



UNITED STATES  
NUCLEAR REGULATORY COMMISSION

WASHINGTON, D.C. 20555-0001

April 11, 1994

Washtenaw Engineering Company  
ATTN: W. F. Lewis, President  
P.O. Box 1204  
3250 West Liberty Road  
Ann Arbor, Michigan 48106

Gentlemen:

I am responding to your letters of August 31, 1993, October 4, 1993, and November 1, 1993, in which you seek relief from payment of annual fee invoice No. AM05059-93 for License 21-26064-01.

Footnote 1 of 10 CFR 171.16 provides that the annual fee is waived where a license is terminated prior to October 1 of each fiscal year. The NRC has exempted from the FY 1993 annual fee those licensees, and holders of certificates, registrations, and approvals who either filed for termination of their licenses or approvals or filed for possession only/storage only licenses prior to October 1, 1992, and were capable of permanently ceasing licensed activities entirely by September 30, 1992. An amendment request filed after October 1 of each fiscal year to cancel a license does not cancel the annual fee invoice.

The bases for your request are: (1) your August 31, 1993, letter enclosed an October 16, 1992, letter to Seaman Nuclear which accompanied the return of your licensed gauge to them at that time; (2) you do not believe you should have to pay for a piece of equipment that is not in use; (3) your November 1, 1993, letter states that the licensed equipment had not been in use for at least 90 days prior to shipment on October 23, 1992; and (4) you request either a 23 day proration or no fee at all.

On October 6, 1993, we responded to your August 31, 1993, letter and stated that your October 23, 1992, termination request was not timely filed for purposes of avoiding the FY 1993 annual fee. However, based on the additional information provided in your letter of November 1, 1993, the Commission: (1) grants an extension of time to file for termination to October 23, 1992, for purposes of avoiding the FY 1993 annual fee; (2) acknowledges you ceased licensed activities by September 30, 1992; and (3) acknowledges License 21-26064-01 was terminated November 20, 1992, based on your NRC 314 dated October 23, 1992. Invoice AM05059-93 has been cancelled.

However, we note you also have not paid Invoice AM04783-92 for the FY 1992 annual fee. The amount currently due through April 20, 1994, is \$2,906.96 which includes interest, administrative charges and penalty. A forecast report is enclosed. Also enclosed is an NRC Form 526, Certificate of Small Entity Status. If you qualify, you would be able to pay a reduced fee. Please process payment immediately to avoid additional charges.

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Washtenaw Engineering Company

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If you have any questions about the Certificate of Small Entity Status, please contact Doug Weiss at (301) 492-7716.

Sincerely,

Original signed by  
James M. Taylor

James M. Taylor  
Executive Director  
for Operations

Enclosures:

1. Forecast Report
2. NRC Form 526

DISTRIBUTION:

10 CFR 171 Exemption File (w/orig. inc.)  
License File 21-26064-01 w/cy of back-up  
Materials Annual Fee Correspondence File  
Invoice File AM05059-93 w/cy of back-up  
NUDOCS (ML61) w/copy inc.  
CJHolloway (w/copy inc.)

GJackson  
DDandois  
EBlack  
DWeiss  
PDR  
OC-93-499

GFehst, OGC  
EDO  
LFDCB R/F (2)  
DAF R/F  
LTremper (2)  
LF-92-944

LFDCB

DDandois  
3/26/94

LFDCB

GJackson  
3/26/94

LFDCB

DWeiss  
3/28/94

LFDCB

LTremper  
3/26/94

DAF

EBlack  
3/28/94

DAF

LHiller  
3/28/94

OC

CJHolloway  
3/28/94

OC

JFunches  
3/4/94

OC

RSchoggins  
4/5/94

OCG MR for SPR EDO

TRothschild JTaylor  
3/20/94 1/94

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