



**UNITED STATES
NUCLEAR REGULATORY COMMISSION**
REGION III
2443 WARRENVILLE RD. SUITE 210
LISLE, IL 60532-4352

January 10, 2018

The Regents of the University of Michigan
Radiation Safety Service
Occupational Safety & Environmental Health
University of Michigan
ATTN: Mark L. Driscoll
Director/Radiation Safety Officer
1239 Kipke Dr.
Ann Arbor, MI 48109-1010

SUBJECT: REVISED LICENSE FEE BILLING ADJUSTMENT FOR NRC LICENSE
NO. 21-00215-04

Dear Mr. Driscoll:

Based on the additional information you provided in response to our letter dated December 4, 2017, regarding the program codes and associated fee categories assigned to your license and the materials and activities authorized on your license, we have revised your expected annual fees for Fiscal Year (FY) 2018 accordingly.

Applicable program codes have not been changed and the resulting fee categories for your license remain 7B, 3P, 3E, 3F and 2F. However, based on your questions regarding fee exemptions for nonprofit educational institutions, the U.S. Nuclear Regulatory Commission (NRC) has determined that based on the regulations in Title 10 of the *Code of Federal Regulations* (CFR) Section 171.11(b)(1), as a nonprofit educational institution, you are exempt from fees for the following activities authorized on your license: self-shielded irradiators (program code 03510/fee category 3E/10,800), other irradiators (program code 03511/fee category 3F/11,800), and source material (program code 11200/fee category 2F/9400). You are responsible for fees related to human use activities (program code 02110/fee category 7B/ 33,800) and leak testing as a remunerated service to others (program code 03220/fee category 3P/9300), since these activities are not included in the fee exemption for nonprofit educational institutions.

These revisions result in an expected FY 2018 annual fee of \$43,100; disregard the \$75,100 previously noted in our letter dated December 4, 2017. Please note that fees are adjusted on an annual basis depending on fee category amounts established in each year's fee rule.

In addition, you submitted an amendment to remove leak testing services (program code 03220/fee category 3P/9300) from your license (letter dated December 22, 2017). This amendment is currently under review by Bryan Parker and has been assigned Control No. 602008. You inquired about prorated fees for FY 2018 based on your request to remove this use from your license. The regulations address fee proration in 10 CFR Part 171.17. Specifically, refer to 171.17(3)(b)(3). The University of Michigan will be responsible for 50 percent of the 3P - \$9300 annual fee for FY 2018. We will coordinate the amendment with the Accounts Receivable Branch so that your FY 2018 annual fee invoice can be adjusted accordingly.

If you have further questions regarding your FY 2018 fee invoice, please contact Kelly Riner, the Fee Analyst from the Accounts Receivable Branch in the Office of the Chief Financial Officer (Kelly.Riner@nrc.gov or 301-415-6246). If you have further questions related to the program codes or changes discussed in this letter, please contact Patricia Pelke (Patricia.Pelke@nrc.gov or 630-829-9868).

Sincerely,

/RA/

John B. Giessner, Director
Division of Nuclear Materials Safety

Docket No. 030-01988
License No. 21-00215-04

Letter to Mark L. Driscoll from John B. Giessner, dated January 10, 2018

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| OFFICE | RIII-DNMS-MLB | | RIII-DNMS | | | | |
| NAME | PJPelke:cl | | JGiessner | | | | |
| DATE | 1/9/2018 | | 1/10/2018 | | | | |

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