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November 13, 1991

Malcolm R. Knapp, Director  
Division of Radiation Safety  
and Safeguards  
Nuclear Regulatory Commission  
Region 1  
475 Allendale Rd.  
King of Prussia, PA 19406

Re: License No. 31-02755-05  
Docket No. 030-10026  
EA No. 91-84  
Our File No. 7124

Dear Mr. Knapp:

As you are aware, I represent Dr. Andrew Kang in the above matter. On July 8, 1991, I, together with Dr. Kang and several other individuals, including representatives of the Veterans Administration Hospital, in Albany, NY, attended a hearing held by the Nuclear Regulatory Commission.

Very serious allegations were made in regard to the Albany Veterans Administration Hospital and allegations were made in regard to my client. At that time, testimony was presented, and I was advised that a determination would be made and my client would be advised of that determination.

To date, neither I nor my client have received a copy of the determination, although I do understand that the Director of the Albany Veterans Administration Hospital has received such a determination. In fact, the Director and the Administration has refused to show the determination to my client; this is so, notwithstanding the fact that the press has reported the Veterans Administration Hospital has been appropriately punished for its misdeeds.

Malcolm R. Knapp  
Director

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November 13, 1991

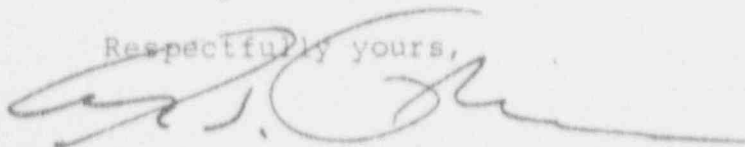
The irony of this whole situation is that Dr. Kang, has not only been relieved of his position as Chief of Nuclear Medicine at the Albany VA, but has also been penalized through a poor proficiency rating based upon the preliminary investigation done by your staff, and for which I understand the hospital has been shown to be at fault, and furthermore has been relieved of his position through an innocuously stated letter of termination.

Although it is only my suspicion at this time, it is my belief that Dr. Kang is, indeed, being punished for standing up and telling the truth to your Agency at the hearing, as opposed to resigning and taking the blame, as had been suggested to him by a member of the Administration. This suggestion was made under the veiled threat that he would "lose his nuclear license" after such a hearing. I am going to proceed on behalf of my client in order to protect his rights and to avoid his being punished for the misdeeds of the Administration of the Albany VA Hospital.

I would greatly appreciate your forwarding to me a copy of your determination so that I may take all steps to protect my client's interests. I would further, respectfully request that this be done expeditiously, since my client was only given a few short weeks notice in relation to his termination.

I, once again, thank you for your consideration and anticipated cooperation in this matter.

Respectfully yours,



ARNOLD W. PROSKIN

AWP/em

cc: Andrew Kang, M.D.

## CONVERSATION RECORD

TIME  
11:15 A.M.DATE  
JANUARY 6, 1992

TYPE

☐ VISIT☐ CONFERENCE☒ TELEPHONE☐ INCOMING  
☐ OUTGOING

ROUTING

NAME/SYMBOL INT

Location of Visit/Conference:

NAME OF PERSON(S) CONTACTED OR IN CONTACT  
WITH YOU

DR. LAWRENCE FLESH

ORGANIZATION (Office, dept., bureau,  
etc.)

VA-ALBANY

TELEPHONE NO.

SUBJECT

LICENSE AMENDMENTS

SUMMARY

Dr. Flesh called me to inquire about the status of 2 licensing actions, including the one naming a new RSO for VA-Albany. I checked with Keith Brum, and was told approval was imminent (later, I confirmed it had been approved and faxed to licensee).

Dr. Flesh volunteered the information that Andrew Wang, the former RSO, had been terminated from VA-Albany, and was no longer associated with the facility in any manner.

ACTION REQUIRED cc: Shanley  
David  
Hledy

NAME OF PERSON DOCUMENTING CONVERSATION

RONALD R. BELLAMY

SIGNATURE

Ronald R. Bellamy

DATE

1/13/92

ACTION TAKEN

SIGNATURE

TITLE

DATE

50271-101

U.S. G.P.O. 1983-381-528/8348

CONVERSATION RECORD

OPTIONAL FORM 271 (12-76)  
DEPARTMENT OF DEFENSE

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