



UNITED STATES  
NUCLEAR REGULATORY COMMISSION  
WASHINGTON, D.C. 20555-0001

October 17, 1996

Bracken Construction Company  
ATTN: Mr. Dale A. Bracken  
P.O. Box 186  
Sligo, PA 16255

Dear Mr. Bracken:

I am responding to your note submitted on your returned Invoice No. AM4573-96 dated June 11, 1996, for License No. 37-19357-01. Your note states that the license is not being renewed; Bracken Construction Company is out of business and the devices have been transferred to IA Construction Corporation.

Footnote 1 of 10 CFR 171.16 provides that the annual fee is waived when a license is terminated prior to October 1 of each fiscal year. The 1996 annual fee is waived for those licensees and holders of certificates, registrations, and approvals who either filed for termination of their licenses or approvals or filed for possession only/storage only licenses prior to October 1, 1995, and permanently ceased licensed activities by September 30, 1995. An amendment request filed after October 1 of each fiscal year to cancel a license does not cancel the annual fee invoice. Your termination request was not timely filed for purposes of avoiding the FY 1996 annual fee. License No. 37-19357-01 was terminated on November 28, 1995, based on your October 2, and November 22, 1995, letters and facsimile dated October 30, 1995.

As provided in 10 CFR 171.17, licenses for which termination requests are filed during the period October 1 through March 31 of the fiscal year are assessed one-half of the annual fee. Your termination request was timely filed for purposes of the 50 percent proration. As stated in the invoice, the amount billed reflects the 50 percent proration. Therefore, Invoice AM4573-96 is due and payable.

Enclosed is an NRC Form 526, Certification of Small Entity Status. If you determine Bracken Construction Company meets NRC's lower-tier small entity size standards and so certify by completing and returning the NRC Form 526 for FY 1996, the annual fee would be reduced. Because the amount billed under Invoice AM4573-96 reflects a 50 percent proration of the annual fee, the amount due would be 50 percent of the amount shown on NRC Form 526 for the lower-tier size standard under which Bracken Construction Company qualifies for each fee category reflected on the invoice. Payment of the reduced fee should be sent with the completed NRC Form 526 to the address listed on the invoice. If Bracken Construction Company does not qualify for a lower-tier small entity, the full invoiced amount is due. Late charges that have accrued will be waived if payment of the \$800 annual fee is received within 30 days from the date of this letter. If payment is not received in 30 days, all late charges will be assessed.

NRC FORM 526  
(4-96)  
10 CFR 171

U.S. NUCLEAR REGULATORY COMMISSION

INVOICE NUMBER

LICENSE NUMBER

**CERTIFICATION OF SMALL ENTITY STATUS  
FOR THE PURPOSES OF ANNUAL FEES  
IMPOSED UNDER 10 CFR PART 171  
FY 96**

To be completed **ONLY** by those licensees who meet the size standards below. See instructions on reverse side.

NAME AND ADDRESS OF LICENSEE (as it appears on the invoice):

If a licensee qualifies as a small entity under the size standards below and completes this form (NRC Form 526), the licensee may pay the reduced annual fee for each category applicable to the license. A separate form must be submitted for each invoice. Submit the required reduced annual fee with the "Payment Copy" of the invoice and the NRC Form 526 to:

License Fee and Accounts Receivable  
U.S. Nuclear Regulatory Commission  
P.O. Box 954514  
St. Louis, MO 63195-4514

**SIZE STANDARDS (Check one box only)**

**MAXIMUM ANNUAL FEE  
PER LICENSED CATEGORY**  
(See Item 3. on back)

**1. SMALL BUSINESS**

A for-profit concern that provides a service or a concern not engaged in manufacturing with average gross receipts of \$5 million or less over its last 3 completed fiscal years.

- ☐ A. \$350,000 TO \$5,000,000  
☐ B. LESS THAN \$350,000

\$1,800  
\$ 400

**2. MANUFACTURING INDUSTRY**

A manufacturing concern with an average number of 500 or fewer employees based upon employment during each pay period for the preceding 12 calendar months.

- ☐ A. 35 TO 500 EMPLOYEES  
☐ B. LESS THAN 35 EMPLOYEES

\$1,800  
\$ 400

**3. SMALL ORGANIZATION**

A not-for-profit organization which is independently owned and operated and has annual gross receipts of \$5 million or less.

- ☐ A. \$350,000 TO \$5,000,000  
☐ B. LESS THAN \$350,000

\$1,800  
\$ 400

**4. SMALL GOVERNMENTAL JURISDICTION (INCLUDING PUBLICLY SUPPORTED EDUCATIONAL INSTITUTIONS <sup>1</sup>)**

A government of a city, county, town, township, village, school district, or special district with a population of less than 50,000.

