



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

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MAR 26 1982

MEMORANDUM FOR: Daniel J. Donoghue, Director  
Office of Administration

FROM: Richard E. Cunningham, Director  
Division of Fuel Cycle and Material Safety  
Office of Nuclear Material Safety and Safeguards

SUBJECT: PROPOSED LICENSE FEE SCHEDULE REVISION

The enclosed schedule is provided to establish certain material licensing fees. It provides the average professional staff time (APST) determined for processing material licensing applications. The average time was derived from computerized data input for calendar years 1981 and 1982, along with the estimates provided by nine senior technical reviewers who average more than twenty years of experience involving material licenses. The APST are based on current radiation protection requirements. These requirements have changed markedly since the 1977 fee schedule estimates were established. Lessons learned from TMI instigated the need for a more comprehensive review of ALARA programs, and environmental and occupational controls. Such requirements have led to an increase in APST for reviewing many types of applications.

The categories provided in these 1982 projections have been expanded in some cases to more clearly define the types of licenses for fee purposes. For example, other source material licenses, listed as 2.D in the 1977 schedule of fees of Part 170.31, has been subdivided into four groups to better reflect APST spent on distinct categories. Note that 3.G of Part 170.31 deals with distribution to persons generally licensed under Parts 31 or 35. In the past, the fee was based solely on the safety review. It did not include the specialized staff time spent on device review. The new schedule provides for 28 hours APST for the device review involved in these applications. Similarly, for 3.H of Part 170.31 of the fee schedule which deals with exempt distributions, eight hours APST for the device has been added to the safety review.

Broad licenses now take considerably more time to review than that previously projected because of additional requirements referred to earlier in this report. For example, licenses authorizing the processing or manufacture and distribution of radiopharmaceuticals containing byproduct material show an APST increase for the review of new, renewal and amendment applications of 19 hours, 20 hours, and three hours respectively in the new schedule. Because of the many changes that occurred in this category over a five year period, the renewal review takes the same amount of time as the new license review, and the APST for amendments averaged four hours.

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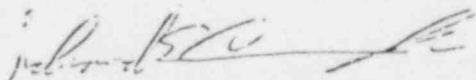
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The two industrial radiography categories have been combined into one category because the time required for review of applications is approximately the same regardless of whether use is at one location or temporary job sites.

The differing complexities of the facility review for licenses to possess and use less than 10,000 curies in sealed sources versus more than 10,000 curies in sealed sources for irradiation of materials where the source is exposed for irradiation purposes is reflected in the new schedule.

For those fee categories, identified by asterisks, which are new or for which an insufficient number of applications have been reviewed to adequately establish an APST for review, the fee will be assessed on an actual time. As was stated in the January 20, 1982 memorandum from John Davis to Daniel Donoghue on the subject of the proposed license fee schedule revision, it is still our opinion that material license fees, as a class, should not be based on actual costs. Such an actual cost program would significantly increase the administrative burden on NMSS. However, this is not true for the fee categories for which we are recommending fees based on an actual time basis. There will be few applications in these categories and the time needed to review these applications will be of a duration such that the maintenance of records to accurately reflect actual time spent in review will be readily accomplished.

If there are any questions regarding the enclosed schedule you may call Bernard Singer (427-4236) for clarification.



Richard E. Cunningham, Director  
Division of Fuel Cycle and  
Material Safety  
Office of Nuclear Material  
Safety and Safeguards

Enclosure:  
Proposed Fee Schedule

SCHEDULE OF AVERAGE PROFESSIONAL STAFF TIME FOR MATERIAL LICENSES

Category of Material Licenses	Type of License	Hours
<u>Special Nuclear Material</u>		
Licenses for possession and use of special nuclear material in sealed sources contained in devices used in industrial measuring systems.	1c New License Renewal Amendment	4 2 1
Other special nuclear material licenses, except licenses authorizing special nuclear material in sealed form in combination that would constitute a critical quantity as defined in § 150.11 of Part 150.	1d New License Renewal Amendment	6 6 2
<u>Source Material</u>		
Licenses for possession of source material for shielding.	2b New License Renewal Amendment	1 1 1
Licenses for possession of source material for testing of military applications.	New License Renewal Amendment	20 8 4
Licenses for processing of ores containing source material for extraction of metals other than uranium or thorium.	New License Renewal Amendment	* * *
Licenses to be based on actual time.		
Other source material licenses.	2c New License Renewal Amendment	6 4 2
<u>Byproduct Material</u>		
Licenses of broad scope for possession and use of byproduct material issued pursuant to Parts 30 and 33 of this chapter for processing or manufacturing of items containing byproduct material for commercial distribution to specific licensees.	3a New License Renewal Amendment	20 12 2
Licenses for possession and use of byproduct material issued pursuant to Part 30 of this chapter for processing or manufacturing of items containing byproduct material for commercial distribution to specific licensees.	3b New License Renewal Amendment	8 8 2

