

Herron Testing Laboratories, Inc.  
 ATTN: Mr. John L. Herron, Chairman  
 5405 East Schaaf Road  
 Cleveland, Ohio 44131

February 3, 1995

Dear Mr. Herron:

I am responding to your November 17, 1994, request for a waiver of the FY 1994 annual fee for Quality Assurance (QA) Program Approval No. 0123. The bases of your request are: (1) your NRC Materials License No. 34-00681-03 was terminated June 4, 1993, based on a February 9, 1993, request; (2) you were not aware that you had to request a separate termination for your QA approval since the need for the QA approval arises with the possession of the materials license; and (3) had you been aware, you could have terminated your QA approval in June 1993.

The final fee rule for FY 1994 (10 CFR 171.16, Footnote 1) provides that the annual fee is waived for those materials licensees and holders of certificates, registrations, and approvals who either filed for termination of their licenses or approvals or filed for possession only licenses prior to October 1, 1993, and who permanently ceased licensed activities entirely by September 30, 1993. Your July 20, 1994, request for termination was not timely filed for purposes of avoiding the FY 1994 annual fee. However, the Source Containment and Devices Branch, Office of Nuclear Materials Safety and Safeguards, confirmed that had they been informed in June 1993 that your materials license was terminated, they could have also terminated QA Approval No. 0123 at that time. Therefore, I am authorizing an extension to the time to file for termination of your QA Approval to July 20, 1994, and note the QA Approval was terminated August 3, 1994.

Invoice AM03640-94 has been cancelled.

Sincerely,  
 Original signed by  
 James M. Taylor  
 James M. Taylor  
 Executive Director  
 for Operations

DISTRIBUTION:

10 CFR 171 Exemption File	License File Quality Assurance 0123
Materials Annual Fee Correspondence File	Invoice File AM03640-94
<b>NUDOCS</b>	PDR
JHolloway	GFehst
EDO R/F	LF-92-1649
LFDCB R/F	DAF R/F

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