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UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

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BEFORE THE ATOMIC SAFETY AND LICENSING BOARD

In the Matter of)	
)	
ADVANCED MEDICAL SYSTEMS, INC.)	Docket No. 30-16055-CP
One Factory Row)	
Geneva, Ohio 44041)	(Civil Penalty)

OFFICE OF SECRETARY
JUDICIAL

MOTION FOR EXTENSION OF TIME TO PURSUE SETTLEMENT

By order dated December 14, 1993, the Atomic Safety and Licensing Board (Board) directed the NRC staff (Staff) to file a motion in this proceeding concerning violation 2 of the civil penalty order dated May 30, 1989, remanded to the Board by the Commission for reconsideration. As set out below, the Staff (Staff) moves that the Board allow the Staff and Advanced Medical Systems, Inc. (AMS) an extension of time to February 15, 1994 to complete ongoing discussions concerning settlement of the proceeding.

DISCUSSION

By Memorandum and Order, CLI-93-22,¹ the Commission affirmed in part, and reversed and remanded in part, the Licensing Board's decision dated March 19, 1991.² The Commission affirmed the Licensing Board's grant of the Staff's motion for summary disposition regarding three violations underlying the imposition of a civil penalty (Nos. 1, 3, and 4), reversed summary disposition of the matters concerning one violation

¹ *Advanced Medical Systems, Inc.* (One Factory Row, Geneva, Ohio 44041), CLI-93-22, 38 NRC __ (September 30, 1993).

² LBP-91-9, 33 NRC 212 (1991).

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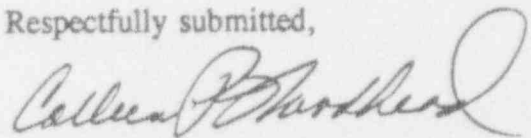
(No. 2: improper survey of the hot cell), and remanded the issue for further consideration. By order dated December 14, 1993, the Board directed the Staff to file by close of business on January 14, 1994, a motion "regarding the adequacy of the AMS survey and the possible termination of this proceeding". Order, at 3. The Board also directed AMS to respond with its answer and any motion by close of business, January 28, 1994. *Id.*

As indicated above, the Staff and AMS have been discussing possible settlement of the civil penalty and the proceeding. At this time, the parties have reached an agreement in principle for settlement of this proceeding, and require additional time in which to draft a final agreement. Consequently, the Staff respectfully requests an extension of time until February 15, 1994, to finalize the settlement agreement, at which time the parties will submit the agreement to the Board for its approval. The Staff is authorized to state that AMS supports this request.

CONCLUSION

For the reasons explained above, the Staff, with the support of AMS, requests an extension of time to enable the parties to finalize an agreement and settlement of this proceeding which will be submitted to the Board for approval on or before February 15, 1994.

Respectfully submitted,



Colleen P. Woodhead
Counsel for NRC Staff

Dated at Rockville, Maryland
this 12th day of January, 1994

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CERTIFICATE OF SERVICE

I hereby certify that copies of "MOTION FOR EXTENSION OF TIME TO PURSUE SETTLEMENT" in the above-captioned proceeding have been served on the following by deposit in the United States mail, first class, or as indicated by an asterisk, through deposit in the Nuclear Regulatory Commission's internal mail system, or as indicated by double asterisk, by hand delivery this 12th day of January, 1994:

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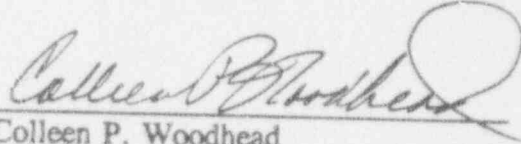
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