



UNITED STATES
NUCLEAR REGULATORY COMMISSION
WASHINGTON, D.C. 20555-0001

January 17, 1997

Children's Health Care
ATTN: Ron Goertz
Neonatal Research, L-262
345 N. Smith Avenue
St. Paul, MN 55102

Dear Mr. Goertz:

I am responding to your November 20, 1996, letter to Mr. Loren Heuter of NRC's Region III office and your recent telephone conversation with Shirley Crutchfield of the Office of the Controller regarding your April 18, 1996, request for termination of Materials License 22-16671-01 issued to Biomedical Research Institute. We are considering your letter as a request for relief from the FY 1996 annual fee, Invoice No. AM6210-96.

The bases for your request are: 1) you made final purchase of radioisotopes on April 18, 1994; 2) you closed the Biomedical Research Institute on May 31, 1994; 3) May 10, 1994, was the final date that you used material in experimental assay; 4) November 10, 1993, was the final date for use of long-life radioisotopes; 5) on May 17, 1994, ADCO Services, Inc., transported the remaining five barrels containing long-life material; 6) you retained the license for new researchers; 7) in January 1996 you began termination proceedings after new researchers decided that maintaining Materials License 22-16671-01 was too costly; and 8) the remaining material which was being held for decay in storage became eligible for incineration in October 1996, and this is the only reason termination could not be finalized.

Footnote 1 of 10 CFR 171.16 provides that the annual fee is waived when a license is terminated prior to October 1 of each fiscal year. The 1996 annual fee is waived for those licensees and holders of certificates, registrations, and approvals who either filed for termination of their licenses or approvals or filed for possession only/storage only licenses prior to October 1, 1995, and permanently ceased licensed activities by September 30, 1995. An amendment request filed after October 1 of each fiscal year to cancel a license does not cancel the annual fee invoice. As provided in 10 CFR 171.17, licenses for which termination requests or requests for possession only licenses are filed during the period October 1 through March 31 of each fiscal year are assessed one-half of the annual fee.

Your April 18, 1996, termination request was not timely filed for purposes of avoiding the FY 1996 annual fee or for the 50 percent proration. However, based on the information you have provided, the NRC: 1) grants an extension of time to April 18, 1996, for purposes of the 50 percent proration of the FY 1996 annual fee; 2) acknowledges you permanently ceased licensed operations

prior to March 31, 1996; and 3) is processing your April 18, 1996, termination request based on the additional information provided in your November 20, 1996, letter regarding final disposition of licensed material. Invoice No. AM6210-96 has been reissued to reflect the 50 percent proration, and you will not be subject to the FY 1997 annual fee (October 1, 1996 - September 30, 1997.)

Enclosed is revised Invoice AM6210-96 for \$2,550 and our Materials Annual Fee Billing Handbook. Interest and late charges will be waived if payment is received within 30 days from the date of this letter. If you have any questions, please contact Glenda Jackson at 301-415-6057.

Sincerely,

Original signed by *[Signature]*

Ronald M. Scroggins
Acting Chief Financial Officer

Enclosures: Revised Invoice AM6210-96
Materials Annual Fee Billing Handbook

Distribution:

L. Tremper, OC/DAF/LFARB/ARS
G. Jackson, OC/DAF/LFARB/LFS
S. Kimberley, OC/DAF/LFARB/LFS
Invoice File AM6210-96 w/cy inc & encl
License File 22-16671-01 w/cy inc & encl
NUDOCS (ML-61) w/cy inc & encl
PDR w/cy inc & encl
OC/DAF/LFARB (LF97-10)
OC/DAF/LFARB RF
OC/DAF RF (DAF-6-262)
OC/DAF SF (LF-3.2.2 w/orig inc & encl; LF-3.2.3 w/cy inc & encl)
OC RF

DOCUMENT NAME: G:\DAF6-262

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DATE	1/10/97		1/1/97		1/16/97		1/17/97		1/15/97	

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U. S. NUCLEAR REGULATORY COMMISSION
FY 96 Annual Materials Fee Invoice
Period 10/1/1995 - 9/30/1996
10 CFR 171.16 REVISED

Invoice Date =====	License Anniversary Month =====	Invoice Number =====
08/22/96	September	AM6210-96

