

OCT 4 1982

Docket No. 50-513

MEMORANDUM FOR: Elinor G. Adensam, Chief  
Licensing Branch No. 4, DL

FROM: William O. Miller, Chief  
License Fee Management Branch  
Office of Administration

SUBJECT: WASHINGTON PUBLIC POWER SUPPLY SYSTEM'S TERMINATION  
OF OPERATING LICENSE REQUEST FOR WNP-4

On November 18, 1981, the Washington Public Power Supply System (WPPSS) tendered an application for operating licenses (OL) for WNP 1 and WNP-4. By letter dated February 1, 1982, WPPSS informed NRC that they were terminating Unit Nos. 4 and 5 and selling them intact to new owners or, as an alternative, selling component parts, etc.

Since WPPSS filed an OL application requesting review for Unit No. 4 and has now terminated the request, 10 CFR 170 requires the collection of fees for the professional staff hours and contractual costs expended on the withdrawn application. For an OL applicant case, the staff hours and contractual costs are collected from the date of issuance of the construction permit through the withdrawal of the OL application. On this basis, it would appear that we can now collect the staff hours and contractual costs for WNP-4 for which CPPR-174 was issued on February 21, 1978. It is our understanding that an application for an OL had not been tendered for WNP-5 when the February 1 letter was filed. Therefore, no fees can be assessed for WNP-5.

The purpose of this memorandum is to ascertain the following information so that we can determine whether review costs should be collected now or at such time as the NRC efforts leading to termination of the construction permit or to otherwise totally close out WNP-4 are completed:

1. What type of response will NRR make to the February 1, 1982 WPPSS letter (e.g., will a notice of termination/ withdrawal have to be issued)?
2. What time limitation will NRR place on WPPSS for accomplishing Phase One (sell intact to new owner) before pursuing Phase Two (sell component parts, etc.)?
3. Please provide an estimate concerning the amount of NRR effort (professional staff hours and contractual costs) to close out WNP-4.

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As you are perhaps aware, the NRC lost its case on collecting fees for applications withdrawn before November 6, 1981. However, we can collect review costs for those applications which are withdrawn, terminated, denied, suspended or deferred on or after November 6, 1981. Consequently, we plan to collect the staff hours and contractual costs from all reviewing offices (e.g., NRR, I&E) and subsequently send an invoice to WPPSS to collect for the cost of reviewing the OL application for WNP-4.

Your timely response to this memorandum would be appreciated. If we can provide clarifying or other information on this case, call extension 27225.

Sincerely,

Original Signed by  
Wm. O. Miller

William O. Miller, Chief  
License Fee Management Branch  
Office of Administration

cc: Ron Hernan, LB-4  
Marilee Duncan, LB-4

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