SCHEDULE OF AVERAGE PROFESSIONAL STAFF TIME FOR MATERIAL LICENSES

Category of Material Licenses	Type of License	Hours
Licenses issued pursuant to § 32.72 and/or 32.73 of Part 32 of this chapter authorizing the processing or manufacture and distribution of radiopharmaceuticals, generators, and/or reagent kits containing byproduct material. <sup>CAT</sup> 3C	New License Renewal Amendment	24 24 4
Licenses issued pursuant to § 32.72 and/or 32.73 of Part 32 of this chapter authorizing distribution of radiopharmaceuticals, generators, and/or reagent kits not involving processing of byproduct material. 3D	New License Renewal Amendment	12 12 2
Licenses of byproduct material issued pursuant to Part 34 of this chapter for industrial radiography operations. 3O	New License Renewal Amendment	12 12 4
Licenses for possession and use of byproduct material in sealed sources for irradiation of materials where the source is not removed from its shield (self-shielded units). 3E	New License Renewal Amendment	4 3 2
Licenses for possession and use of less than 10,000 curies of byproduct material in sealed sources for irradiation of materials where the source is shielded for irradiation purposes. 3F	New License Renewal Amendment	10 6 4
Licenses for possession and use of more than 10,000 curies of byproduct material in sealed sources for irradiation of materials where the source is exposed for irradiation purposes. 3G	New License Renewal Amendment	40 16 4
Licenses issued pursuant to subpart B of Part 32 of this chapter to distribute items containing byproduct material which require sealed source and/or device review to persons generally licensed under Parts 31 or 35 of this chapter, except specific licenses authorizing redistribution of items which have been authorized for distribution to persons generally licensed under Parts 31 or 35 of this chapter. 3J	New License Renewal Amendment	20* 12* 4*

The total fee will be based on the hours specified plus the hours required for sealed source and/or device review. (See hours needed for sealed source and device review.)

SCHEDULE OF AVERAGE PROFESSIONAL STAFF TIME FOR MATERIAL LICENSES

Category of Material Licenses	Type of License	Hours
<p><sup>cut</sup> Licenses issued pursuant to subpart B of Part 32 of this chapter to distribute items containing byproduct material or quantities of byproduct which do not require sealed source and/or device review to persons generally licensed under Parts 31 or 35 of this chapter. <sup>3K</sup></p>	<p>New License Renewal Amendment</p>	<p>5 4 1</p>
<p>Licenses issued pursuant to subpart A of Part 32 of this chapter to distribute items containing byproduct material which require device review to persons exempt from the licensing requirements of Part 30 of this chapter. <sup>3H</sup></p>	<p>New License Renewal Amendment</p>	<p>10* 4* 2*</p>
<p>The total fee will be based on the hours specified plus eight hours for the device review.</p>		
<p>Licenses issued pursuant to subpart A of Part 32 of this chapter to distribute items containing byproduct material or quantities of byproduct material which do not require device evaluation to persons exempt from the licensing requirements of Part 30 of this chapter. <sup>3Y</sup></p>	<p>New License Renewal Amendment</p>	<p>5 4 1</p>
<p>Licenses of broad scope for possession and use of byproduct material issued pursuant to Parts 30 and 33 of this chapter for research and development and/or academic purposes which do not authorize commercial distribution. <sup>3L</sup></p>	<p>New License Renewal Amendment</p>	<p>20 10-20 3 <i>changed from 10-15 to 10-20</i></p>
<p>Other licenses for possession and use of byproduct material issued pursuant to Part 30 of this chapter for research and development and/or academic purposes which do not authorize commercial distribution. <sup>3M</sup></p>	<p>New License Renewal Amendment</p>	<p>12 8 2</p>
<p>Other specific byproduct material licenses, except those in the categories specified below. <sup>3P</sup></p>	<p>New License Renewal Amendment</p>	<p>4 4 1</p>
<p>Licenses which authorize services for other licenses, except for leak testing. <sup>3N</sup></p>	<p>New License Renewal Amendment</p>	<p>16 16 2</p>
<p>Licenses which authorize leak testing services for other licensees. <sup>3P</sup></p>	<p>New License Renewal Amendment</p>	<p>4 4 1</p>

