

UNITED STATES OF AMERICA  
NUCLEAR REGULATORY COMMISSION

DOCKETED  
USNRC

ATOMIC SAFETY AND LICENSING BOARD 98 MAY 18 A10:42

Before Administrative Judges:

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

OFFICE OF SECRETARY  
RULEMAKING AND  
ADJUDICATIONS STAFF

SERVED MAY 18 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

May 18, 1998

MEMORANDUM AND ORDER  
(Staff Motion to Compel)

On May 7, 1998, the NRC Staff filed a motion to compel the Licensee's radiation consultant to answer a particular Staff interrogatory. The consultant had earlier provided an answer that the Staff regarded as non-responsive.

In its response dated May 14, 1998, the Licensee to some extent expanded and clarified its original answer and claimed that it is responsive. After a technical review, we agree. In expressing this view, we are only considering the adequacy of the response and not its merits.

Accordingly, the Staff's motion to compel a response to its interrogatory is hereby denied.

For the Atomic Safety and  
Licensing Board

*Charles Bechhoefer*  
Charles Bechhoefer, Chairman  
ADMINISTRATIVE JUDGE

Rockville, Maryland

SECY-EHD-007

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CERTIFICATE OF SERVICE

I hereby certify that copies of the foregoing LB M&O--STAFF MOTION TO COMPEL 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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Washington, DC 20555

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Dated at Rockville, Md. this  
18 day of May 1998

*Adria T. Byrdson*  
Office of the Secretary of the Commission