



RON KLINK  
Congress of the United States  
House of Representatives  
1st District, Pennsylvania

January 6, 1997

WASHINGTON OFFICE:  
125 CANNON BUILDING  
WASHINGTON, DC 20515  
(202) 225-2565

DISTRICT OFFICES:  
NORTH HUNTINGDON TOWNSHIP  
(412) 864-8681  
(800) 453-5078

BEAVER COUNTY  
(412) 728-3005

CRANBERRY TOWNSHIP  
(412) 772-6080

NEW CASTLE  
(412) 654-9036

LOWER BURRELL  
(412) 335-4518

Mr. Dennis K. Rathbun  
Director, Office of Congressional Affairs  
Nuclear Regulatory Commission  
Washington, DC 20555

Dear Mr. Rathbun:

I have enclosed a copy of the correspondence I have received from Appalachian Geophysical Surveys, in regard to the annual fee they pay to your agency. Mr. Clemmens claims he has paid the fee but continues to get billed.

I would appreciate if you would review this situation and advise me of the current status.

Thank you in advance for your consideration and I await your reply.

Please send reply to: Congressman Ron Klink  
11279 Center Highway  
North Huntingdon, PA 15642

Sincerely,

RON KLINK  
Member of Congress

RK:mp

# APPALACHIAN GEOPHYSICAL SURVEYS

the Honorable Ronald Klink  
U.S. Representative  
PA 4th Congressional District  
11279 Center Hwy.  
North Huntingdon, PA 15462

276 PA Route 366-Mamont  
Apollo, Pennsylvania 15613  
Telephone (412) 327-8119  
(800) 653-8119

December 30, 1996

re: U. S. Nuclear Regulatory Commission  
Annual Fee: License # 37-19798-01  
Invoice #: AM0200-96

Dear Mr. Klink:

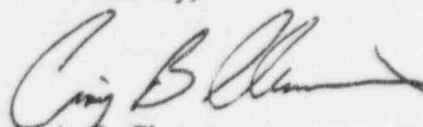
My wife and I need your help. We run a small business in your district, providing geophysical borehole logging services for subsurface geological investigations. Our primary market is the environmental investigation and remediation industry, although we also provide services for geotechnical investigations and raw material resource, including coal, exploration as well. A portion of our work involves the use of sealed nuclear material as (X-ray) energy for density and porosity measurements and for this we are licensed by the USNRC. As a "lower tier small entity" (less than \$350,000.00 annual sales) we are required to pay an annual fee of \$400.00 to keep and maintain our license. (This is the "maximum annual fee" for "lower tier small entity" businesses, established by USNRC regulation 10 CFR 10 part 171.) We were invoiced and paid this fee on July 12, of this year. The NRC has refused to acknowledge our payment and has continued to re-invoice us for this fee. They are now threatening to revoke our license unless we pay our annual fee again.

This business is the sole source of support for my family and, at least the primary source of support for my employee's family. Without our license we are out of business. I do not believe that this is some sinister plot like those hatched by over zealous regulators in the early 1980, to effectively eliminate the use of source material by private industry by regulatory decree, I think somebody made a key-punch error that they refuse to be bothered with correcting.

In previous years we were aided in dealing with the NRC by our congressmen at the time, Doug Walgren and John Murtha. Now that we reside in your district we would like to request this service of you. I believe that one telephone call to the right individual would quickly resolve this issue.

I thank you.

Sincerely,



Craig B. Clemmens

# APPALACHIAN GEOPHYSICAL SURVEYS

276 PA Route 366-Mamont  
Apollo, Pennsylvania 15613  
Telephone (412) 327-8119  
(800) 653-8119

U.S. NUCLEAR REGULATORY COMMISSION  
Mail Stop: T-9 E 10  
Washington, D.C. 20555-0001

December 30, 1996

Attn: License Fee and Accounts Receivable Branch

re: Annual Fee: License # 37-19798-01  
Invoice #: AM0200-96

Gentlemen:

We paid our annual fee on July 12, of this year. A copy of the cancelled check and a copy of our Certification of Small Entity Status are enclosed. We sent you copies of these in October we you continued billing us for this fee. We can only surmise that you credited this fee incorrectly when it was first sent. Please correct your computer records.

Sincerely,

Craig B. Clemmens  
Managing Partner  
Radiation Safety Officer

✓ cc: Hon. Ronald Klink  
PA 4th Congressional District

03 1000052

37 605033 00000040000

THE MINIMAL INFORMATION REQUESTED FOR THIS CERTIFICATION DOES NOT CONSTITUTE AN INFORMATION COLLECTION AND, THEREFORE, DOES NOT REQUIRE OMB APPROVAL

NRC FORM 526  
(4-96)  
10 CFR 1.71

U.S. NUCLEAR REGULATORY COMMISSION

INVOICE NUMBER

Am0200-96

LICENSE NUMBER

37-19778-01

**CERTIFICATION OF SMALL ENTITY STATUS  
FOR THE PURPOSES OF ANNUAL FEES  
IMPOSED UNDER 10 CFR PART 171  
FY 96**

To be completed ONLY by those licensees who meet the size standards below. See instructions on reverse side.

