



UNITED STATES
NUCLEAR REGULATORY COMMISSION
WASHINGTON, D. C. 20555

March 5, 1993

Patty Russell
P.O. Box 83
Green Acres, Washington 99016

Dear Ms. Russell:

I am responding to your letter dated November 22, 1992, requesting waiver of the annual fee for License No. IDA-298 issued to Quadrant Technical Services (Invoice Nos. AM08786-91 and AM06900-92).

The bases for your request are: 1) you do not possess a nuclear license at this time; 2) it was your understanding that if you did not pay the federal fee when your Idaho license rolled over to NRC, it would just expire; 3) since you did not possess a Troxler nuclear densometer and could not afford the federal fee, this seemed the logical recourse; 4) through all your conversations with the Idaho regulatory office, the NRC in Texas, and the NRC in Washington, D.C., no one told you that you would be liable for the fee even though you never requested a federal license; 5) you requested and received a nuclear license through the NRC, but always worked directly for contractors; 6) when you started working for Morgen & Oswood Construction they wanted a Troxler nuclear densometer and since they did not have a nuclear license, you purchased the Troxler under your license; 7) you did the paperwork to get their Idaho license and transferred ownership of the Troxler to them; 8) you then terminated your federal license on October 30, 1990; 9) you wanted to keep an active license just in case you needed the leverage to get another job, so you acquired an Idaho license; and 10) when Idaho turned over the regulation of nuclear power to the federal government, and the fees were going to be assessed for the licenses, you decided that you could not afford the luxury of having the Idaho license.

You also state in your letter that you tried to get documentation regarding all of your phone calls to the different agencies asking for information, but Morgen & Oswood Construction's offices are in Montana and you are in Washington, and no one knew where the files from that job were stored.

The final rule revising 10 CFR Part 170 and 10 CFR Part 171 provided an opportunity for licensees who wished to relinquish their licenses and who were capable of permanently ceasing licensed operations by September 30, 1991, to avoid the FY 1991 annual fee if the licensee notified the Commission in writing within the 30-day period prior to the effective date of the rule (56 FR 31475 and 31485; July 10, 1991). As stated in the Federal Register notice, and the notice which was mailed with the invoice, the effective date of the rule was August 9, 1991.

As stated in the final revision to the Commission's fee regulations in 10 CFR Parts 170 and 171 for FY 1992, which was published in the Federal Register

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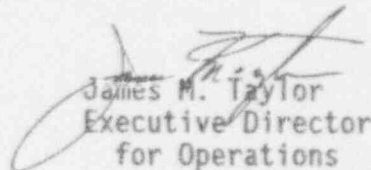
July 23, 1992, the Commission exempted from the FY 1992 annual fee those licensees and holders of certificates, registrations and approvals who either filed for termination or for a possession only/storage license during the period October 1, 1991, through December 31, 1991.

License IDA-298 was terminated on June 2, 1992, in accordance with your March 26, 1992, request. You stated in your March 26, 1992, letter that you did not possess any radioactive material under the license.

Based on the information provided in your November 22, 1992, letter, the Commission: 1) grants an extension to the time to file for termination of License IDA-298 to March 26, 1992; 2) acknowledges that you did not possess any nuclear material under License IDA-298 at the time it was transferred to NRC; and 3) considers your actions timely for purposes of avoiding the FY 1991 and FY 1992 annual fees.

Invoice Nos. AM08786-91 and AM06900-92 will be cancelled.

Sincerely,


James M. Taylor
Executive Director
for Operations

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Sincerely,

Original signed by
James M. Taylor

James M. Taylor
Executive Director
for Operations

DISTRIBUTION:

10 CFR 171 Exemption File FY 1992 (w/orig. inc.)
License File IDA-289 (w/copy inc.)
Materials Annual Fee Correspondence File (w/copy inc.)
Invoice File AM08786-91; AM06900-92 (w/copy inc.)
NUDOCS (ML61) (w/copy inc.)
PDR
GJackson
DDandois
EBlack
DWeiss
JHolloway (w/copy inc.)
GFehst
EDO
OC-92-556
DAF R/F
LFDCB R/F (2)
LTremper (add this name if cancelling invoice and/or issuing refund)
LF 92-493

OFFICE: LFDCB:mac
NAME: GJACKSON
DATE: 2/25/93

LFDCB:SP
DDANDOIS
2/25/93

DAF SL
EBLACK
2/1/93

DAF DBD
LHILLER
2/26/93

OFFICE: OC
NAME: JHOLLOWAY
DATE: 2/24/93

OC
JFUNCHES
2/26/93

OGC OR for TCR
TROTHCHILD
2/14/93

OFFICE: OC
NAME: RSCROGGINS
DATE: 2/26/93

EDO
JTAYLOR
2/26/93