

NOV 18 1987

Kerin & Associates
ATTN: Richard T. Kerin P. E.
219 East Mendenhall Street
Bozeman, Montana 59715

Gentlemen:

Thank you for your letter dated November 4, 1987, which enclosed your check for \$230 in payment of the application fee for your application filed with the NRC on October 16, 1987. We forwarded your application to the Region IV licensing staff for processing on November 10, 1987.

You indicate in your letter that you did not realize that the NRC would revoke the license and that the license was revoked without so much as a notice of the pending action. I am concerned about your statement since our records indicate that Mr. Holloway of my staff in his letter to you dated September 18, 1986, pointed out that the license could be revoked for non-payment of the inspection fee (Enclosure 1). Also, the Order To Show Cause issued November 5, 1986 clearly indicated that the revocation procedure would be followed if the fee was not paid (Enclosure 2). Again, Mr. Johnson of my staff in his letter to you dated January 12, 1987, outlining the terms and conditions of the promissory note stated that failure to remit timely monthly installments would result in an Order of Revocation of License (Enclosure 3). Based on this correspondence with your company, I feel that you were given adequate notice concerning the revocation action that occurred on September 28, 1987.

With respect to your request for a waiver of the application fee, your request is denied. Such a waiver of the fee is not authorized by law nor otherwise in the public interest since it would be inconsistent with the manner in which 10 CFR 170 is applied to other licensees.

If you have any questions regarding this matter, please do not hesitate to contact this office.

Sincerely,

Original signed by
Ronald M. Scroggins

Ronald M. Scroggins, Deputy Director
for Financial Management and Controller
Office of Administration and
Resources Management

*see previous concurrence.

OFFICE	: ARM/LFMB	: OGC*	: ARM/DAF	: ARM/FMC	:	:
SURNAME	: CJHolloway:ab RSmith	: EBlack/ 11-1202	: LHill	:	:	:
	: GJackson	: GJohnson	: RMScroggins	:	:	:
DATE	: 11/13/87	: 11/13/87	: 11/16/87	: 11/17/87	:	: