



Research, Development, and Technology

Turner-Fairbank Highway
Research Center
6300 Georgetown Pike
McLean, VA 22101

October 16, 2003

In Reply Refer To: HRDI-11

Ms. Marissa Bailey
Section Head
Material Safety and Inspection Branch
MS: T-8F5
Nuclear Regulatory Commission
11555 Rockville Pike
Rockville, MD 20852

RE: Termination of Registration Certificate Nos.
NR-643-D-101-S and NR-643-D-102-S

Dear Ms. Bailey:

In August 1991, we sent the enclosed letter to the Nuclear Regulatory Commission (NRC) requesting termination of the subject two registrations. In August 1992, we sent a second letter, also enclosed; again we indicated we wanted the two registrations terminated. In March 1999, we sent a third letter, also enclosed; still again we indicated we wanted the two registrations terminated. After sending the 1999 letter, we followed up with a telephone call to make sure the letter had been received; the NRC acknowledged receiving it.

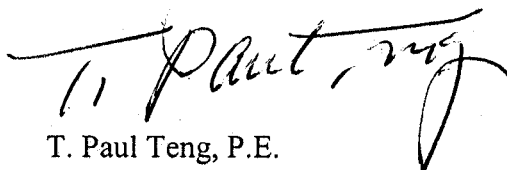
We have been billed periodically for the annual registration fees for the devices over the past 12 years, most recently in current NRC Invoices AM3703-2 and AM3903-2. Copies of these invoices are enclosed. We have not paid these fees in the past and will not pay them now, based on our requests for termination.

We again ask that the two registrations be terminated, and that all invoices for fees since 1991 be canceled and removed from our file. The two devices have been in our possession continuously since 1991 and have not been loaned to any other agency or private organization during that time. We have used the devices at our own facility on one or two occasions since 1991 under the terms of our NRC Byproduct Materials License No. 45-23090-01. That license allows us to use the sources and devices at our facility, regardless of registration status, for research and development activities.

We spoke to Mr. John Janovich of your office on August 25, 2003, and he recommended we write directly to you. We look forward to receiving a letter from the NRC indicating these registrations have been terminated, per this and our previous requests, and that all fee invoices have been

canceled. Please contact our Radiation Safety Officer, Dr. Habeeb Saleh (202-493-3123), if you need additional information.

Sincerely yours,

A handwritten signature in black ink, appearing to read "T. Paul Teng". The signature is fluid and cursive, with a long horizontal line extending from the top of the "T" across the top of the signature.

T. Paul Teng, P.E.
Director, Office of Infrastructure
Research and Development

Enclosures (5)



AUG 02 1991

Refer to: HNR-30

Director
Office of Nuclear Material Safety and Safeguards
U.S. Nuclear Regulatory Commission
Washington, DC 20555

Re: Termination of Registration Certificate Nos.
NR-643-D-101-S and NR-643-D-102-S

Dear Sirs:

Please terminate the subject registrations as of September 30, 1991, or earlier, as necessary in order to have the FY 1991 annual fee (of \$3100 per device) waived for these registrations. It is our understanding that we will no longer be able to transfer the devices covered by these registrations to other licensees for use in their programs, but that we can maintain the devices and sources for our own use under our materials license.

We do have two comments about the new fee program which we hope will be forwarded to the appropriate office at the NRC. First, the fees for annual registration seem to be quite out of line with any services provided. Once a device is registered (a service which is charged for separately, and at a considerably lower fee), as far as we can see the NRC has nothing further to do to maintain that registration except file it. What does the NRC do to justify an annual \$3100 charge per registration?

Second, the unreasonably high fees will have a stifling effect on small research and development efforts such as ours. Although one of the two devices covered by these registrations has been a substantial stimulus on commercial nuclear gauge manufacturing, the annual charge is leading us to end our technology transfer programs with these particular gauges. And it is likely to inhibit future R&D efforts. We suggest the NRC take another look at these fee schedules.

Sincerely yours,

Original signed by
Donald G. Fohn

Thomas J. Pasko, Jr., P.E.
Director, Office of Engineering and
Highway Operations Research and
Development

CONCURRENCES	
RTG SYMBOL	HNR-30
INITIALS/SIG	J. M. M. L.
DATE	8-2-91
RTG SYMBOL	HNR-1
INITIALS/SIG	[Signature]
DATE	8/2/91
RTG SYMBOL	
INITIALS/SIG	
DATE	
RTG SYMBOL	
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DATE	
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DATE	
RTG SYMBOL	
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DATE	
RTG SYMBOL	
INITIALS/SIG	
DATE	

Refer to: HNR-30

AUG 18 1992

U.S. Nuclear Regulatory Commission
 License Fee and Debt Collection Branch
 P.O. Box 954514
 St. Louis, Missouri 63195-4514

Re: Annual Fee Invoice Nos.
 AM02907-92 and AM02908-92

Dear Sirs:

We requested the termination of these two registrations effective September 30, 1991, in our letter of August 2, 1991, (copy enclosed). We do not wish to renew the registrations and ask that you cancel the billing for this and future years.

