

DOCKET NUMBER
PETITION RULE PRM/70-3
(57 FR 46818)

(35)
EXCLUDED
USNRC

'92 NOV 23 P12:46

Secretary
U.S. Nuclear Regulatory Commission
Washington, D.C. 20555

OFFICE OF THE SECRETARY
DOCKETING AND SERVICE
BRANCH

Attention: Docketing and Service Branch

Dear Sir,

I received your correspondence- Federal Register
Volume 57 No. 198 Tuesday October 13, 1992.

Many months ago I received a letter from NCR,
informing me that I must send them three thousand five
hundred (\$3,500.00) as a fee for possessing a Beta Ray
Strontium Unit. My shock and dismay was more than I could
accept and it still exist today.

To demonstrate my outrage I sent a letter to NCR. plus
a number of phone calls to the same agency. Eventually I
received some correspondence which in effect stated that if
I could prove my "Business" generated less than
\$3,500,000.00 per annum the fee would be reduced by 50%.

Meanwhile I kept receiving further correspondence
demanding the \$3,500.00 fee with penalty interest for not
having complied. My shock and dismay took on an altered
appearance- I became enraged.

The explanation was that it was Public Law and that as
a possessor of a Nuclear Service I had to help pay for the
agencies operation.

The disparity between what we gross per annum versus
many other possessors of Nuclear Services -I am referring to
the huge "operators" makes it difficult to comprehend. I

9212110031 921123
PDR PRM
170-3 PDR

DSIO

had mentioned why not a sliding scale assessment. This was so I could possibly afford the fee in order to keep possession of my Beta Ray Unit as I still need it occasionally when performing Pterygium Surgery.

Next came another unkind Llow. I contacted the Radiologist at Hilo Hospital I told him my problem and he agreed to determine the feasibility of taking my Beta Ray Unit. This he later agreed to but stated I would be required to pay about \$500.00 for the transaction. Once again I was discomfited. However later they informed me that I could send the unit to Queens Hospital in Honolulu and there would be no charge.

But as of now I am not prepared to part with this unit pending the possibility of some review of this onerous situation and some much needed changes. The fee burden is grossly unfair to myself and I am quite certain to others.

Please accept my thanks for permitting me to voice my sentiments.

P.S. My Beta Ray unit has been taken from my office. It created a portion of my livelihood and I receive no just compensation for this loss. It was confiscated - illegally as far as I am concerned.

Sincerely,

John Zelko M.D.

J.M. Zelko, M.D.

*Hilo Eye Surgical
& Medical Clinic*

*P.O. Box 1962
Hilo, Hawaii
96720*