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March 25 1994
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USNRC

UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

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BEFORE THE ATOMIC SAFETY AND LICENSING BOARD

OFFICE OF SECRETARY
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| | | |
|-----------------------------|---|---------------------------|
| In the Matter of |) | |
| |) | |
| INDIANA UNIVERSITY SCHOOL |) | Docket No. 030-09792-CivP |
| OF MEDICINE |) | |
| INDIANAPOLIS, INDIANA |) | ASLBP No. 94-689-02-CivP |
| (Byproduct Material License |) | |
| No. 13-02752-08) |) | |

JOINT MOTION OF NRC STAFF AND
INDIANA UNIVERSITY SCHOOL OF MEDICINE FOR
ADOPTION OF HEARING SCHEDULE AND STATEMENT OF ISSUES

The NRC staff (Staff) and the Indiana University School of Medicine (Licensee) jointly move the Atomic Safety and Licensing Board (Board) to adopt the following proposed hearing schedule and statement of issues.

Proposed Hearing Schedule

| <u>Event</u> | <u>Date</u> |
|---|---|
| Commence Discovery | Upon issuance of a Board Order approving joint schedule and Statement of Issues |
| End Discovery | 80 days after entry of Board Order |
| File Motions for Summary Disposition | 95 days after entry of Board Order |
| File Responses to Motions for Summary Disposition | 115 days after entry of Board Order |

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| Board Ruling on Motions for Summary Disposition | 135 days after entry of Board Order |
| File pre-filed Written Testimony (optional) | 150 days after entry of Board Order |
| Commence Hearing | 165 days after entry of Board Order |

Notes:

1. If any date falls on a Saturday, Sunday or Federal holiday, the due date shall be the next business day.
2. If motions for summary disposition are not filed, the remaining schedule may be accelerated.
3. The schedule may be shortened or enlarged upon the filing of motions for good cause shown.

Statement of Issues

The Staff and Licensee agree that the issues to be considered at the hearing shall be as set out at page 2 of the Board's "Memorandum and Order (Hearing Request)" issued on March 11, 1994. For convenience these issues are set out below:

- (1) Whether the Licensee was in violation of the Commission's requirements set forth in the written notice of violation and proposed imposition of civil penalty served on the Licensee on October 7, 1993; (2) Whether, on the basis of such violation, the Order Imposing Civil Monetary Penalty should be sustained.

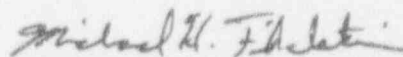
Prehearing Conference

In light of the agreement on scheduling and issues reached by the Staff and Licensee, both parties agree that a prehearing conference is not necessary at this time. In the event that the Board determines that it is necessary to hold a prehearing conference at this time, the parties suggest that such a conference could be held on the record by telephone.

Conclusion

The Staff and Licensee jointly move the Board to adopt the hearing schedule and statement of issues set forth above.

Respectfully submitted,



Michael H. Finkelstein
Counsel for NRC Staff

Thomas Gannon
Counsel for Indiana
University School of Medicine

Dated at Rockville, Maryland
this 25th day of March, 1994

Post-it brand

Fax Transmittal Memo 7872

U.S. Registered Patent
1984-1985-1986-1987-1988

No. of Pages

1

Today's Date

Time

To *Michael Finkelstein*

Company

From

Thomas Garmon

Company

IU

Location

Location

Dept. Charge

Fax # *(301) 504-3725*Telephone # *(301) 504-1529*Fax # *(317) 274-5276*Telephone # *(317) 274-7460*

Comments

Original
Disposition Destroy Return Call for pickup

- 3 -

Prehearing Conference

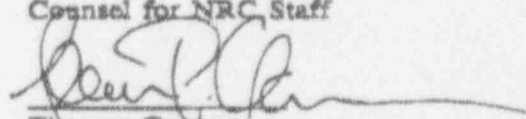
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Conclusion

The Staff and Licensee jointly move the Board to adopt the hearing schedule and statement of issues set forth above.

Respectfully submitted,

Michael H. Finkelstein
Counsel for NRC Staff



Thomas Garmon
Counsel for Indiana
University School of Medicine

Dated at Rockville, Maryland
this 25th day of March, 1994

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INDIANAPOLIS, INDIANA)
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(Byproduct Material License)
No. 13-02752-08))

Docket No. 030-09792-CivP

ASLBP No. 94-689-02-CivP

OFFICE OF SECRETARY
DOCKETING & SERVICE
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CERTIFICATE OF SERVICE

I hereby certify that copies of "JOINT MOTION OF NRC STAFF AND INDIANA UNIVERSITY SCHOOL OF MEDICINE FOR ADOPTION OF HEARING SCHEDULE AND STATEMENT OF ISSUES" in the above-captioned proceeding have been served on the following by deposit in the United States mail, first class, or as indicated by an asterisk through deposit in the Nuclear Regulatory Commission's internal mail system this 25th day of March 1994:

James P. Gleason, Chairman*
Atomic Safety and Licensing Board Panel
U.S. Nuclear Regulatory Commission
Washington, D.C. 20555

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

Thomas D. Murphy*
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Washington, D.C. 20555

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Radiation Safety Officer
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555 North Lansing Street
Indianapolis, Indiana 46202-2896

Adjudicatory File (2)*
Atomic Safety and Licensing Board
U.S. Nuclear Regulatory Commission
Washington, D.C. 20555

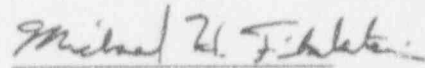
Office of the Secretary (2)*
U.S. Nuclear Regulatory Commission
Washington, D.C. 20555
Attn: Docketing and Service Section

Atomic Safety and Licensing Board
Panel (1)*
U.S. Nuclear Regulatory Commission
Washington, D.C. 20555

Office of Commission Appellate
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