NAME AND ADDRESS OF LICENSEE (as it appears on the license):



**APPALACHIAN GEOPHYSICAL SURVEYS**  
276 PA Route 386-Mamont  
Apollo, PA 15613

If a licensee qualifies as a small entity under the size standards below and completes this form (NRC Form 526), the licensee may pay the reduced annual fee for each category applicable to the license. A separate form must be submitted for each invoice. Submit the required reduced annual fee with the "Payment Copy" of the invoice and the NRC Form 526 to:

License Fee and Accounts Receivable  
U.S. Nuclear Regulatory Commission  
P.O. Box 964514  
St. Louis, MO 63195-4514

**SIZE STANDARDS (Check one box only)**

ANNUAL FEE PER  
LICENSED CATEGORY  
(See item 3 on back)

**1. SMALL BUSINESS**

A for-profit concern that provides a service or a concern not engaged in manufacturing with average gross receipts of \$5 million or less over its last 3 completed fiscal years.

- ☐ A. \$350,000 TO \$5,000,000  
☒ B. LESS THAN \$350,000

\$1,800  
\$ 400

**2. MANUFACTURING INDUSTRY**

A manufacturing concern with an average number of 500 or fewer employees based upon employment during each pay period for the preceding 12 calendar months.

- ☐ A. 35 TO 500 EMPLOYEES  
☐ B. LESS THAN 35 EMPLOYEES

\$1,800  
\$ 400

**3. SMALL ORGANIZATION**

A not-for-profit organization which is independently owned and operated and has annual gross receipts of \$5 million or less.

- ☐ A. \$350,000 TO \$5,000,000  
☐ B. LESS THAN \$350,000

\$1,800  
\$ 400

**4. SMALL GOVERNMENTAL JURISDICTION (INCLUDING PUBLICLY SUPPORTED EDUCATIONAL INSTITUTIONS <sup>1</sup>)**

A government of a city, county, town, township, village, school district, or special district with a population of less than 50,000.

- ☐ A. 20,000 TO 50,000 POPULATION  
☐ B. LESS THAN 20,000 POPULATION

\$1,800  
\$ 400

**5. SMALL EDUCATIONAL INSTITUTION THAT IS NOT STATE OR PUBLICLY SUPPORTED AND HAS 500 OR FEWER EMPLOYEES <sup>1</sup>**

- ☐ A. 35 TO 500 EMPLOYEES  
☐ B. LESS THAN 35 EMPLOYEES

\$1,800  
\$ 400

<sup>1</sup>An educational institution referred to in the size standards is an entity whose primary function is education, whose programs are accredited by a nationally recognized accrediting agency or association, who is legally authorized to provide a program of organized instruction or study, who provides an educational program for which it awards academic degrees, and whose educational programs are available to the public.

**CERTIFICATION**

This certification **MUST** be signed by the owner of the entity named above or an official empowered to act on behalf of the entity.

I certify that the above named NRC licensee qualifies as a small entity under the size standards established by the NRC for its licensees in 10 CFR 2.810 (60 FR 18344). The licensee qualifies as a small entity under the specific size standard indicated above.

**WARNING:** 18 U.S.C. Section 1001, Act of June 25, 1948, 62 Stat. 748, makes it a criminal offense to make a willfully false statement or representation to any Department or Agency of the United States as to any matter within its jurisdiction. The submission of willful false statements is punishable by fine or imprisonment, or both, and for purposes of this certification, may result in revocation or suspension of the license.

I CERTIFY UNDER PENALTY OF PERJURY THAT THE FOREGOING IS TRUE AND CORRECT.

TYPED OR PRINTED NAME AND TITLE

Craig B. Chalmers, owner

SIGNATURE

DATE

July 12, 1996

DO NOT WRITE IN THESE SPACES



# NOTICE OF DELINQUENT DEBT

(Continued)

## INTEREST AND LATE CHARGES

- |                        |   |  |
|------------------------|---|--|
| Interest rate          | - | An annual rate of five percent will be charged on all delinquent debts and installment plans.                    |
| Administrative charges | - | A minimum of \$10 per month in administrative charges will accrue on all delinquent debts and installment plans. |
| Penalty rate           | - | An annual rate of six percent will be charged on all debts over 90 days delinquent.                              |

## TAXPAYER IDENTIFICATION NUMBER (TIN)

Attached is Form W-9 Request for *Taxpayer Identification Number and Certification* and a return envelope. Please complete the form and return it to the NRC's License Fee and Accounts Receivable Branch.

