

AUG 19 1992

B&W Fuel Company  
Attn: Mr. Herbert M. Winegard  
3315 Old Forrest Road  
Lynchburg, Va 24501

Gentlemen:

This is in reply to your July 21, 1992, request for an exemption from the application fee for your application dated July 17, 1992, to export to Japan the remaining excess uranium from the fabrication of two fuel assemblies. The bases for your exemption request is that "the minimal amount of material involved warrants granting of an exemption and it is allowed by law, is not inimical to the common defense and security and does not constitute an unreasonable risk to public health and safety."

Under the provisions of 10 CFR 170, Section 170.11, the NRC may grant an exemption if it determines it is authorized by law or otherwise in the public interest. The information provided in your request does not justify granting the exemption, especially given the requirement to recover 100% of the NRC budget. Therefore, your request is denied, and your application is subject to the application fee of \$3,600 as specified in fee Category 15b of \$170.31 of 10 CFR 170 effective August 9, 1991. Payment should be made to the U.S. Nuclear Regulatory Commission and mailed to the following address:

U.S. Nuclear Regulatory Commission  
Attn: Ms. Shirley Crutchfield  
License Fee and Debt Collection Branch  
Mail Stop - MNBB 4503  
Washington, DC 20555

I am enclosing a copy of the Commission's revised fee schedules which become effective on August 24, 1992. If you have any further questions, please contact Doug Weiss on (301)492-7716.

Sincerely,

/s/ Ronald M. Scroggins

Ronald M. Scroggins  
Deputy Chief Financial  
Officer/Controller

Enclosures:

1. Part 170, effective 8/3/91
2. Part 170, effective 8/24/92

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PDR XPORT  
GENERAL PDR

MLG  
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DISTRIBUTION:

FC 3 - 10 CFR 170 Exemption FY-92 w/orig. inc.

NUDOCS (ML61) (w/copy inc.)

PDR

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SURNAME:	DWeiss	DDandois	EBlack	LHiller	CJHolloway
DATE:	8/11/92	8/11/92	8/12/92	1/92	1/92
OFFICE:	OC <del>A</del>	OC <del>W</del>			
SURNAME:	JFunches	RScoggins			
DATE:	8/18/92	8/19/92			

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KV-8-3-92