

MARIAN COLLEGE
INDIANAPOLIS

August 13, 1993

License Fee and Debt Collection Branch
Office of the Controller
United States
Nuclear Regulatory Commission

To Whom It May Concern:

This is the response to your notice, which is not dated, received August 12, 1993, informing us that the NRC now requires a payment of \$5,720.00 for the leasing of nuclear material under License 13-08888-012 to Marian College.

As you state in your notice: "Because nonprofit educational institutions are being billed for the first time for annual fees . . . they are being afforded the same opportunity to file requests for termination and avoid the FY 1993 annual fee as other licensees . . . Nonprofit educational institutions . . . who are capable of permanently ceasing licensed activities entirely by September 30, 1993, must, within the 30-day period before the effective date of the rule (August 19, 1993), notify the Commission in writing in accordance with . . . as appropriate." As stated above, this notice was received on August 12, 1993, not thirty days before the effective date of August 19, 1993. To obtain more information and to request an explanation of how we were to comply given the very late arrival of this notice, Dr. Joseph R. Dell'Aquila, Associate Professor of Physics and Chair of the Department of Chemistry and Physics, contacted your office at 8:45 AM, August 13, 1993. He was told that your office would get back to him within days, further delaying our ability to respond to this notice.

We wish in this letter to point out the following:

- 1) We were not given thirty days to respond to this notice.
- 2) During this past week, Dr. Lois M. Friedman, O.S.F., Dean for Academic Affairs, and Dr. Joseph R. Dell'Aquila, Associate Professor of Physics and Chair of the Department of Chemistry and Physics, met to discuss permanently ceasing licensed activities, and the decommissioning of this source. It was our opinion that Marian College should do this. However, Reverend Leopold Keffler, O.F.M. Conv., Associate Professor of Biology, is the only authorized user listed in item

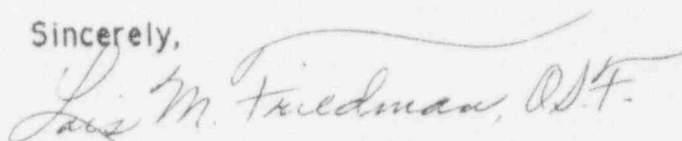
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12. of the Materials License, and we could not proceed with any action until he was consulted. It will not be possible to meet with him before Monday, August 16, 1993, the first day of this academic year, since he is out of town at the present time. Therefore, we would have, at most, the period from August 16 to August 18, 1993, to respond before August 19, 1993. This is obviously unreasonable.

We request at least thirty days from today's date of August 13, 1993 to draft a reply to your notice. We can not afford to keep the source and we need more time and information to plan for the removal of the source.

Thank you.

Sincerely,



Dr. Lois M. Friedman, O.S.F.
Dean for Academic Affairs



Dr. Joseph R. Dell'Aquila
Associate Professor of Physics