

REGULATORY DOCKET FILE COPY

AUG 19 1980

DOCKET NO. 50-309

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Maine Yankee Atomic Power Company
 Attn: Mr. Robert H. Groce
 Senior Engineer - Licensing
 25 Research Drive
 Westborough, Massachusetts 01581

Gentlemen:

We have received a copy of your application dated May 20, 1980, which you filed with the Office of Nuclear Reactor Regulation (ONRR) for review. The application (submitted as Proposed Change No. 76) relates to clarification of the term "operable" for your Maine Yankee facility. A fee pursuant to 10 CFR 170.12(c) was not remitted because your Company determined that the application is exempt from fees since it was requested by an April 10, 1980 USNRC letter.

When applications for license amendments or other approvals are requested by the USNRC for the purpose of enhancing the safe operation of a nuclear facility or to correct a problem or potential problem relating to operation (such as assuring safety system availability, and performance and/or procedures), they are not exempt from the fee requirements of 10 CFR 170.22 unless specifically ordered by the USNRC pursuant to 10 CFR 2.204. On this basis, licensees are being requested to pay fees for the applications in response to the April 10 letters.

Based on information provided by the ONRR staff as a result of a preliminary review of your proposed change, it has been determined that it involves consideration of an administrative issue. As such, your May 20 application requires a Class II fee of \$1,200. It is requested that your Company remit this amount to our office promptly. If the final review of your application by the ONRR staff reveals that this fee is incorrect, an adjustment will be made.

Sincerely,

Signed, G. James Holloway, Jr.

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

cc: Mr. Elvin W. Thurlow
 President
 Maine Yankee Atomic Power Company
 Edison Drive
 Augusta, Maine 04336

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