

JAN 26 1979

DOCKET NO. 50-220

Niagara Mohawk Power Corporation  
ATTN: Mr. Donald P. Dise  
Vice President - Engineering  
300 Erie Boulevard West  
Syracuse, New York 13202

Gentlemen:

Your letter dated December 21, 1978, requested that the \$8,300 paid with your letter of November 7, 1978, in connection with your September 1, 1978 application, be refunded. Your basis for requesting the refund was that your September 1 request for approval of your proposed radwaste reduction system at Nine Mile Point Unit No. 1 should be categorized as fee Class III because it involves consideration of a single environmental issue and does not involve a license amendment. Our reason for requesting a Class IV fee on September 18, 1978, was because the radwaste reduction system you propose was determined to involve an extensive environmental impact appraisal. In addition, the proposed system is considered a complex issue. Thus, it is still our position that a Class IV fee is justified and appropriate. If after the final review of your proposed system is completed it is determined that it was incorrectly classified, you will be refunded any over-charges or billed for any additional amount due.

Reviews and approvals such as that proposed in your application dated September 1 are subject to the fees under 170.22 even though they do not always result in the issuance of a license amendment.

Sincerely,

Original Signed by  
Wm. O. Miller

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

7902050055

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Case

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