

Dave & Diana Harris

SIMCOE EQUIPMENT & ENVIRONMENTAL INC.

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May 30, 1994

DOCKET NUMBER
PROPOSED RULE **PR 170 & 171**
(59 FR 24065)

ATTN: C. James Holloway, Jr.
Office of the Controller
U.S. Nuclear Regulatory Commission
Washington, D.C. 20555

Dear Mr. Holloway:

Notification has been forwarded to me by the State of Washington Department of Health that the USNRC is contemplating a fee increase for those of us utilizing radioactive materials and devices.

I am a self-employed environmental consultant, and have been such for the past eight (8) years. I have been providing lead-based paint surveys since the Fall of 1992, along with my husband. We are, as they say, a "Mom and Pop" operation.

I have some questions and comments regarding your proposed fee increase(s):

- * Would the filing of NRC Form 241 - and the required \$700 fee - therefore give us the capability of working in all of the other forty-nine (49) states, or would we still need to be licensed in each of those states, and therefore have to pay THEIR reciprocity fees, as well?
- * The fees for license revisions and for NRC inspections are clearly designed as a financial boon - but not for those of who are attempting to make a living by providing the services (which are ALSO required by the government)! By the way in which the letter to us was worded, we would have no control over when inspections would be conducted, and derive no real benefit from their occurrence.
- * Apparently, this entire process - which has thus far been very efficiently conducted by our State Radiation offices - is about to be either:
 - A) Usurped by the USNRC, which for some unknown reason requires the dramatic fee increases; or
 - B) Duplicated by the USNRC, which will neither increase services to us, nor to the client/consumer of our services.

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The letter was very specific that this fee increase would only affect us if we request reciprocity. Are we to gather that this is an effort to restrict LBP testing survey activities to the home-state of the companies, or only allow larger, more wealthier companies the opportunity to bid out-of-state work?

The lead-based paint testing industry is only now beginning to pay its own way. Though the regulations requiring the surveys are in place, those who need them are not going to contract for them until the very last minute, and possibly only after having been cited for lack of "good faith effort".

While we know that the LBP inspection and abatement industry is coming, we - a designated small business concern - find it increasingly difficult to maintain our self-employed status, due to the ever-burgeoning amount of "out of pocket expenses" which dramatically affect our bottom line. We provide many environmental and agricultural services in addition to those related to lead (Pb) - in order to have the luxury of serving our clients who are willing to contract for LBP surveys. We are not alone in our diversified, small-business status.

We would like to categorically state that these fee increases are an unnecessary burden to us and to the majority of our competition. If there is any need for the increase - such as additional services to gauge users - we would like an opportunity to offer suggestions as to how the problem(s) may be solved WITHOUT such a dramatic upheaval to our bank statements.

Sincerely,


Diana Harris
General Manager