SCHEDULE OF AVERAGE PROFESSIONAL STAFF TIME FOR MATERIAL LICENSES

Category of Material Licenses	cut	Type of License	Hours
Licenses specifically authorizing the receipt of waste byproduct material, source material, or special nuclear material from other persons for the purpose of packaging or repackaging the material. The licensee will dispose of the material by transfer to another person authorized to receive or dispose of the material.	4B	New License Renewal Amendment	24 16 6
Licenses specifically authorizing the receipt of waste byproduct material, source material, and/or special nuclear material from other persons for treatment or disposal by incineration; packaging of residues resulting from incineration; and transfer of packages containing residues to another person authorized to receive or dispose of waste materials.	4D	New License Renewal Amendment	* * *
This is a new category. Fee should be on an actual time basis until time frames can be established.			
Licenses specifically authorizing the receipt of repackaged waste byproduct material, source material, or special nuclear material from other persons. The licensee will dispose of the material by transfer to another person authorized to receive or dispose of the material.	4C	New License Renewal Amendment	16 8 2
Licenses specifically authorizing use of byproduct material and/or special nuclear material for well logging, well surveys, and tracer studies other than field flooding tracer studies.	5A	New License Renewal Amendment	12 12 3
Licenses specifically authorizing use of byproduct material for field flooding tracer studies.	5B	New License Renewal Amendment	* * *
Fee to be based on actual time.			
Nuclear laundries; Licensees for commercial collection and laundry of items contaminated with byproduct material, source material, or special nuclear material.	6A	New License Renewal Amendment	12 12 3
Licenses issued pursuant to Parts 30, 40, and 70 of this chapter for human use of byproduct material, source material, or special nuclear material in sealed sources contained in teletherapy devices.	7A	New License Renewal Amendment	10 6 4

SCHEDULE OF AVERAGE PROFESSIONAL STAFF TIME FOR MATERIAL LICENSES

Category of Material Licenses	Type of License	Hours
<p><sup>ca</sup> <sup>7b</sup> Licenses of broad scope issued pursuant to Parts 30, 33, 35, 40 and 70 of this chapter authorizing research and development including human use and non-human use of byproduct material, except licenses for byproduct material, source material, or special nuclear material in sealed sources contained in teletherapy devices.</p>	<p>New License Renewal Amendment</p>	<p>20 20 3 <i>checked renewed 4/12/82 to BS. n. y.</i></p>
<p><sup>7c</sup> Other licenses issued pursuant to Parts 30, 35, 40 and 70 of this chapter for human use of byproduct material, source material, and/or special nuclear material, except licenses for byproduct material, source material, or special nuclear material in sealed sources contained in teletherapy devices.</p>	<p>New License Renewal Amendment</p>	<p>10 10 4</p>
<p><sup>8a</sup> Civil Defense: Licenses for possession and use of byproduct material, source material, or special nuclear material for civil defense activities.</p>	<p>New License Renewal Amendment</p>	<p>5 4 1</p>
<p><sup>9a</sup> Safety evaluation of devices or products containing byproduct material, source material, or special nuclear material, except reactor fuel devices and devices or products distributed to general licensees or persons exempt from the requirements for a license pursuant to Parts 30, 40, and 70 of this chapter.</p>	<p>New License Amendment</p>	<p>28 10</p>
<p><sup>9b</sup> Safety evaluation of sealed sources containing byproduct material, source material, or special nuclear material except: (1) reactor fuel, (2) sealed source distributed to general licensees or persons exempt from the requirements for a license pursuant to Parts 30, 40, and 70 of this chapter.</p>	<p>New License Amendment</p>	<p>6 2</p>