

6/3/85

Gladstone Laboratories, Inc.
ATTN: Mr. Maurice G. Bolinger, Sr.
President
1034 Woodrow Street
Cincinnati, Ohio 45204

Gentlemen:

This refers to your May 15, 1985 letter concerning the inspection fee for License 34-01764-02 and informing the Commission that you wish to maintain the license in an inactive status.

In order to reflect the fact that you have suspended use of the sources and will only be storing them, it will be necessary to amend the license. Such action will downgrade the license for fee purposes from fee Category 3"0" to fee Category 3P of \$170.31 of the enclosed 10 CFR 170. Footnote 1(d) of \$170.31 states, in part, that "An application for amendment to a license or approval that would reduce the scope of the licensee's program to a lower fee category must be accompanied by the prescribed amendment fee for the lower fee category...." Accordingly, an amendment fee of \$60 is required as specified in fee Category 3P. Payment should be made to the U.S. Nuclear Regulatory Commission and mailed to the attention of Cheryl Phillips at our Washington, D.C. address. The \$60 fee is required prior to issuance of the amendment. When submitting the fee, please refer to CONTROL NUMBER 318991.

Your letter suggested that future inspections be delayed until your use of isotopes is reactivated. Please be informed, however, that licenses authorizing storage only are subject to routine health and safety inspections. So it is quite possible that while your program is inactive an inspection could be performed. Generally, the only way a licensee can avoid inspection is to dispose of the licensed material and terminate the license; but as long as a person holds an NRC license, the licensed activity, including storage only, is subject to inspection.

In the case of storage only licenses, the inspection fee (\$530) found in fee Category 3P would apply. Inspection fee charges for licenses in Category 3P are limited to one every three years, which means that, regardless of how often the licensed activity is inspected, the licensee can be charged for no more than one inspection in a three-year period. Please note that in the current fee schedule the inspection fee for radiography licenses in fee Category 3"0" has been reduced from \$980 to \$530; however, the frequency of inspection and billing therefor remains at "1 per year".

If you have any questions, please let us know. Upon receipt of the \$60 fee,

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Gladstone Lab., Inc.

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we will forward your request to the Licensing staff for processing.

Sincerely,

Glenda Jackson
License Fee Management Branch
Office of Administration

Enclosure:
10 CFR 170

DISTRIBUTION:
Pending Fee File
Weekly Reading File
Materials Reading File

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