

(412) 463-3570

March 24, 1994

VIA TELECOPY: 301-504-3725

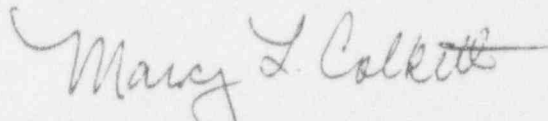
Marian L. Zobler, Esquire
U.S. Nuclear Regulatory Commission
Office of General Counsel
Washington, D.C. 20555

Re: Criminal Referral to the
Middle District of Pennsylvania

Dear Marian:

With respect to the above referral, which was declined by the AUSA, it is my understanding that it involved the NRC's allegation that a scientific experiment conducted by Dr. Cunningham to determine certain "sky shine" parameters constituted an intentional or willful violation of federal regulations. The AUSA found that there was absolutely no basis to believe that the experiment was meant to constitute an intentional or willful violation. In order to reduce yet another of our outstanding discovery matters, if you will confirm this to me in writing, I will withdraw any general objection to certain of the Staff's Discovery Requests. Thank you.

Very truly yours,

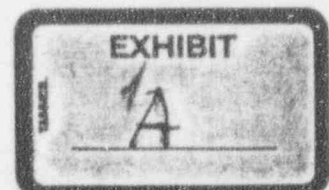


Marcy L. Colkitt
General Counsel

MLC/sjg

cc: Joseph W. Klein, Esquire (via telecopy)

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PDR ADOCK 03031765
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UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

OFFICE OF SECRETARY
DOCKETING & SERVICE
BRANCH

BEFORE THE ATOMIC SAFETY AND LICENSING BOARD

In the Matter of)
)
ONCOLOGY SERVICES CORPORATION) Docket No. 030-31765-EA
)
(Byproduct Material) EA No. 93-006
License No. 37-28540-01)

CERTIFICATE OF SERVICE

I hereby certify that copies of the Response of OSC to Staff Motion To Compel And Motion for Protective Order in the above-captioned proceeding have been served on the following this 11th day of April 1994 as indicated:

G. Paul Bollwerk, III, Chairman
Administrative Judge
Atomic Safety and Licensing Board
U.S. Nuclear Regulatory Commission
Washington, D.C. 20555
(via telecopy and overnight UPS)

Dr. Charles N. Kelber
Administrative Judge
Atomic Safety & Licensing Board
U.S. Nuclear Regulatory Commission
Washington, D.C. 20555
(via telecopy and overnight UPS)

Marian L. Zobler
Michael H. Finkelstein
U.S. Nuclear Regulatory Commission
Office of General Counsel
Washington, D.C. 20555
(via telecopy and U.S. Mail)

Dr. Peter S. Lam
Administrative Judge
Atomic Safety & Licensing
Board
U.S. Nuclear Regulatory
Commission
Washington, D.C. 20555
(via telecopy and overnight UPS)

Adjudicatory File
U.S. Nuclear Regulatory
Commission
Washington, D.C. 20555
(via U.S. Mail)

Office of the Secretary
U.S. Nuclear Regulatory
Commission
Washington, D.C. 20555
ATTN: Docketing and Service
Section
(via U.S. Mail)

Atomic Safety & Licensing Board
Panel
U.S. Nuclear Regulatory Commission
Washington, D.C. 20555
(via U.S. Mail)

Office of Commission
Appellate Adjudication
U.S. Nuclear Regulatory
Commission
Washington, D.C. 20555
(via U.S. Mail)

Mary E Collett

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