

UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

In the Matter of
Ebasco Construction, Inc.
Suite 1010
143 Union Blvd.
Lakewood, CO 80228

Byproduct Material License
05-26940-01

ORDER TERMINATING PROCEEDING

I

Ebasco Construction, Inc., Suite 1010, 143 Union Blvd., Lakewood, CO 80228 (the "licensee") is the holder of Byproduct Material License 05-26940-01 ("the license") issued by the Nuclear Regulatory Commission ("the Commission"). The license authorizes the possession and use of byproduct material under certain conditions specified therein. The license was originally issued on April 26, 1988. The present expiration date of the license is April 30, 1993.

II

On September 22, 1988, the licensee's activities, authorized by License 05-26940-01 and located at Suite 1010, 143 Union Blvd., Lakewood, CO 80228, were inspected by a representative(s) of the NRC Region IV Office for health and safety purposes. On February 5, 1990, the Commission sent Invoice 0718E to the licensee requesting payment within 30 days of the inspection fee of \$530 required by 10 CFR 170 of the Commission's regulations. A second notice of payment due was sent to the licensee on March 23, 1990. A final notice of payment due was sent to the licensee on April 26, 1990. The fee remained unpaid.

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Consequently, on December 13, 1990, the Director, Division of Accounting and Finance, Office of the Controller, issued an Order to Show Cause ("the Order", directing the licensee to show cause why the license should not be revoked permanently. As an alternative to filing an answer, the Order provided that, if payment of the fee was made within 20 days of the date of receipt of the Order, the Commission would issue a subsequent Order terminating the revocation proceeding. In response to the Order, the licensee followed this alternative procedure and paid the inspection fee.

III

Accordingly, in view of the payment of the inspection fee under the terms of the Order and, pursuant to the Commission's "Rules of Practice" in 10 CFR Part 2, IT IS HEREBY ORDERED THAT:

This proceeding is terminated.

FOR THE NUCLEAR REGULATORY COMMISSION

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H. Lee Hiller, Director
Division of Accounting and Finance
Office of the Controller

Dated at Bethesda, Maryland
this 1st day of February

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

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MRodriguez, LFDCB
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LFDCB R/F (2)
OC/DAF R/F

Robert D. Martin, Region IV Administrator
DW/ORDERS/Ebasco
Billie Gruszynski, RIV

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| OFFICE | :OC/LFDCB | :OC/LFDCB | :OC/LFDCB | :OC/LFDCB | :OC/LFDCB | :NMSS |
| SURNAME | :JMRodriguez | :ab:GJackson | :LVenson | :DDandois | :GMizuno | :JGlenn |
| DATE | :1/18/91 | :1/22/91 | :1/23/91 | :1/23/91 | :1/24/91 | :1/29/91 |

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| DATE | :1/30/91 | :1/31/91 | : | : | : | : |