



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

January 22, 1993

The Honorable John C. Danforth
United States Senate
Washington, D.C. 20510

Dear Senator Danforth:

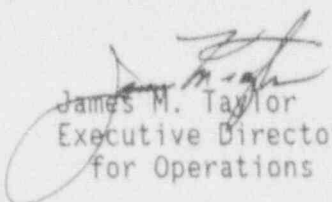
I am responding to your December 22, 1992, letter to the Federal Energy Regulatory Commission, written on behalf of your constituent, Donald S. Eskridge, Reitz & Jens, Inc., St. Louis, Missouri, concerning amendment fees assessed for License 24-26114-01.

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. To recover 100 percent of the budget, the NRC assesses two types of fees. First, license fees are assessed under 10 CFR Part 170 of the Commission's regulations to recover the costs to the NRC of providing individually identifiable services to specific applicants for and holders of NRC licenses and approvals. For example, Part 170 fees are normally assessed for licensing actions (e.g., amendments) filed by licensees. Although under current Commission policy fees are not charged for amendments for mailing address changes, fees are charged for amendments to change the authorized place of use, since such changes require health and safety reviews. Reitz & Jens, Inc. filed an amendment request dated October 7, 1992, to amend License No. 24-26114-01 reflect a different location of use. The amendment request was supplemented on November 16, 1992, with a request to add additional cesium-137 and americium-241 gauges to the license. The amendment fee was assessed for the health and safety review required for the two requests. The amount of the amendment fee (\$410) is based on the average cost of processing amendment requests for licenses in 10 CFR part 170.31, fee Category 3P, which includes surface moisture/density gauges.

We realize, of course, that fees do have a financial impact on NRC licensees, particularly in smaller programs. Accordingly, in developing the Commission's fee schedules, every effort was made to establish fees that are fair and equitable. We believe that, to the maximum extent practicable, the fees established represent a fair and equitable implementation of OBRA-90 to recover 100 percent of the NRC's budget authority.

If I can be of further assistance, please let me know.

Sincerely,


James M. Taylor
Executive Director
for Operations

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United States Senate

WASHINGTON, D.C. 20510

December 22, 1992

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Congressional Liaison
Federal Energy Regulatory Commission
825 North Capitol Street, #9204
Washington, D.C. 20426

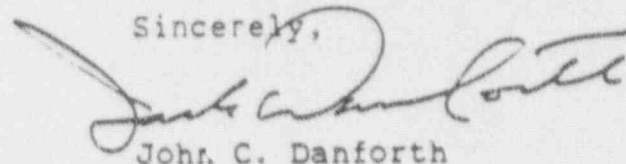
Dear Congressional Liaison:

A constituent, Donald Eskridge, has brought to my attention a matter which falls within the jurisdiction of your agency.

I refer this matter to your office for a preliminary examination. I would appreciate receiving your comments, in duplicate, together with the return of the correspondence.

Your attention to this matter is appreciated.

Sincerely,



John C. Danforth

Enclosure

November 11, 1992

The Honorable John Danforth
Senate Office Building
Washington, DC 20510

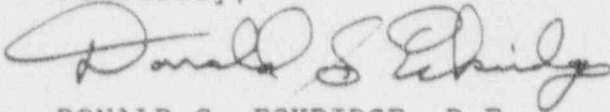
Dear Senator Danforth:

The enclosed letter is a prime example of why business and the average American is fed up with bureaucracy.

When it costs \$410.00 just to change an address of record, government is getting "too big for its britches".

I am not writing this to seek relief from an imposed fee but to request that bureaucracy, government waste, and excessive regulatory harassment (taxation by another name), be contained and ultimately reduced.

Sincerely,



DONALD S. ESKRIDGE, P.E.

Encl.

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