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OFFICE OF SECRETARY
DOCKETING & SERVICE
BRANCH

DOCKET NUMBER
PROPOSED RULE **PR 170**
(54FR49763)

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January 16, 1990

Secretary
U.S. Nuclear Regulatory Commission
Washington, D.C. 20555

Attn: Docketing and Service Branch

Re: Proposed Rule "Revision of Fee Schedules: Radioisotope Licenses and Topical Reports"

Dear Sirs:

The referenced proposed rule has been reviewed and we submit the following general statements.

As an Agreement State, we have long maintained an interest in NRC fee structures because, like most Agreement States, we are dependent in part on fee collection to support program activities. Past considerations by the NRC to reduce or eliminate fees for radioisotope licensees created significant concern because of the potential damage this action could cause to Agreement State fee structures. Therefore, we are supportive of the proposed revision in that it appears to strengthen the fee schedule for a large number of licensees and for the categories of licensees regulated by the states. It is appropriate that all users of radioactive materials share the costs of ensuring that those materials are used correctly and that the public health and safety and the environment are protected.

If it is understood that exemptions to fees are necessary and those suggested in this proposal appear to be appropriate. We do caution that any proposed exemption continue to be carefully considered. In this vein, there is concurrence that the exemptions proposed in Paragraph (a)(4) be limited to non-profit educational institutions.

Thank you for the opportunity to comment on the proposed rule.

Sincerely,

Greta U. Dicus, Director
Division of Radiation Control & Emergency Management

cc: Carlton Kammerer

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