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UNITED STATES OF AMERICA  
NUCLEAR REGULATORY COMMISSION

DOCKETED  
USNRC

ATOMIC SAFETY AND LICENSING BOARD

'94 FEB -1 P2:06

Before Administrative Judges:

OFFICE OF SECRETARY  
DOCKETING & SERVICE  
BRANCH

G. Paul Bollwerk, III, Chairman  
Dr. Charles N. Kelber  
Dr. Peter S. Lam

SERVED FEB - 1 1994

In the Matter of  
  
INDIANA REGIONAL CANCER CENTER  
  
(Order Modifying and  
Suspending Byproduct Material  
License No. 37-28179-01)

Docket No. 030-30485-EA  
  
EA 93-284  
  
ASLBP No. 94-685-02-EA  
  
February 1, 1994

NOTICE OF HEARING  
(Staff Order Modifying and Suspending  
License Effective Immediately)

By immediately effective order dated November 16, 1993, the NRC staff suspended Byproduct Material License No. 37-28179-01. Under that license, Indiana Regional Cancer Center (IRCC) is authorized to use a strontium-90 source for the treatment of superficial eye conditions. The order also modified the license to prohibit Dr. James Bauer, the IRCC Radiation Safety Officer and the only authorized user on the license, from engaging in any activities under the license. The order further provided that on or before December 6, 1993, the licensee, Dr. Bauer, or any other person adversely affected by the order could submit an answer to the order, which could include a request for a hearing.

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On December 2, 1993, IRCC and Dr. Bauer filed a request for a hearing regarding the order. The Commission referred this filing to the Atomic Safety and Licensing Board Panel on December 13, 1993, for the appointment of a presiding officer to conduct any necessary proceedings. On December 14, 1993, the Chief Administrative Judge of the Panel appointed this Atomic Safety and Licensing Board pursuant to the Commission's referral. (58 Fed. Reg. 67,427). The Board consists of Dr. Charles N. Kelber, Dr. Peter S. Lam, and G. Paul Bollwerk, III, who will serve as Chairman of the Board.

On January 26, 1994, the Board conducted a prehearing conference in this proceeding. On February 1, 1994, the Board issued an unpublished prehearing conference order in which it ruled on various discovery and scheduling matters.

Please take notice that a hearing will be conducted in this proceeding. The parties to the hearing are the NRC staff, IRCC, and Dr. Bauer. This hearing will be governed by the hearing procedures set forth in 10 C.F.R. Part 2, Subpart G (10 C.F.R. §§ 2.700-.790).

During the course of the proceeding, the Board may conduct an oral argument, as provided in 10 C.F.R. § 2.755, and may hold additional prehearing conferences pursuant to 10 C.F.R. § 2.752. The public is invited to attend any oral argument, prehearing conference, or evidentiary hearing, which may be held pursuant to 10 C.F.R. §§ 2.750-.751. The

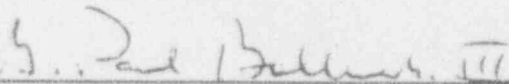
Board will establish the schedules for any such sessions at a later date, through notices to be published in the Federal Register and/or made available to the public at NRC Public Document Rooms.

In accordance with 10 C.F.R. § 2.715(a), any person, not a party to the proceeding, may submit a written limited appearance statement setting forth his or her position on the issues in this proceeding. These statements do not constitute evidence but may assist the Board and/or parties in the definition of the issues being considered. Written limited appearance statements should be sent to the Office of the Secretary, U.S. Nuclear Regulatory Commission, Washington, DC 20555, Attention: Docketing and Service Branch. A copy of the statement also should be served on the Chairman of the Atomic Safety and Licensing Board. The Board will make a determination at a later date whether oral limited appearance statements will be entertained.

Documents relating to this proceeding are available for public inspection at the Commission's Public Document Room,

the Gelman Building, 2120 L Street, NW., Washington, DC  
20555.

FOR THE ATOMIC SAFETY  
AND LICENSING BOARD

  
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G. Paul Bollwerk, III, Chairman  
ADMINISTRATIVE JUDGE

Bethesda, Maryland

February 1, 1994

UNITED STATES OF AMERICA  
NUCLEAR REGULATORY COMMISSION

In the Matter of

INDIANA REGIONAL CANCER CENTER,  
INDIANA, PA  
(Byproduct Material License No.  
37-28179-01 - EA 93-284)

Docket No.(s) 30-30485-EA

CERTIFICATE OF SERVICE

I hereby certify that copies of the foregoing NOTICE OF HEARING DTD 2/1/94 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.

Administrative Judge  
G. Paul Bollwerk, III, Chairman  
Atomic Safety and Licensing Board Panel  
U.S. Nuclear Regulatory Commission  
Washington, DC 20555

Administrative Judge  
Charles N. Kelber  
Atomic Safety and Licensing Board Panel  
U.S. Nuclear Regulatory Commission  
Washington, DC 20555

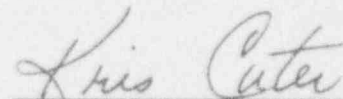
Administrative Judge  
Peter S. Lam  
Atomic Safety and Licensing Board Panel  
U.S. Nuclear Regulatory Commission  
Washington, DC 20555

Office of Commission Appellate  
Adjudication  
U.S. Nuclear Regulatory Commission  
Washington, DC 20555

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Washington, DC 20555

Iles Cooper, Esquire  
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P.O. Box E  
Pottsville, PA 17901

Dated at Rockville, Md. this  
1 day of February 1994



Office of the Secretary of the Commission