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Secretary  
U.S. Nuclear Regulatory Commission  
Washington, DC 20555

Attn: Docketing and Service Branch

Subject: Comments on docket No. PRM-170-3

Dear Secretary:

The implementation of Public Law 101-508 which mandates that the NRC recover 100% of its annual budget through fees and charges has put an extremely heavy cost burden on all licensees.

The original fees in 1991 were so much of a burden that over 2000 licensees chose to drop their license rather than pay the fees. Some of our customers removed nuclear gauges that were saving them some money and protecting the environment. To have to make a business decision because of the cost of regulation that could cost jobs and have a negative effect on the environment is not what the country needs. A customer of ours that wants to buy one gauge that would cost \$2000 will be required to pay over \$2500 in fees the first year.

Because of the decrease in the number of licensees and increases in the budget, the NRC fees for this year went up over 50% after a 1400% increase the year before. If a whole category of licensees is exempted the fees to the remaining licensees will have to be raised again and NRC's operating costs will not decrease because you still must administer those licensees but collect no fees from them.

The Ohmart Corporation paid \$ 27,000 in fees in 1992. We had to make major changes in our business plan and in devices offered to our customers to eliminate an additional \$150,000 in fees. We are required to pay \$ 4200 ( License class 1D) because of a small amount of one isotope that we cannot dispose of because of NRC rules. We are not a large company but we were a pioneer serving the nuclear gauging industry for over forty years. Continued increases in fees will force us to move out of NRC jurisdiction or close.

In conclusion I would like to say that I agree with the principle of cost recovery from users but the system must be equitable to all. Exclusion of an entire classification would

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put undo burden on the rest. The NRC needs to look at its cost in a true business sense, if there is a 25% reduction in licensees operating cost should not go up 10% as they did in 1992. Fees need to be more personalized. A small chemical plant with one source cannot absorb the same cost as a large plant with 100 gauges. The fee structure is inequitable now and should be revised. Exempting the medical industry will only make it worse.

Sincerely,

THE OHMART CORPORATION



George W. Brown  
Radiation Safety Officer  
Training Manager

C: Tom Dewey