



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

PDR

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DOCKET NO. 70-371

NOV 08 1978

United Nuclear Corporation
ATTN: Mr. W. F. Kirk, Manager
Nuclear and Industrial
Safety Department
67 Sandy Desert Road
Uncasville, Connecticut 06202

Gentlemen:

This refers to your letter dated August 8, 1978 (NIS: 78-8-6), concerning the categorizing of materials license amendments.

When an application for amendment is submitted, it is sent to our Licensing staff for a determination of the amendment class (major or minor). An application involving only criticality evaluation would not necessarily be classified as a minor amendment since the deciding factor would be whether the criticality issue(s) is one that can be easily resolved, as called for in the definition of a minor amendment. For example, an application for amendment requiring extensive innovative changes in criticality safety criteria may not result in an easy resolution, and the application could be classified as a major amendment. Thus, an application for amendment involving only criticality evaluation, whether it covered one or several criticality issues, could be classified in either the major or minor amendment fee category, depending on the complexity of the issue(s).

In addition, if it is finally determined by our Licensing staff that the application will be processed as a minor safety amendment (for Categories 1A through 1G), an amendment fee of \$1,400 will be required. This is the maximum fee chargeable for a minor safety amendment even if the actual cost of the review exceeds \$1,400. As stated in Footnote 4 of Section 170.31, ".....in no event will the fee exceed that shown in the schedule of fees for materials licenses...". Therefore, if the cost of the review exceeds \$1,400, no additional fee would be charged; if the cost is less than \$1,400, a refund of the excess amount would be made by the Commission.

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We apologize for the delay in responding to your letter. We also have your letter dated October 11, 1978 (NIS: 78-10-17), which we will respond to shortly. If you have additional questions concerning this matter, please let us know.

Sincerely,

W. O. Miller

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

Enclosure:
10 CFR 170