

February 15, 1994

Director, Office of Enforcement
Document Control Desk
U.S. Nuclear Regulatory Commission
Washington, D.C. 20555

Subject: Request for an Enforcement Hearing

Gentlemen:

CHANCELLOR



Upon review of your ORDER IMPOSING CIVIL MONETARY PENALTY (Docket No. 030-09792, License No. 13-02752-08), it is the opinion of a number of individuals within the Indiana University School of Medicine that a hearing should be held to resolve a number of issues related to this matter, including, among others, independent checks for emergency treatments. I am guided by these opinions. Based upon a discussion between our Radiation Safety Officer, Mr. Mack Richard, and the Director of Enforcement of the Region III NRC Office, Mr. Robert DeFayette, it is our understanding that the hearing may be held on or near the IUPUI campus.

Inasmuch as we have a number of conference rooms which can accommodate a fairly large number of people, we would be happy to provide the necessary facilities for this hearing. Furthermore, several of university personnel may be involved in providing testimony, and it would be difficult for them to travel a great distance to participate in the hearing.

Some key university personnel will not be available February 28 through March 4, 1994, and March 25 through April 1, 1994; therefore, we respectfully request that the hearing not be scheduled during those time periods. If our proposal to hold the hearing on the IUPUI campus is acceptable, please contact our Radiation Safety Officer, Mr. Mack Richard, who will make the proper arrangements. In addition, please let Mr. Richard know of any special equipment (e.g. tape recorders, overhead projectors, etc.) which will be needed.

Should you have any questions, please contact either myself or Mr. Richard. We look forward to hearing from you and hope that such a hearing will give us an opportunity to show that the proposed civil penalty is not appropriate.

Sincerely,

A handwritten signature in cursive script, appearing to read 'Gerald L. Bepko'.

Gerald L. Bepko
Chancellor

181169

cc: Assistant General Counsel
for Hearings and Enforcement

Regional Administrator,
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