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

February 25, 1994

'94 FEB 28 P4:50

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

Dr. Charles N. Kelber  
Administrative Judge  
Atomic Safety and Licensing Board  
U.S. Nuclear Regulatory  
Commission  
Washington, D.C. 20555

Dr. Peter S. Lam  
Administrative Judge  
Atomic Safety and Licensing Board  
U.S. Nuclear Regulatory  
Commission  
Washington, D.C. 20555

In the Matter of  
Oncology Services Corporation  
Byproduct Material License No. 37-28540-01  
Docket No. 030-31765-EA

Dear Administrative Judges:

This is to advise the Atomic Safety and Licensing Board of the status of the pending Freedom of Information Act (FOIA) suit between Oncology Services Corporation and the United States Nuclear Regulatory Commission (Civil Action No. 93-0939, U.S. District Court for the Western District Of Pennsylvania). By letter dated February 10, 1994, from Marcy L. Colkitt, General Counsel, Oncology Services Corporation to Barry R. Letts, Field Office Director, Office of Investigations, U.S. Nuclear Regulatory Commission, Region I, the Board was sent a copy of the Court's decision in the FOIA suit, ordering the NRC to produce certain transcripts in its possession. I have been informed that on Monday, February 14, 1994, the Assistant United States Attorney for the Western District of Pennsylvania filed a motion to reconsider and a request for a stay of the decision. As of this date, the Court has yet to rule on the motion and the request. I will inform the Board as soon as I learn of any decision by the Court in this matter.

Sincerely,

*Marian L. Zabler*  
Marian L. Zabler  
Counsel for NRC Staff

cc: Service List

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