UNITED STATES
NUCLEAR REGULATORY COMMISSION
REGION IV
1600 EAST LAMAR BOULEVARD
ARLINGTON, TEXAS 76011-4511

August 15, 2018

James Finstad
Radiation Safety Officer
State of Montana
Department of Transportation
2701 Prospect Ave
P.O. Box 201001
Helena, MT 59620-1001

SUBJECT: CHANGES TO FEE CATEGORIES AND PROGRAM CODES BASED ON THE 2018 FEE RULE

Dear Mr. Finstad:

On June 25, 2018, the U.S. Nuclear Regulatory Commission (NRC) amended Title 10 of the *Code of Federal Regulations* (10 CFR) Sections 170.31 and 10 CFR 171.16 to add new subcategories for seven fee categories. Generally speaking, 10 CFR 170.31 and 10 CFR 171.16 assign the same fee to each licensee in the fee category, regardless of the number of locations of use that are authorized on the license. However, for some of these fee categories, the NRC staff determined that additional resources are required for licenses with six or more locations of use compared to licenses in the same fee category with fewer than six locations.

Therefore, the NRC revised its fee categories to include new subcategories, to more accurately reflect the cost of services provided by the NRC. This change resulted in subcategories for each of the seven fee categories listed below, based on the number of locations of use (e.g., subcategories for 1–5, 6–20, and more than 20 locations of use):

- Manufacturing broad scope licenses under fee category 3.A.
- Other manufacturing licenses under fee category 3.B.
- Medical product distribution licenses under fee category 3.C.
- Industrial radiography licenses under fee category 3.O.
- Other byproduct licenses (e.g., portable and fixed gauges, measuring systems) under fee category 3.P.
- Medical licenses under fee categories 7.A. and 7.B.

The final 2018 fee rule may be found on the NRC's public website at the following address: https://www.nrc.gov/about-nrc/regulatory/licensing/fees.html#fee

In addition, the NRC staff has developed new program codes for these new fee subcategories. The enclosure to this letter includes a crosswalk that maps the new program codes to the new fee subcategories.

Based on our review of the Location of Use license condition (typically Condition No. 10) on your license, we have determined that you have six or more locations of use and that your fee category and program code will change. Based on the information currently specified on your license, your fee category and program code will change from Fee Category 3P to 3P(1) and from Program Code 03121 to 04416. Location of use has been defined as the following:

1. An individual building or facility at one address.

2. A contiguous licensee-controlled geographic area, such as a campus or licensee-owned/operated/controlled business campus or park, is considered a single "location of use" and only one address is listed on the license. Sites that are not contiguous but are located in separate parts of a city, different city or state, are separate "locations of use" and separate addresses are listed on the license.

3. A temporary job site is not a "location of use." In addition, use of licensed materials at sea or on board a ship may be a separate location, specifically listed on the license, if it is a permanent job site. If use at sea is not a permanent location but is a temporary job site, then it is not a separate location and its address will not be listed on the license.

If the locations of use currently listed on your license are not accurate and need to be revised, please submit the new information regarding each location of use. Your license may be amended accordingly based on the information you provide. If you have any questions concerning this change, please contact Michelle Simmons at 817-200-1590.

In accordance with 10 CFR 2.390, a copy of this letter and its enclosure will be available electronically for public inspection in the NRC Public Document Room or from the NRC's Agencywide Documents Access and Management System (ADAMS), accessible from the NRC Web site at http://www.nrc.gov/reading-rm/adams.html.