Section 6109 of the Internal Revenue Code requires you to provide us your correct TIN should we have to file an information return with the IRS. Failure to correctly furnish your TIN will subject you to a penalty of up to \$500.

## YOUR RIGHTS

You have a right to a complete explanation of the debt, to dispute information in Commission records about the debt, to request reconsideration of the debt by administrative appeal or review of the debt, and to enter into a written agreement with the NRC to pay the debt. Procedures for extending payment dates and disputing debts were sent to you with the original invoice requesting payment. Attached is an additional copy of these terms and conditions.

### Attachments:

1. Terms and Conditions
2. 10 CFR 15 Debt Collection
3. 10 CFR Section 171.23 Enforcement
4. Form W-9
5. Return Envelope

U. S. NUCLEAR REGULATORY COMMISSION  
WASHINGTON DC 20555

FINAL NOTICE  
BILL DATE: 12/20/96

LICENSE/APPROVAL/  
REGISTRATION/  
CERTIFICATE NUMBER: 371979801 L

- \* ENCLOSE A COPY OF THIS BILL WITH YOUR CHECK OR MONEY ORDER MADE PAYABLE TO:  
U.S. NUCLEAR REGULATORY COMMISSION  
LICENSE FEE & ACCOUNTS RECEIVABLE  
P.O. BOX 954514  
ST. LOUIS MO 63195-4514

- \* DO NOT SEND CASH
- \* ALLOW 5 DAYS FOR PROCESSING
- \* ON YOUR CHECK OR MONEY ORDER,  
PLEASE INCLUDE YOUR INVOICE NUMBER  
AM0152-97

TO:  
APPALACHIAN GEOPHYSICAL SURVEY  
RADIATION SAFETY OFFICER  
276 PA ROUTE 366 - MAMONT

NEW OR CORRECTED ADDRESS:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

APOLLO

PA 15613

TOTAL AMOUNT DUE: 7,584.58  
ENTER AMOUNT ENCLOSED: \_\_\_\_\_

BILLING DOC ID	PRINCIPAL DUE ADMINISTRATIVE CHGS	PENALTY AMOUNT INTEREST AMOUNT TOTAL
AM0152-97	7,500.00 20.00	0.00 64.58 7,584.58

UNITED STATES NUCLEAR REGULATORY COMMISSION

## NOTICE OF DELINQUENT DEBT

The enclosed invoice shows your delinquent debt with the U.S. Nuclear Regulatory Commission. If you have already made payment, please ignore this notice. The Debt Collection Act of 1982 requires all Federal agencies to aggressively pursue the collection of delinquent debts. Thus, in accordance with Chapter 10 Code of Federal Regulations (CFR) Section 15.21, this notice describes the authorized collection procedures that will be used to resolve this claim. If you have any questions concerning the enclosed invoice or this notice please contact the NRC's License Fee and Accounts Receivable Branch at (301) 415-7554 or write to:

U.S. Nuclear Regulatory Commission  
ATTN: License Fee and Accounts Receivable Branch  
Mail Stop: T-9 E 10  
Washington, D.C. 20555-0001

### PAYMENT OF INVOICE

Immediate payment in full for the delinquent debt shown on the enclosed invoice should be mailed to the address shown on the invoice.

If payment of this debt in one lump sum represents an undue financial hardship, you may consider an installment payment plan (10 CFR Section 15.35). Installment plans require the assessment of interest and administrative charges. You must also furnish satisfactory evidence of your inability to pay this debt in full. For additional information concerning installment plans contact the NRC's License Fee and Accounts Receivable Branch.

### DELAYED, PARTIAL, OR NON-PAYMENT

If payment in full is not made within 30 days of the enclosed invoice date or an installment payment plan is not entered into within 30 days, the NRC will take action to collect this debt in accordance with 10 CFR Section 15.29 and 10 CFR Section 171.23. This may include the issuance of an order suspending your license and further actions to collect the debt as described below.

#### -- SUSPENSION OF LICENSE

The NRC will issue an order suspending or revoking any license or approval which the NRC has granted to you and will not process any further application or amendment unless all outstanding delinquent debts have been paid in full to the NRC.

#### -- DEBT COLLECTION ACTIONS

Within 60 days of the enclosed invoice date, the NRC will begin further actions to collect this delinquent debt. The NRC will refer its delinquent debts to the Department of the Treasury for appropriate debt collection action in accordance with the Debt Collection Improvement Act of 1996. In addition, delinquent accounts may be disclosed to a credit reporting agency or referred to the Department of Justice for litigation. Additionally, as the debtor, you are liable for all collection fees incurred with the collection of this debt.