



January 12, 2007

Mr. Jesse L. Funches, CFO  
Office of the Chief Financial Officer  
US Nuclear Regulatory Commission  
Washington, DC 20555-0001

Subject: Request for Waiver of Invoices

Dear Mr. Funches:

This letter is to request a waiver of invoices for annual fees and an amendment fee. 3M was informed of these fees in the attached letter from Mr. Gordon Peterson of your office. In that letter he states that, due to an administrative error, 3M was not assessed annual fees for Fee Category 3P on 3M's 22-00057-61 license for years 2000 through 2006. The -61 license is a Fee Condition 3G license for our Brookings, SD facility. The license was amended in September of 1999 to add conditions allowing the use of two small, instrument calibration sources. 3M was not informed at that time that adding those sources would add Fee Condition 3P to the -61 license. Invoices for the amendment request and annual fees not assessed total almost \$18,000.

3M has a second license, 22-00057-03, which also applies to the 3M Brookings site and is a Fee Condition 3P license. Had 3M been aware of the fee to amend the -61 license, due to adding the 3P fee condition, we would have amended the -03 license instead. No amendment fee or additional annual fees would then have been required as the -03 license was already a Fee Condition 3P license.

Following a discussion of this matter with Mr. Peterson, 3M has submitted two amendment requests to the regional NRC office. We are requesting that the conditions allowing the instrument calibration sources be removed from the -61 license, restoring that license to being only Fee Condition 3G. We are further requesting that the condition allowing the instrument calibration sources be added to the -03 license, which is already a Fee Category 3P license. When those requests are acted upon, the -61 license will be a Fee Condition 3G license only.

As 3M could have avoided the original amendment of the -61 license had we been notified at the time that an amendment fee was required, we are requesting a waiver of the amendment fee and the annual license fees. Copies of the invoices received with Mr. Peterson's letters are attached.

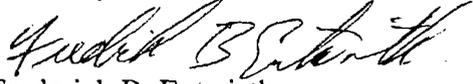
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Should you have questions concerning this request or require further information, please contact me at 651-736-0740.

Sincerely,

A handwritten signature in black ink, appearing to read "Frederick B. Entwistle". The signature is written in a cursive style with some loops and flourishes.

Frederick B. Entwistle  
Manager, Corporate Health Physics