

# REGULATORY DOCKET FILE COPY

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*Womiller*  
*Holloway*

JUL 23 1980

DOCKET NO. 50-228 \*

Aerotest Operations, Inc.  
 Attn: Mr. Richard L. Newacheck  
 President  
 3455 Fostoria Way  
 San Ramon, California 94583

Gentlemen:

By application dated April 11, 1980, your company applied for transfer of License No. R-98 (for your research reactor) from Aerotest Operations to Aerotest Operations Acquisitions. In a letter dated May 16, 1980, you withdrew the application for transfer.

Under the provisions of 10 CFR Part 170, fees are required for certain applications filed with the NRC for review, and this office has the responsibility for the collection of these fees. Sections 170.12(c) and 170.22 require that companies determine the fee class and/or classes for applications, state the basis therefor, and remit the determined fees with the applications. Pursuant to 170.12(a), the applicant retains fees for withdrawn applications. However, if an application is withdrawn before any NRC review commences, the fees paid are generally refunded.

Based on information provided by the NRC staff, it is our understanding that review of the April 11 application was started before it was withdrawn by your letter dated May 16. On this basis and consistent with the requirements of 10 CFR 170, a fee is required for your application. The application was considered to be administrative in nature; therefore, it requires a Class II fee of \$600. It is requested that your company promptly remit the sum of \$600 to this office. Fees are payable to the U.S. Nuclear Regulatory Commission and should be paid by check, draft or money order.

A copy of the Revisions to 10 CFR 170 which were published in the Federal Register on February 21, 1978, that became effective on March 23, 1978, and a complete copy of Part 170 are enclosed for your information. As you will note, prior to March 23, 1978, fees were not required for license amendments and other approvals such as that requested in your April 11 application. If this office can be of any assistance, call 301/492-7225.

Sincerely,

Signed C. James Holloway, Jr.

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

8008060048

OFFICE  
 Enclosures:  
 Rev. Mod. Part 170 & Part 170  
 DATE

LFMB:ADM  
 RMD:ges:ba  
 7/23/80

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