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RELATED CORRESPONDENCE

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January 22, 1988
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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)	Byproduct Material License
)	No. 53-17854-01
FINLAY TESTING LABORATORIES,)	Docket No. 30-13435
INC.)	EA-87-186
)	ASLBP No. 88-559-01-SC

NRC STAFF INTERROGATORIES AND REQUEST
FOR PRODUCTION OF DOCUMENTS TO LICENSEE

Pursuant to 10 C.F.R. §§ 2.740b and 2.741, the NRC staff files the following interrogatories and request for production of documents against Finlay Testing Laboratories, Inc. (Licensee). As agreed between the Staff and the Licensee on January 14, 1988, answers to these interrogatories are to be served on the Staff no later than February 5, 1988. The Staff requests that you also provide the requested documents by that date. If you cannot provide all such documents by that date, please advise Staff counsel of the earliest date when such documents can be provided.

INTERROGATORY 1

Please identify all persons having knowledge of the matters set forth in the Licensee's "Answer; Request For Rescission Or Relaxation Of Order; Request for Hearing," dated October 5, 1987 (hereafter, "Answer"), and list for each such person his/her home address, business address, and home and business telephone numbers.

INTERROGATORY 2

Please identify all witnesses you expect to offer at the hearing in this matter and list for each his/her home address, business address, and home and business telephone numbers.

INTERROGATORY 3

Please state each and every matter as to which each witness will testify and state the substance of his/her testimony as to each and every such matter.

INTERROGATORY 4

At page 9 of the Licensee's Answer, the Licensee states that "[a]ll shipping papers required by NRC and DOT regulations were provided by Gordon Finlay to Ron Austin..." on the afternoon of August 16, 1987. Did Mr. Finlay provide to Ron Austin Department of the Army forms for the shipment of hazardous wastes to a U.S. Army installation (Johnston Island)? If so, please provide a copy of such forms.

INTERROGATORY 5

At page 10 of the Licensee's Answer, the Licensee states that "[t]he crated and labeled camera and other parcels were accepted by MAC...." on the afternoon of August 16, 1987. Please state the basis for this assertion.

DOCUMENT REQUEST 1

At pages 3-4 of the Licensee's Answer, the Licensee states that Mr. Finlay advised NRC Region V by telephone on August 18, 1987, of the violation of NRC requirements in connection with the transportation of the radioactive source from Oahu to Johnston Island on that date. Please provide any documentation of this call.

DOCUMENT REQUEST 2

Please provide a copy of any documents that the Licensee intends to identify or offer into evidence at the hearing on this matter.

Respectfully submitted,



Stephen H. Lewis
Senior Supervisory Trial Attorney

Dated at Rockville, Maryland
this 22nd day of January, 1988

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NUCLEAR REGULATORY COMMISSION

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CERTIFICATE OF SERVICE

I hereby certify that copies of "NRC STAFF INTERROGATORIES AND REQUEST FOR PRODUCTION OF DOCUMENTS TO LICENSEE" 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 January, 1988:

Dr. Robert M. Lazo, Chairman
Administrative Judge
Atomic Safety and Licensing
Board Panel
U.S. Nuclear Regulatory Commission
Washington, D.C. 20555*

Barry D. Edwards, Esq.
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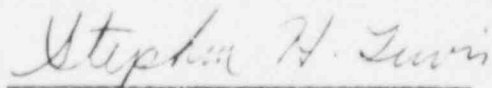
Mr. Glenn O. Bright
Administrative Judge
Atomic Safety and Licensing
Board Panel
U.S. Nuclear Regulatory Commission
Washington, D.C. 20555*

Dr. Richard F. Cole
Administrative Judge
Atomic Safety and Licensing
Board Panel
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Atomic Safety and Licensing
Appeal Board Panel
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Stephen H. Lewis
Senior Supervisory Trial Attorney