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UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

ATOMIC SAFETY AND LICENSING BOARD

OFFICE OF SECRETARY
DOCKETING & SERVICE
BRANCH

Before Administrative Judges
James P. Gleason, Chairman
Thomas D. Murphy
Dr. Peter S. Lam

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In the Matter of)	
INDIANA UNIVERSITY SCHOOL MEDICINE)	Docket No. 030-09792-CivP
Indianapolis, Indiana)	
Byproduct Material License)	ASLBP No. 94-689-02-CivP
No. 13-02752-08)	
EA 93-111)	April 18, 1994

PREHEARING CONFERENCE ORDER
(Issues and Schedules)

This proceeding involves a proposed civil monetary penalty of \$5,000 sought to be levied by the Nuclear Regulatory Commission (NRC) through an Order issued on January 18, 1994, to the Indiana University School of Medicine (Licensee). 59 Fed. Reg. 4124 (January 28, 1994). The Licensee holds an NRC byproduct materials license to possess cobalt-60 sealed telepathy sources for medical use and the irradiation of blood and blood products. The Licensee has requested a hearing on the Order, and an Order granting the hearing was issued by the Board on March 11, 1994. See 59 Fed. Reg. 12994 (March 18, 1994). A prehearing conference, participated in by representatives of the NRC Staff and the Licensee, was held on April 14, 1994, to discuss the

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issues in the proceeding, a schedule proposed by the parties in the case and other matters related to the hearing.

The issues to be considered in the proceeding are the following:

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, and
2. Whether, on the basis of such violation, the Order Imposing a Civil Monetary Penalty should be sustained.

The Board approves the following schedule:

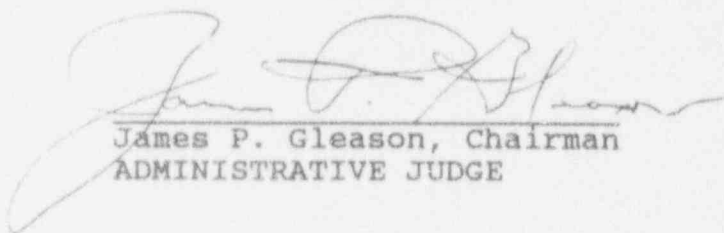
<u>Event</u>	<u>Date</u>
Commence Discovery	April 15, 1994
End Discovery	June 6, 1994
File pre-filed written testimony	July 6, 1994
Commence Hearing (Estimated to consume 2-3 consecutive days)	July 20, 1994

This schedule will be modified in the event that motions for summary disposition are filed and no such motion should be filed after July 13. Responses will be due ten days after receipt thereof. In the event that admissions are requested, answers should be filed within ten days after receipt or made orally at the hearing if time does not suffice for written answers. The Board will entertain requests for modifying this schedule by telephone conference call with two days advance notice required if the call is to be stenographically recorded. Prior to the hearing, the Board will visit the licensee's teletherapy unit and

the parties will be advised of the time and place when the details concerning the visit have been settled. A subsequent notice of the place and time of the hearing will be issued when arrangements for it have been finalized.

IT IS SO ORDERED.

FOR THE ATOMIC SAFETY AND
LICENSING BOARD



James P. Gleason, Chairman
ADMINISTRATIVE JUDGE

Bethesda, Maryland
April 18, 1994

UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

In the Matter of

INDIANA UNIVERSITY SCHOOL OF
MEDICINE - INDIANAPOLIS, INDIANA
(Byproduct Material License
No. 13-02752-08 - EA 93-111)

Docket No.(s) 30-9792-CIVP

CERTIFICATE OF SERVICE

I hereby certify that copies of the foregoing LB PREHEARING CONFERENCE ORDER have been served upon the following persons by U.S. mail, first class, except as otherwise noted and in accordance with the requirements of 10 CFR Sec. 2.712.

Office of Commission Appellate
Adjudication
U.S. Nuclear Regulatory Commission
Washington, DC 20555

Administrative Judge
James P. Gleason, Chairman
Atomic Safety and Licensing Board
U.S. Nuclear Regulatory Commission
Washington, DC 20555

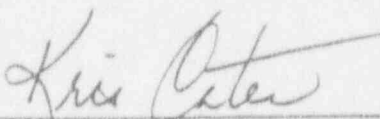
Administrative Judge
Peter S. Lam
Atomic Safety and Licensing Board
U.S. Nuclear Regulatory Commission
Washington, DC 20555

Administrative Judge
Thomas D. Murphy
Atomic Safety and Licensing Board
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Dated at Rockville, Md. this
18 day of April 1994


Office of the Secretary of the Commission