Sincerely yours,

Original signed by
 Thomas J. Ptak

Thomas J. Ptak
 Director, Office of Engineering and Highway
 Operations Research and Development

Enclosures:
 Invoices
 August 2, 1991, letter

FHWA:HNR-30:TMMitchell:els:8/13/92:285-2434
 Retyped:HNR-1:plj:8/14/92

cc:
 Official file, HNR-30
 Chron, HNR-30
 Reading, HNR-1
 R&D Reading
 HNR-1
 HNR-10
 HNR-20
 HNR-40
 T. Mitchell, HNR-30

CONCURRENCES	
RTG SYMBOL	
INITIALS/SIG	
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Mr. Larry Camper, MS-TWF 8F5
U.S. Nuclear Regulatory Commission
Division of Industrial and Medical Nuclear Safety
Materials Safety Branch
Washington, D.C. 20555

RE: Termination of Registration Certificate Nos.
NR-643-D-101-S and NR-643-D-102-S

Dear Mr. Camper:

In August 1991, we sent the enclosed letter to the Nuclear Regulatory Commission (NRC) requesting termination of these two registrations. In August 1992, we sent a second letter, also enclosed; again we indicated we wanted the two registrations terminated. We have received invoices for the annual registration fees two or three times since then, but have not paid them based on our requests for termination.

We have recently been billed again (Invoice No. AM5427-98) and Ms. Sandra Kimberley of the NRC has informed us verbally that our request for registration termination was turned down in 1996. We were never informed of the latter action.

We again ask that the two registrations be terminated, and that all invoices for fees since 1991 be canceled and removed from our file. The two devices have been in our possession continuously since 1991 and have not been loaned to any other agency or private organization during that time. We have used the devices at our own facility on one or two occasions since 1991 under the terms of our NRC Byproduct Materials License No. 45-23090-01. That license allows us to use the sources and devices at our facility, regardless of registration status, for research and development activities.

We look forward to receiving a letter indicating these registrations have been terminated, per this and our previous requests, and that all fee invoices have been canceled. Please contact our Radiation Safety Officer, Dr. Habeeb Saleh (703/285-2099), if you need additional information.

Sincerely yours,

T. Paul Teng
Director, Office of Infrastructure
Research, Development, & Technology

Enclosures (2)

Refer to: HNR-2

CONCURRENCES	
RTG SYMBOL	HRDI
INITIALS/SIG	[Signature]
DATE	3/5/99
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U. S. NUCLEAR REGULATORY COMMISSION
WASHINGTON DC 20555

SECOND NOTICE
BILL DATE: 07/02/03

LICENSE/APPROVAL/
REGISTRATION/
CERTIFICATE NUMBER: 452309001 L

* ENCLOSE A COPY OF THIS BILL WITH YOUR
CHECK OR MONEY ORDER MADE PAYABLE TO:
U.S. NUCLEAR REGULATORY COMMISSION
LICENSE FEE & ACCOUNTS RECEIVABLE
P.O. BOX 954514
ST. LOUIS MO 63195-4514

* DO NOT SEND CASH
* ALLOW 5 DAYS FOR PROCESSING
* ON YOUR CHECK OR MONEY ORDER,
PLEASE INCLUDE YOUR INVOICE NUMBER
AM3703-02

TO:
TRANSPORTATION, DEPARTMENT OF
PAUL TANG
FEDERAL HIGHWAY ADMIN, HRDI-11
6300 GEORGETOWN PIKE
MCLEAN VA 22101

NEW OR CORRECTED ADDRESS:

TOTAL AMOUNT DUE: 4,400.00
ENTER AMOUNT ENCLOSED: _____

BILLING DOC ID	PRINCIPAL DUE	PENALTY AMOUNT
	ADMINISTRATIVE CHGS	INTEREST AMOUNT
AM3703-02	4,400.00	0.00
	0.00	0.00
		4,400.00

IF YOU HAVE ALREADY PAID THIS
INVOICE,
PLEASE DISREGARD THIS NOTICE

U. S. NUCLEAR REGULATORY COMMISSION
WASHINGTON DC 20555

SECOND NOTICE
BILL DATE: 08/07/03

LICENSE/APPROVAL/
REGISTRATION/
CERTIFICATE NUMBER: 452309001 L

* ENCLOSE A COPY OF THIS BILL WITH YOUR
CHECK OR MONEY ORDER MADE PAYABLE TO:
U.S. NUCLEAR REGULATORY COMMISSION
LICENSE FEE & ACCOUNTS RECEIVABLE
P.O. BOX 954514
ST. LOUIS MO 63195-4514

* DO NOT SEND CASH
* ALLOW 5 DAYS FOR PROCESSING
* ON YOUR CHECK OR MONEY ORDER,
PLEASE INCLUDE YOUR INVOICE NUMBER
AM3903-03

TO:
TRANSPORTATION, DEPARTMENT OF
PAUL TANG
FEDERAL HIGHWAY ADMIN, HRDI-11
6300 GEORGETOWN PIKE
MCLEAN VA 22101

NEW OR CORRECTED ADDRESS:

TOTAL AMOUNT DUE: 4,800.00
ENTER AMOUNT ENCLOSED: _____

BILLING DOC ID	PRINCIPAL DUE	PENALTY AMOUNT
	ADMINISTRATIVE CHGS	INTEREST AMOUNT
		TOTAL
AM3903-03	4,800.00	0.00
	0.00	0.00
		4,800.00

IF YOU HAVE ALREADY PAID THIS
INVOICE,
PLEASE DISREGARD THIS NOTICE