

JAN 29 1997

Mr. Robert M. Hallisey, Director
Radiation Control Program
Massachusetts Department of Public Health
305 South Street, 7th Floor
Jamaica Plain, MA 02130

Dear Mr. Hallisey:

Enclosed is the data on the fee collections for Fiscal Years 1995 and 1996 as requested in your letter of December 9, 1996, to Mr. Richard Blanton of my staff. We regret that due to the various sources from which the data were obtained, we are unable to provide the information on computer disk, as you requested. In addition, we are unable to provide a listing of future FY 1997 billings since the licensees to be billed and the amounts to be billed will be affected by a variety of factors, i.e., the effective date of the final FY 1997 fee rule, new licenses issued between October 1, 1996, and March 31, 1997, and termination requests filed between October 1, 1996, and March 31, 1997.

We are aware of your concern that licensees in Massachusetts could be billed for a full years' annual fee by NRC, then again by the Commonwealth of Massachusetts. As we discussed earlier, NRC staff plans to follow the provisions of 10 CFR 171.17, which provides that if a license is terminated within the first six months of the fiscal year (or in this case, transferred to the Commonwealth under the Agreement), the annual fee under Part 171 will be prorated by 50 percent. Thus, if the Agreement becomes effective on or before March 31, 1997, the FY 1997 annual fee for all licenses transferred to Massachusetts will be prorated 50 percent, while if the Agreement becomes effective after March 31, 1997, the licensees would be billed for the full annual fee. We will continue to work with you to assure an equitable assessment of fees to Massachusetts licensees during this transition. Consistent with this effort, we have targeted March 21, 1997, as the effective date for the Agreement.

If you have any further questions regarding the proration of fees, or the attached fee data, please contact me or Mr. Blanton at (301) 415-2322.

Sincerely,
Original Signed By
RICHARD L. BANGART
Richard L. Bangart, Director
Office of State Programs

9702050373 970129
PDR STPRG ESGMA
PDR

Enclosure:
As stated

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Mr. Robert M. Hallisey, Director
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305 South Street, 7th Floor
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*Cameron
subject
to changes
no fee*

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1/14 #1 Ref



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

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UNITED STATES
NUCLEAR REGULATORY COMMISSION

WASHINGTON, D.C. 20555-0001

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