

IN RESPONSE, PLEASE
REFER TO: M931124B

November 24, 1993

MEMORANDUM FOR: Stephen G. Burns, Director
Office of Commission Appellate Adjudication

FROM: Samuel J. Chilk, Secretary \s\

SUBJECT: STAFF REQUIREMENTS - AFFIRMATION/DISCUSSION
AND VOTE, 10:30 A.M., WEDNESDAY. NOVEMBER 24,
1993, COMMISSIONERS' CONFERENCE ROOM, ONE
WHITE FLINT NORTH, ROCKVILLE, MARYLAND (OPEN
TO PUBLIC ATTENDANCE)

I. SECY-93-307 - Advanced Medical Systems, Inc.'s and NRC
Staff's Petitions for Reconsideration of CLI-93-22

The Commission, by a 4-0* vote, approved an Order responding to petitions by the NRC staff and Advanced Medical Systems, Inc., asking for reconsideration of the Commission's September 30, 1993 Order affirming in part, and reversing and remanding in part, an Atomic Safety and Licensing Board decision. The Order denies both petitions for reconsideration.

(Subsequently, on November 24, 1993, the Secretary signed the Order.)

cc: The Chairman
Commissioner Rogers
Commissioner Remick
Commissioner de Planque
OGC
EDO
OCA
OIG
Office Directors, Regions, ACRS, ACNW, ASLBP (via E-Mail)
PDR - Advance
DCS - P1-24

* Section 201 of the Energy Reorganization Act, 42 U.S.C. §5841, provides that action of the Commission shall be determined by a "majority vote of the members present." Commissioner Remick was not present when this item was affirmed. Accordingly, the formal vote of the Commission was 3-0 in favor of the decision. Commissioner Remick, however, had previously indicated that he would approve this paper and had he been present he would have affirmed his prior vote.