



UNITED STATES  
NUCLEAR REGULATORY COMMISSION  
WASHINGTON, D. C. 20555

November 4, 1992

The Honorable David L. Boren  
United States Senator  
621 N. Robinson  
Suite 370  
Oklahoma City, Oklahoma 73102

Dear Senator Boren:

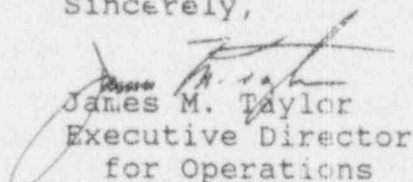
I am responding to your letter dated September 28, 1992, written on behalf of your constituent, Gary W. Mitchell, Chief Executive Officer, Newman Memorial Hospital, Shattuck, Oklahoma, requesting a reduction or elimination of their FY 1992 annual fee.

The Omnibus Budget Reconciliation Act of 1990 (OBRA-90), requires that the Commission recover 100 percent of its budget authority, less appropriations from the Department of Energy (DOE) administered Nuclear Waste Fund, for Fiscal Years 1991 through 1995 by assessing license and annual fees. For FY 1991, the Commission was required to collect approximately \$445 million and approximately \$493 million for FY 1992 through these fees. In order to comply with the law, the Commission published revisions to fee regulations in the **Federal Register**. As stated in the final revision to the Commission's fee regulations in 10 CFR Parts 170 and 171 for FY 1992, which was published in the **Federal Register** July 23, 1992, the Commission exempted from the FY 1992 annual fee those licensees and holders of certificates, registrations and approvals who either filed for termination or for a possession only/storage license during the period October 1, 1991, through December 31, 1991.

Based on the information provided to me in your constituent's letter of August 31, 1992, I have granted a 16-day extension to January 16, 1992, for filing a request for a storage only license by the hospital and therefore have cancelled the fee. Enclosed is my response to Mr. Mitchell of Newman Memorial Hospital.

If you need any additional information, please let me know.

Sincerely,

  
James M. Taylor  
Executive Director  
for Operations

Enclosure: As stated

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ENCLOSURE

UNITED STATES  
NUCLEAR REGULATORY COMMISSION  
WASHINGTON, D.C. 20555

October 29, 1992

Newman Memorial Hospital  
ATTN: Gary W. Mitchell  
Chief Executive Officer  
905-919 Main  
Shattuck, Oklahoma 73858

Gentlemen:

I am responding to your letter dated August 31, 1992, protesting your payment of Invoice No. AM06501-92 and requesting a reduction or elimination of your FY 1992 annual fee for License No. 35-16717-01.

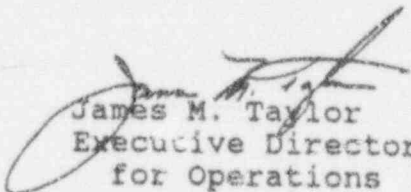
The bases for your request are: 1) the license, although current, was not actively utilized in the maintenance of a Nuclear Medicine Department since November 1990; and 2) as a new executive you were not aware of the possibilities to apply for storage only.

As stated in the final revision to the Commission's fee regulations in 10 CFR Parts 170 and 171 for FY 1992, which was published in the **Federal Register** July 23, 1992, the Commission exempted from the FY 1992 annual fee those licensees and holders of certificates, registrations and approvals who either filed for termination or for a possession only/storage license during the period October 1, 1991, through December 31, 1991.

Based on the information furnished in your August 31, 1992, letter, the Commission: 1) grants a 16-day extension to January 16, 1992, for filing a request for a storage only license; 2) acknowledges that licensed activity ceased prior to December 31, 1991; 3) considers your actions timely for purposes of avoiding the FY 1992 annual fee; and 4) acknowledges that your license was terminated May 14, 1992.

Invoice No. AM06501-92 will be canceled and your payment refunded to you.

Sincerely,

  
James M. Taylor  
Executive Director  
for Operations

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