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RELATED CORRESPONDENCE

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

RECEIVED  
DATE

March 3, 1994

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Marcy L. Colkitt  
General Counsel  
Oncology Services Corporation  
P.O. Box 607  
Indiana, PA 15701-0607

OFFICE OF SECRETARY  
DUCKY TAYLOR, SERVICE  
BRANCH

VIA TELECOPY AND U.S. MAIL

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

Dear Ms. Colkitt:

Upon review of your letter dated February 25, 1994, it is obvious that you have misunderstood what I told the Board during the prehearing conference in the above-captioned proceeding regarding the status of referral to the U.S. Department of Justice (DOJ) by the NRC's Office of Investigations (OI). I wish to correct your misunderstanding. I never told the Board that a written referral had been made to DOJ. A quick review of the prehearing conference transcript clearly indicates that everyone present, including yourself, was aware that it was OI's intent to make a written referral of one issue relevant to the proceeding, but that a written referral had not yet been made. Transcript of Prehearing Conference at 12-23. I fail to understand how you could have misrepresented my remarks to the Board. In the future, I suggest that you check the facts before accusing someone of deliberately providing false information to an adjudicatory body.

In addition, there should be no reason why your client's ability to respond to the Staff's outstanding discovery requests should be impacted by your misrepresentation of my remarks to the Board. I, therefore, look forward to receiving your client's responses by March 7, 1994.

Sincerely,

Marian L. Zabler  
Counsel for NRC Staff

cc: Service List

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