Sincerely,

/RA/ RT for

Michael C. Hay, Chief
Materials Licensing and Inspection Branch
Division of Nuclear Materials Safety

License No. 25-11498-01
Docket No. 3005179

Enclosure:
As stated

bcc:
SMorris, ORA
TPruett, DNMS
LHowell, DNMS
MLIB

S:\DNMS\Lynn DOC\StateOfMontanaTemplate Letter to licenseees for FY18 Fee Rule Change Revised.docx
ADAMS ACCESSION NUMBER: ML18228A629

☒SUNSI Review:	ADAMS:	☐ Non-Publicly Available	☒Non-Sensitive	Keyword:
By: MRS5	☒ Yes ☐ No	☒ Publicly Available	☐ Sensitive	

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NAME	MRSimmons	MCHay				
SIGNATURE	*/RA/*	/RA/ RT for				
DATE	8/15/18	8/15/18				

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Program Code Description	1-5 Locations of Use		6-20 Locations of Use		More than 20 Locations of Use	
	Program Code	Fee Subcategory	Program Code	Fee Subcategory	Program Code	Fee Subcategory
Manufacturing and Distribution Broad–Type A	03211	3A	04010	3A(1)	04011	3A(2)
Manufacturing and Distribution Broad–Type B	03212	3A	04012	3A(1)	04013	3A(2)
Manufacturing and Distribution Broad–Type C	03213	3A	04014	3A(1)	04015	3A(2)
Manufacturing and Distribution Other	03214	3B	04110	3B(1)	04111	3B(2)
Manufacture, Assembly, Disassembly, Repair Of Products Containing Radium 226	03215	3B	04112	3B(1)	04113	3B(2)
Power Sources With Byproduct Material–Manufacturing & Distribution	22135	3B	04114	3B(1)	04115	3B(2)
Pacemaker-Byproduct Material–Manufacturing and Distribution	22162	3B	04116	3B(1)	04117	3B(2)
Nuclear Pharmacies	02500	3C	04210	3C(1)	04211	3C(2)
Medical Product Distribution–32.72 Prepared Radiopharmaceuticals	02511	3C	04212	3C(1)	04213	3C(2)
Medical Product Distribution–32.74 Sources and Devices	02513	3C	04214	3C(1)	04215	3C(2)
Industrial Radiography Fixed Location	03310	3O	04310	3O(1)	04311	3O(2)
Industrial Radiography Temporary Job Sites	03320	3O	04312	3O(1)	04313	3O(2)
Veterinary-Nonhuman Subjects	02400	3P	04410	3P(1)	04411	3P(2)
In-Vitro Testing Laboratories	02410	3P	04412	3P(1)	04413	3P(2)
Measuring Systems Fixed Gauges	03120	3P	04414	3P(1)	04415	3P(2)
Measuring Systems Portable Gauges	03121	3P	04416	3P(1)	04417	3P(2)
Measuring Systems Analytical Instruments	03122	3P	04418	3P(1)	04419	3P(2)
Measuring Systems Gas Chromatographs	03123	3P	04420	3P(1)	04421	3P(2)
Measuring Systems Other	03124	3P	04422	3P(1)	04423	3P(2)
Industrial Diagnostic Systems	03140	3P	04438	3P(1)	04439	3P(2)
Inspection Systems	03130	3P	04436	3P(1)	04437	3P(2)
Leak Test Service Only	03220	3P	04424	3P(1)	04425	3P(2)

Program Code Description	1-5 Locations of Use		6-20 Locations of Use		More than 20 Locations of Use	
	Program Code	Fee Subcategory	Program Code	Fee Subcategory	Program Code	Fee Subcategory
Instrument Calibration Services Only–Source Less Than Or Equal To 100 Curies	03221	3P	04426	3P(1)	04427	3P(2)
Instrument Calibration Services Only–Source Greater Than 100 Curies	03222	3P	04428	3P(1)	04429	3P(2)
Byproduct Material Possession Only–Permanent Shutdown	03800	3P	04430	3P(1)	04431	3P(2)
Byproduct Material Standby– No Operations	03810	3P	04432	3P(1)	04433	3P(2)
Power Sources With Byproduct Material	22130	3P	04434	3P(1)	04435	3P(2)
Teletherapy	02300	7A	04510	7A(1)	04511	7A(2)
Gamma Stereotactic Radiosurgery	02310	7A	04512	7A(1)	04513	7A(2)
Medical Institution Broad	02110	7B	04710	7B(1)	04711	7B(2)