



OFFICE OF THE  
GENERAL COUNSEL

UNITED STATES  
NUCLEAR REGULATORY COMMISSION  
WASHINGTON, D.C. 20555-0001

January 23, 1998

DOCKETED  
USNRC

'98 JAN 23 P4:35

OFFICE OF SECRETARY  
RULEMAKINGS AND  
ADJUDICATIONS STAFF

John C. Hoyle, Secretary  
Office of the Secretary  
U.S. Nuclear Regulatory Commission  
Washington, DC 20555

In the Matter of  
21st CENTURY TECHNOLOGIES, INC.  
(Albuquerque, New Mexico)  
Docket No. 030-30266

Dear Mr. Hoyle:

Due to an error that was brought to my attention in the January 20, 1998, "Joint Motion for Termination of Proceeding," I am forwarding corrected page 2 to that filing. Please replace the original page with the corrected page now being provided. I apologize for any inconvenience.

Sincerely,

*Catherine L. Marco*

Catherine L. Marco  
Counsel for NRC Staff

Attachment: As stated

cc: Service List

SECY-END-001

DS03

18762

sources authorized by the NRC, and an audit plan, along with the name and qualifications of an independent auditor. Confirmatory Order at 4-5; 61 Fed. Reg. 25,695. On June 14, 1996, the Licensee filed a "Request for Hearing" on the Confirmatory Order. The Licensee's Request for Hearing is pending before the Commission.<sup>2</sup> Also pending before the Commission is the "NRC Staff's Motion to Terminate Proceeding," dated December 12, 1996.

On April 10, 1997, the Staff issued an "Order Imposing Civil Monetary Penalty--\$2,500" (Order Imposing Penalty), following its consideration of the Licensee's answer to the Notice of Violation. 62 Fed. Reg. 19,816. On April 25, 1997, the Licensee filed a "Request for Enforcement Hearing," on the Order Imposing Penalty, and on June 23, 1997, an Atomic Safety and Licensing Board (Board) was established to preside in the civil penalty proceeding. 62 Fed. Reg. 34,718 (1997). On April 28, 1997, the Licensee filed "Licensee's Motion to Consolidate Proceedings," which is currently pending before the Commission.

On December 2, 1997, the parties filed a joint motion for approval of a settlement agreement, Board approved the settlement agreement on January 12, 1998, and terminated the proceeding. On January 20, 1998, the Licensee withdrew its hearing request that is pending before the Commission.

#### DISCUSSION

The Licensee withdrew its June 14, 1996, Request for Hearing on the Confirmatory Order. In light of the Licensee's withdrawal of its request for a hearing, good cause exists for the termination of the proceeding regarding the Confirmatory Order. The parties note that they have

---

<sup>2</sup> In response to the Licensee's Request for Hearing, the Commission on June 26, 1996, issued an Order requiring the Licensee, among other things, to provide the bases for its contentions so that the Commission could make a determination of whether the Licensee is entitled to a hearing. See "Order," dated June 26, 1996, at 2-3.