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DOCKET NUMBER
PROD. & UTIL. FAC. PR 150,170-171
(66FR 16982)

DOCKETED
USNRC

April 26, 2001

01 APR 26 P 4:35

Secretary
U.S. Nuclear Regulatory Commission
ATTN: Rulemakings and Adjudications Staff
11555 Rockville Pike
Rockville, MD 20852

OFFICE OF SECRETARY
RULEMAKINGS AND
ADJUDICATIONS STAFF

Dear Sir or Madam:

This is to comment on the proposed changes to Part 170 for the FY 2001 Fee Rule dated March 20, 2001, specifically Number 2 under "The most significant proposed changes to Part 171...", regarding not sending out the NRC Form 526 small entity certification form with each materials license annual fee invoice.

While the proposed action is trying to minimize the number of improperly filed certifications, the number of telephone calls requesting faxes of the small entity form would greatly increase, thus placing an unusually unfair burden upon the license fee analysts.

In the past, when an improperly filled out form has been received, a quick call to the hospital or entity has resolved the situation.

If the proposed action is initiated, licensees who filed in the past would telephone us asking where the form is, then if they had questions once they receive the form, they would call again.

A great many licensees do not read the information sent to them, specifically the proposed and final rule, therefore they would not know why the small entity form has not been included with the invoice and will not know where to get the invoice. The fact that the rule is not read by the majority of licensees is evidenced by the continuing number of refunds for renewals and amendments that have been processed for licensing actions by the analysts since renewal and amendment fees have been deleted from Part 170.31.

Sincerely,



Sandra Kimberley

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SECY-02