

3006190

JAN 17 1992

Boeing Helicopters
Attn: N. J. Garrick, Manager
Industrial Hygiene
P.O. Box 16858
Philadelphia, PA 19142-0858

Gentlemen:

I am responding to your September 27, 1991, letter requesting an extension to the August 8, 1991, date for filing a termination request for License No. 37-08428-01 for purposes of avoiding the FY 1991 annual fees.

The bases for your request are: immediately upon receipt of the first invoice on July 16, 1991, you began investigating the feasibility of terminating your license; you surveyed various organizations of Boeing Helicopters to determine the impact of termination; you determined that your licensed activity could be handled under a general license; your termination request was filed before September 30, 1991.

The final rule revising 10 CFR 170 and 10 CFR 171 provided an opportunity for licensees who wished to relinquish their licenses and who were capable of permanently ceasing licensed operations by September 30, 1991, to avoid the FY 1991 Annual fee if the licensee notified the Commission in writing within the 30-day period prior to the effective date of the rule (56 FR 31475 and 31485; July 10, 1991). As stated in the Federal Register notice and the notice which was mailed with the invoice, the effective date of the rule was August 9, 1991. Your request for termination of License 34-08428-01 was dated September 12, 1991.

Based on the circumstances described in your letter, the Commission denies your request for an extension. Your request does not present any unique circumstances on which to justify an extension. Further the annual fee is to recover NRC's budget for the Fiscal Year 1991 which ended September 30, 1991. The license authorized your company to operate during FY 1991.

Sincerely,

Original Signed By:
James M. Taylor
James M. Taylor
Executive Director
for Operations

3-27-97

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JAN 17 1992

Distribution:

License File: 37-08428-01 *w/ inc.*
Materials Annual Fee Correspondence *w/ inc.*
Invoice File AM03016-9 *w/ inc.* **NU Docs/ RDR**
GJackson
DDandois *w/ inc.*
EBlack
JHolloway *w/ inc.*
JFunches
RSmith
OC-91-474
EDO
OC/DAF R/F
LFDCB R/F (2)
DWEISS

OFFICE:	LFDCB	LFDCB	DAF	DAF	OC
NAME:	GJACKSON	DEANDOIS	EBLACK	LHILLER	JHOLLOWAY
DATE:	11/17/91	12/16/91	1/17/91	1/1/91	12/23/91

OFFICE:	OC	OC	OC
NAME:	JFUNCHES	RSMITH	RSCROGGINS
DATE:	12/23/91	12/24/91	1/12/91

EDO
JTAYLOR
1/9/92

D. H. H.
NLG

29/B:BOEING

- o After all of the above steps were taken and then only after receiving a letter from our Corporate Office did we decide to terminate our license.


As you might imagine, the time to complete the above steps took us past the August 9th date. However, our termination letter was submitted prior to the September 30, 1991 date.

In accordance with the above, I am requesting that you delete the FY 1991 license fee billing to Boeing Helicopters based on our good faith effort to terminate our license in a sound and orderly fashion.

BOEING

Thank you for your understanding in this matter.

Sincerely,


N.J. Garrick, Manager
Industrial Hygiene

NJGpm/P51-02/x7510
Attachment