



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

November 5, 1992

The Honorable Bill Goodling
U.S. House of Representatives
Washington, D.C. 20515-3819

Dear Congressman Goodling:

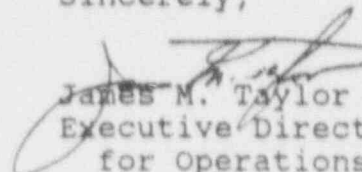
I am responding to your October 5, 1992, letter in which you transmit correspondence from your constituent, Mr. K.G. Rao, of Eastern Laboratory Service Associates. Mr. Rao's correspondence concerns an exemption request for an annual fee for his nuclear material license.

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 proposed revisions to its fee regulations in the **Federal Register** on April 12, 1991 (56 FR 14870). Based on careful evaluation of over 400 comments, the Commission issued a final rule on July 10, 1991 (56 FR 31472).

The final rule revising 10 CFR Part 170 and 10 CFR Part 171 provided an opportunity for licensees who wished to relinquish their licenses and who were capable of permanently ceasing licensed operations by September 30, 1991, to avoid the FY 1991 annual fee if the licensee notified the Commission in writing within the 30-day period prior to the effective date of the rule (56 FR 31475 and 31485; July 10, 1991). As stated in the **Federal Register** notice, and the notice which was mailed with the invoice, the effective date of the rule was August 9, 1991.

Based on the information provided to me in your constituent's letter of September 14, 1992, I have granted a 38-day extension to September 16, 1991, for filing a termination request. Enclosed is my response to Mr. Rao of Eastern Laboratory Service Associates. 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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