



## DIAGNOSTIC HYBRIDS INC.

One President Street, Athens, Ohio 45701  
614/593-1784 Fax: 614/593-0186

November 20, 1991

Attention: Ms. Glenda Jackson  
U.S. Nuclear Regulatory Commission  
Washington, D.C. 20555

Dear Ms. Jackson:

For some months now, I have been trying to resolve the charges for our US NRC license. During a phone conversation last week with Ms. Cheryl Phillips, she suggested I send you this letter of explanation.

Background: Diagnostic Hybrids, Inc. is an independent company operating in the Ohio University Innovation Center, a small business incubator. We operate under two US NRC By-Product Material licenses, 34-01260-11 and 34-01260-12G which were issued to Ohio University since we rent space from them. Ohio University received two invoices (No.'s AM05184-91 and AM05185-91 for the respective licenses) on July 15, the first for \$4500 and the second for \$4100. These invoices were then passed on to me for handling and payment. In response to these invoices, I filed a license cancellation form for the 34-01260-12G license, an NRC form 526 for Small Entity Status and sent a check for \$1800 for the annual fee for the 34-01260-11 license. I have received Second and Final Notices with accumulated interest for payment of the remainder due (copies enclosed) for the license 34-01260-11. However, it is my contention that DHI is fully paid up for the year with the \$1800 check.

In discussing this problem with Ms. Phillips, she felt a description of DHI's relationship with O.U. would clarify the matter. The license, 34-01260-11, is issued to O.U. but is used solely by DHI for the manufacture, sale and distribution of radioiodinated products. Because our sales are well below the \$3.5 million limit, we are clearly a Small Entity and qualify for the lower, \$1800 fee. Apparently, we were erroneously billed \$4500 because if O.U. manufactured, sold and distributed these products, they would not qualify as a Small Entity.

I appreciate your help in clearing up this matter. If you need additional information, please don't hesitate to call me.

Sincerely,

James L. Brown  
Vice President, Development

JLB:skm

Enclosure

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