that copies of the foregoing “UNOPPOSED NRC STAFF MOTION TO DEFER INITIAL DISCOVERY DEADLINES UNDER 10 C.F.R. §§ 2.336 AND 2.1203,” dated August 30, 2021, have been served upon the Electronic Information Exchange (the NRC’s E-Filing System), in the captioned proceeding, this 30th day of August 2021.

**/Signed (electronically) by/**

Nicolas Mertz  
Counsel for NRC Staff  
Mail Stop: O-14-A44  
U.S. Nuclear Regulatory Commission  
Washington, DC 20555-0001  
Telephone: (301) 415-0035  
E-mail: Nicolas.Mertz@nrc.gov

Dated in Washington, DC  
this 30th day of August 2021