



RESPONSE TO FREEDOM OF INFORMATION ACT (FOIA) / PRIVACY ACT (PA) REQUEST

2008-0078

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RESPONSE TYPE FINAL PARTIAL

REQUESTER

Sean Chapel

DATE

JAN 25 2008

PART I. -- INFORMATION RELEASED

- No additional agency records subject to the request have been located.
- Requested records are available through another public distribution program. See Comments section.
- APPENDICES Agency records subject to the request that are identified in the listed appendices are already available for public inspection and copying at the NRC Public Document Room.
- APPENDICES Agency records subject to the request that are identified in the listed appendices are being made available for public inspection and copying at the NRC Public Document Room.
- Enclosed is information on how you may obtain access to and the charges for copying records located at the NRC Public Document Room, 11555 Rockville Pike, Rockville, MD 20852-2738.
- APPENDICES Agency records subject to the request are enclosed.
- Records subject to the request that contain information originated by or of interest to another Federal agency have been referred to that agency (see comments section) for a disclosure determination and direct response to you.
- We are continuing to process your request.
- See Comments.

PART I.A -- FEES

AMOUNT *

\$

* See comments for details

- You will be billed by NRC for the amount listed.
- None. Minimum fee threshold not met.
- You will receive a refund for the amount listed.
- Fees waived.

PART I.B -- INFORMATION NOT LOCATED OR WITHHELD FROM DISCLOSURE

- No agency records subject to the request have been located.
- Certain information in the requested records is being withheld from disclosure pursuant to the exemptions described in and for the reasons stated in Part II.
- This determination may be appealed within 30 days by writing to the FOIA/PA Officer, U.S. Nuclear Regulatory Commission, Washington, DC 20555-0001. Clearly state on the envelope and in the letter that it is a "FOIA/PA Appeal."

PART I.C COMMENTS (Use attached Comments continuation page if required)

The information you requested is publicly available at: www.gpoaccess.gov/fr/search.html.

Select a volume year. Type in quotes, "10 CFR Part 171." Click on the final fee rule in HTML. Once you open the fee rule document you can search using edit then find "device evaluation." The first find will display the application fee section for 3H (exempt distribution license) and the third find will display the annual fee section for 3H. Scroll down in each section to find the amounts for 9A (exempt device evaluation).

The information is also available at NRC's Electronic Reading Room at www.nrc.gov/reading-rm/doc-collection/cfr/fr/ from 1997 thru 2007. The fee rule is under Parts 170 and 171. If you need assistance in obtaining this information, please contact the NRC's Public Document Room (PDR) at 301-415-4737, or 1-800-397-4209, or by e-mail to pdr@nrc.gov

The FY2008 fee rule has not yet been published. The proposed rule will be published sometime in February and the final rule should be published by June and will be made publicly available.

The incoming FOIA/PA-2008-0078 request is located in ADAMS at ML080030035.

SIGNATURE - FREEDOM OF INFORMATION ACT AND PRIVACY ACT OFFICER

for Donna L. Sealing, Acting

2008-0078

1



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Donna L. Sealing, Acting

DISTRIBUTION--FOIA/PA Subject, Action Officer, FOIA/PA Officer, Other (Specify)

SHudson, CFO PDR

OFFICE ACTION OFFICER FOIA/PA OFFICER

NAME MRaphael DLSealing

DATE 1-25-08 2/25/08