

NOV 25 1992

William F. LePenna, M.D.
Grand Valley Cardiology Specialists
1900 Wealthy Street, S.E.
Grand Rapids, Michigan 48506

Gentlemen:

I am responding to your letter dated October 14, 1992, requesting a waiver of the FY 1992 annual fee for License No. 21-25865-01 (Invoice No. AM04977-92).

The bases for your request are: 1) upon receiving the invoice for FY 1992 on August 24, 1992, you called NRC and spoke with Cheryl Phillips and Doug Weiss to gain further information regarding the nature of the bill; 2) during this discussion it was found that the bill for FY 1991 and subsequent notices had never been sent; 3) because of this you were never informed of this annual fee and were not aware of the option to cancel your license; and 4) because you were not aware of the option to cancel your license as were other licensees who received FY 1991 invoices, you feel that the FY 1992 bill should be waived.

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 in your October 14, 1992, letter and the fact that you never received an FY 1991 invoice and were never afforded an option to cancel your license until now, the Commission: 1) grants an extension to the time to file to terminate your license to September 4, 1992; 2) acknowledges that you never used the license; 3) considers your actions timely for purposes of avoiding the FY 1992 annual fee; and 4) acknowledges that your license was terminated on September 15, 1992.

Invoice No. AM04977-92 will be canceled.

Sincerely,

15/

James M. Taylor
Executive Director
for Operations

9212080107 921125
PDR ADOCK 03030350
C PDR

ML61

DISTRIBUTION:

10 CFR 171 Exemption File FY 1992 (w/orig. inc.)
License File 21-25865-01 (w/copy inc.)
Materials Annual Fee Correspondence File (w/copy inc.)
Invoice File AM04977-92 (w/copy inc.)
NUDOCS (ML61) (w/copy inc.)
PDR
GJackson
DDandois
EBlack
DWeiss
JHolloway (w/copy inc.)
GFehst
EDO
OC-92-432
DAF R/F
LFDCB R/F (2)
LTremper (add this name if cancelling invoice and/or issuing refund)

OFFICE: ^WLFDCB:mac
NAME: GJACKSON
DATE: 1 / 92

³⁰LFDCB
DDANDOIS
11 / 9 / 92

^{Rec-11-13}DAF
EBLACK
11 / 12 / 92

DAF
LHILLER
11 / 13 / 92

OFFICE: ~~OC~~
NAME: JHOLLOWAY
DATE: 1 / 92

~~OC~~
JFUNCHES
11 / 16 / 92

~~OGC~~ MR for TLR
TROTHCHILD
11 / 19 / 92

OFFICE: ~~OC~~
NAME: RSCROGGINS
DATE: 11 / 17 / 92

~~EDQ~~
JTAYLOR
11 / 18 / 92