

FEB 16 1979

Beth Israel Hospital
Department of Radiology
ATTN: Ronald T. Droege, Ph.D.
330 Brookline Avenue
Boston, Massachusetts 02215

Gentlemen:

This refers to your January 26, 1979 letter to Glenda Jackson of my staff, concerning the fee for renewal of License 20-00742-18.

In the license fee section of your renewal application, you indicated that the Hospital was exempt from fees, on the basis that it is a non-profit teaching hospital. As pointed out to you in our January 23, 1979 letter, the exemption in Section 170.11(a)(4) of Part 170, is intended to apply to nonprofit educational institutions who use radioisotopes for teaching, training or medical purposes. That exemption, however, is not applicable to medical institutions, including those medical institutions which are nonprofit and have teaching and training programs involving the use of radioisotopes. Also, the exemption in Section 170.11(a)(4) is not intended to apply to any institution which uses radioisotopes for the treatment of humans.

The Commission has not previously granted exemption from fees for licenses issued to medical institutions who use byproduct material for human use, including nonprofit medical or teaching institutions. Since other medical institutions holding similar licenses pay fees in accordance with Part 170, we believe it would not be in the public interest to grant an exemption from fees for your materials license. Per your request, we are enclosing copies of similar letters we have sent to other medical institutions who have teaching and training programs involving the use of radioisotopes.

You also wanted to know if our late receipt of the renewal fee would affect your license. Please note that Section 30.37(b) of Part 30 provides that where an application for renewal is filed in proper form thirty (30) days prior to the expiration date of the license, the existing license shall not expire until the application has been finally determined by the Commission. For license fee purposes we have considered your application as being timely filed and, upon receipt of the fee, we will forward your

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application to our Licensing staff for processing. Since License 20-00742-18 bears an expiration date of January 31, 1979, the Licensing staff will inform you of the status of your license and whether they have deemed your renewal application as being timely filed in accordance with §30.37(b).

Please let me know if you have further questions concerning fees.

Sincerely,

Signed, C. James Collopy, Sr.

per

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

Enclosures:

1. 10 CFR 170
2. Ltrs 10/18 & 10/30/73 to
Boston University &
Albert Einstein Medical
Centers, respectively.

DISTRIBUTION:

License Fee File
LFMB R/F (2)
License File (20-00742-18)
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