

UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

DOCKETED
USNRC

ATOMIC SAFETY AND LICENSING BOARD

97 DEC 17 A10:30

Before Administrative Judges:

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

OFFICE OF SECRETARY
RULEMAKINGS AND
ADJUDICATIONS STAFF

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 17, 1997

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MEMORANDUM AND ORDER
(Granting Request for Hearing and
Scheduling Prehearing Conference)

Pending before this Atomic Safety and Licensing Board is the timely request for a hearing of Conam Inspection, Inc., Itasca, Illinois (Conam or Licensee), dated December 1, 1997. The hearing request concerns the NRC Staff's November 5, 1997 Order Imposing Civil Monetary Penalty on the Licensee (published at 62 Fed. Reg. 60923, November 13, 1997) in the amount of \$16,000.

Because the Licensee has a right to the hearing it requests (see 10 C.F.R. § 2.205(e)), its hearing request is hereby granted. A Notice of Hearing will be issued in the near future. Parties to the proceeding are the Licensee and the NRC Staff. As stated in the Order Imposing Civil Monetary Penalty, the issues to be considered at the hearing are (a) whether the Licensee was in violation of the

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Commission's requirements as set forth in Violations I.B and I.C of the Notice of Violation and Proposed Imposition of Civil Penalty (NOV), dated June 9, 1997; and (b) whether, on the basis of such violations and the additional violations set forth in the NOV that the Licensee admitted, the Order should be sustained.

Please take notice that a Prehearing Conference will be held on Wednesday, January 14, 1998, at 10:30 a.m. EST (9:30 a.m. CST), by telephone conference call. During the conference, the Board will set schedules for discovery, for further prehearing conferences, for the identification of documents and potential witnesses, and will consider the tentative schedule for and location of the hearing as well as other matters pertinent to the hearing.

Prior to the Prehearing Conference, the NRC Staff is requested to forward to the Board and parties copies of the inspection report(s) underlying the charges in the NOV (referenced as Inspection Report 030-31373 (DNMS)), as well as the referenced Investigation Report No. 3-96-014.

IT IS SO ORDERED.

For the Atomic Safety and
Licensing Board


Charles Bechhoefer, Chairman
ADMINISTRATIVE JUDGE

Rockville, Maryland
December 17, 1997

UNITED STATES OF AMERICA
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 (GRANTING 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
Charles Bechhoefer, Chairman
Atomic Safety and Licensing Board Panel
Mail Stop - T-3 F23
U.S. Nuclear Regulatory Commission
Washington, DC 20555

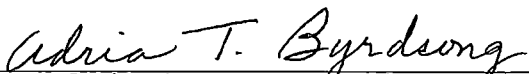
Administrative Judge
Richard F. Cole
Atomic Safety and Licensing Board Panel
Mail Stop - T-3 F23
U.S. Nuclear Regulatory Commission
Washington, DC 20555

Administrative Judge
Charles N. Kelber
Atomic Safety and Licensing Board Panel
Mail Stop - T-3 F23
U.S. Nuclear Regulatory Commission
Washington, DC 20555

Charles A. Barth, Esq.
Office of the General Counsel
Mail Stop - 0-15 B18
U.S. Nuclear Regulatory Commission
Washington, DC 20555

Clifton A. Lake, Esq.
McBride Baker & Coles
500 West Madison Street, 40th Floor
Chicago, IL 60661

Dated at Rockville, Md. this
17 day of December 1997


Office of the Secretary of the Commission