

NOV 25 1992

Amoco Oil Company  
ATTN: D.R. Elliott  
Engineering Assistant  
Yorktown Refinery  
P.O. Box 578  
Yorktown, Virginia 23690-0578

Gentlemen:

I am responding to your letters dated August 13, 1992, and October 16, 1992, requesting waiver of the FY 1992 annual fee for License No. 45-01378-02 (Invoice No. AM03140-92).

The bases for your request are: 1) you applied for license renewal on October 5, 1990, and eight months later (July 25, 1991) received a request for additional information from NRC; however, at that time you were preparing for a planned five-week refinery shutdown so you asked for an extension; 2) you indicated plans to resubmit your application in a September 5, 1991, letter although you were contemplating discontinuing your program; 3) due to your refinery shutdown obligations you overlooked the December 30, 1991, deadline for discontinuing your program; 4) if you would have received the request for information earlier, it would not have conflicted with the timing of your refinery shutdown planning efforts; therefore, you could have responded sooner; 5) you changed your renewal status to storage only status on January 29, 1992, by telephone conversation with Earl Wright and confirmed this with a follow-up letter; 6) you discontinued use of the radioactive material on June 11, 1991; and 7) you feel that based on the time it took for NRC to respond to your initial application and the timing of your shutdown, the FY 1992 fee 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 letters of August 13, 1992, and October 16, 1992, the Commission: 1) grants a 23-day extension to the time to file for storage only to January 29, 1992; 2) acknowledges that you have not used your licensed

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DISTRIBUTION:

1 CFR 171 Exemption File FY 1992 (w/orig. inc.)  
License File 45-01378-02 (w/copy inc.)  
Materials Annual Fee Correspondence File (w/copy inc.)  
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OFFICE: ~~LFDCB mac~~  
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DATE: ~~11/1/92~~

OFFICE: ~~OC~~  
NAME: ~~JHOLLOWAY~~  
DATE: ~~11/1/92~~

OFFICE: ~~OC~~  
NAME: ~~RSCOGGINS~~  
DATE: ~~11/1/92~~

~~LFDCB~~ ~~DDANDOIS~~  
~~11/6/92~~

~~OC~~ ~~JFUNCHES~~  
~~11/11/92~~

~~EDO~~ ~~JTAYLOR~~  
~~11/23/92~~

~~DAF~~ ~~EBLACK~~  
~~11/12/92~~

~~OGC~~ ~~TROTHCHILD~~  
~~11/12/92~~

~~DAF~~ ~~WHILLER~~  
~~11/13/92~~

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material since June 11, 1991; 3) considers your actions timely for purposes of avoiding the FY 1992 annual fee; and 4) acknowledges that your license was changed to storage only status on January 29, 1992.

Invoice No. AM03140-92 will be cancelled.

Sincerely,

/s/

James M. Taylor  
Executive Director  
for Operations