TO: CHILDREN'S HEALTH CARE
ATTENTION: RADIATION SAFETY OFFICER
DBA CHILDREN'S HEALTH CARE-ST.
345 NORTH SMITH AVENUE
ST. PAUL, MN 55102

***** Mark PAYMENT COPY with any billing address changes *****

License/Approval/ Registration/ Certificate Number =====	Code AA905 =====	Annual Fee Category(s) =====	Fee Amount =====
22-16671-01	ANN	3M	\$ 2,550.00
TOTAL:			\$ 2,550.00
TOTAL INVOICE:			\$ 2,550.00

Amount Billed Represents 50% Proration

If paid by Fedwire see attached Terms and Conditions. If paid by check,
make check payable to the NRC (reference Invoice no.) and mail to:

=====

U.S. Nuclear Regulatory Commission	<=== This PO Box address is
License Fee & Accounts Receivable Branch	<=== for receipt of payments
P.O. Box 954514	<=== only.
St. Louis, MO 63195-4514	

For terms and conditions see attached.
Payment must be received within 30 days of the
date of this invoice to avoid late charges.
Questions: call 301/415-7554.

* PAYMENT COPY *

ENCLOSURE 1

U. S. NUCLEAR REGULATORY COMMISSION
FY 96 Annual Materials Fee Invoice
Period 10/1/1995 - 9/30/1996
10 CFR 171.16

Invoice Date
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License Anniversary Month
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REVISED
Invoice Number
=====

08/22/96

September

AM6210-96

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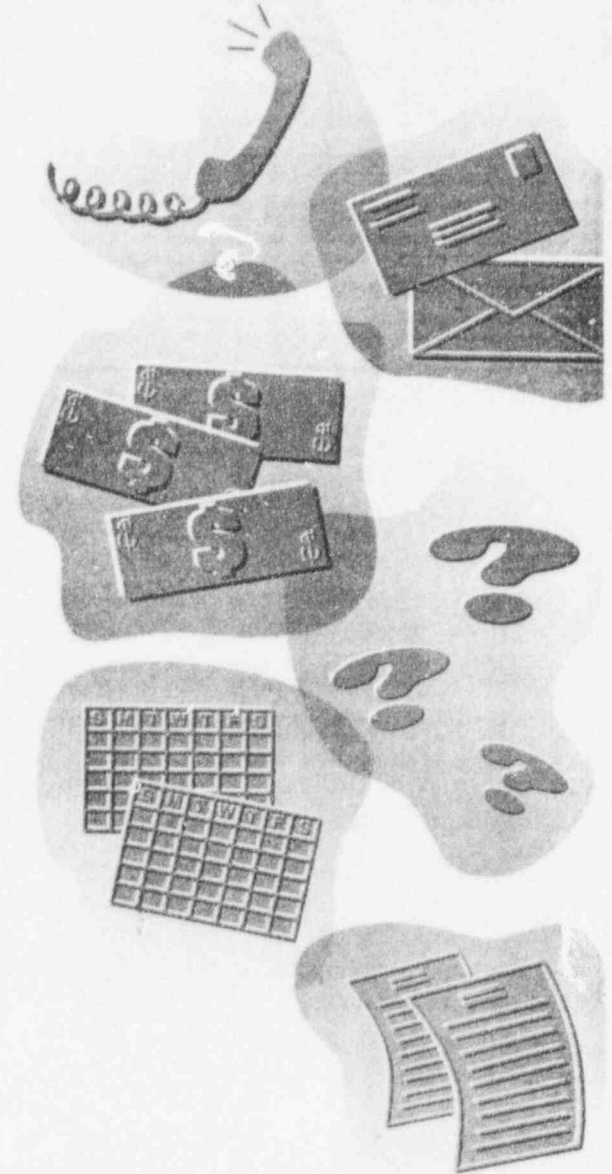
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ENCLOSURE 1



U.S. Nuclear Regulatory
Commission

Materials Annual Fee Billing Handbook



Office of the Controller

ENCLOSURE 2

cy to SAC
12/10

DAF Action Items		
Action: DAF-6-262: Children's Health Care		
Priority Item (*):	OC#:	EDO#:
Due Date: 97/01/31	Completion Date:	Responsible: LFARB
Date Received: 96/12/10		
Comment: LETTER TO: Loren Hueter, RGN-III FROM: Ron Goertz, Children's Health Care, St. Paul, MN SUBJECT: Termination of NRC Materials License No. 22-16671-01.		

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