



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

*recd 7/31/84
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JUL 27 1984

MEMORANDUM FOR: Michael T. Lesar, Acting Chief
Rules and Procedures Branch
Division of Rules and Records
Office of Administration

FROM: William O. Miller, Chief
License Fee Management Branch
Office of Administration

SUBJECT: REVIEW OF PROPOSED REVISION TO PART 35

We have reviewed the subject draft and have the following comments concerning the recovery of the Commission's licensing costs.

1. The discussion of the transition policy for general licensees on pages 17 and 18 of Enclosure 1 contains a statement that current general licensees who receive a specific license would not be assessed application or renewal fees as long as their programs are limited to the uses described in the current §35.31. As stated in our March 12, 1984 comments, waiving the amendment and renewal fees for existing general licenses that are converted to specific licenses from the effective date of the revised rule forward appears to be unfair. Since it is the Commission's policy to recover costs for services rendered to the extent possible, the converted licenses would be subject to the amendment and renewal fees specified in §170.31 of 10 CFR 170. Applicants for new specific licenses for these uses would be subject to the appropriate application fee.
2. The table on page 7 of Enclosure 4, the discussion of the cost of alternative 1 on page 21 of Enclosure 4, and the response to a comment on page 7 of Enclosure 8 refer to fee amounts from the March 23, 1978 schedule of fees. Section 170.31 of revised 10 CFR 170, which went into effect June 20, 1984, should be referred to for the current fees for materials licenses.

William O. Miller

William O. Miller, Chief
License Fee Management Branch
Office of Administration

Bill

Miller 2 01 84

May I ignore your comment:

① When the licensee got his license, it was with stipulation of no renewal fee.

② There is nothing to review at the time of renewal.

③ New applicants, who would have to pay the fee, would get lots more

④ It's all hypothetical because only about fifty are using the license.

He x'f'd me to Glenda Jackson. still call back.

- never called back

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Bill Miller LFMB

re incoming and draft response.

1. During comment period, Miller said ^{reason} clarify; he did not say "don't do this" therefore, I clarified.
2. Dorian's comments on my draft response have been incorporated.
3. Dorian supplied language to beef up the FRN on this matter.

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