- ☐ A. 20,000 TO 50,000 POPULATION  
☐ B. LESS THAN 20,000 POPULATION

\$1,800  
\$ 400

**5. SMALL EDUCATIONAL INSTITUTION THAT IS NOT STATE OR PUBLICLY SUPPORTED AND HAS 500 OR FEWER EMPLOYEES <sup>1</sup>**

- ☐ A. 35 TO 500 EMPLOYEES  
☐ B. LESS THAN 35 EMPLOYEES

\$1,800  
\$ 400

<sup>1</sup>An educational institution referred to in the size standards is an entity whose primary function is education, whose programs are accredited by a nationally recognized accrediting agency or association, who is legally authorized to provide a program of organized instruction or study, who provides an educational program for which it awards academic degrees, and whose educational programs are available to the public.

**CERTIFICATION**

This certification **MUST** be signed by the owner of the entity named above or an official empowered to act on behalf of the entity.

I certify that the above named NRC licensee qualifies as a small entity under the size standards established by the NRC for its licensees in 10 CFR 2.810 (60 FR 18344). The licensee qualifies as a small entity under the specific size standard indicated above.

**WARNING:** 18 U.S.C. Section 1001, Act of June 25, 1948, 62 Stat. 749, makes it a criminal offense to make a willfully false statement or representation to any Department or Agency of the United States as to any matter within its jurisdiction. The submittal of willful false statements is punishable by fine or imprisonment, or both, and for purposes of this certification, may result in revocation or suspension of the license.

I CERTIFY UNDER PENALTY OF  
PERJURY THAT THE FOREGOING  
IS TRUE AND CORRECT.

TYPED OR PRINTED NAME AND TITLE

SIGNATURE

DATE

U. S. NUCLEAR REGULATORY COMMISSION  
FY 96 Annual Materials Fee Invoice  
Period 10/1/1995 - 9/30/1996  
10 CFR 171.16

Invoice Date  
=====

License Anniversary Month  
=====

Invoice Number  
=====

06/11/1996

October

AM4573-96

BRACKEN CONSTRUCTION COMPANY  
ATTENTION: RADIATION SAFETY OFFICER  
P.O. BOX 186  
SLIGO PA 16255-

\*\*\*\*\* Mark THIS COPY with any billing address changes \*\*\*\*\*

License/Approval/ Registration/ Certificate Number =====	Code AA905 =====	Annual Fee Category(s) =====	Fee Amount =====
37-19357-01	ANN	3P	\$ 800.00
		TOTAL:	\$ 800.00
		TOTAL INVOICE:	\$ 800.00

Amount Billed Represents 50% Proration

Make Checks Payable To:  
=====

U.S. Nuclear Regulatory Commission  
License Fee & Accounts Receivable Branch  
PO Box 954514  
St. Louis, MO 63195-4514

<=== This PO Box address is  
<=== for receipt of payments  
<=== only.

For terms and conditions see attached.  
Questions: call 301/415-7554.

\*\*\*\*\*  
\* P A Y M E N T C O P Y \*  
\*  
\*\*\*\*\*

==> To ensure accurate credit, return this copy of the <===  
==> invoice with your payment. Processing may be <===  
==> delayed if the invoice is not included. <===

LICENSE IS NOT BEING RENEWED BRACKEN'S IS OUT  
OF BUSINESS. TRANSFERRED TO IA Construction Corp  
PO Box 8  
Clemensville Pa 19331

Time: 1:29 pm

## NRC -- Correspondence Tracking

Record #: 2215

LF Control No.		OC Number		EDO/OC No.		Invoice Number		License Number	
LF-96- 85						AM4573-96		37-19357-01	
Incoming Date	Date Receive	Type Code	Assigned To Date		Due Date	Date Routed	Response Date	Exemption Action Taken	
06/18/96	06/18/96	OT	BEB 06/20/96		<del>08/04/96</del> <i>due 6/28</i>	06/20/96	/ /	N	
Author: Licensee: BRACKEN CONSTRUCTION CO.									
Comments: LICENSEE THINK DOES NOT OWE BILL.									
User Date: 06/20/96			User I.D.: SUNJA						

T:Top	N:Next	G:Goto	F:Find	D>Delete	E>Edit	A:Add
B:Bottom	P:Prev	C:Copy	L:Locate	U:Undelete	Q:Quit	R:bRowse

10/17/96

D. Bracken

-2-

If you have any questions concerning this matter, please contact Brenda Brown at 301-415-6055.

Sincerely,

Signed by

J. Marnella Rodríguez

*for*

Glenda C. Jackson, Chief  
License Fee Section  
License Fee and Accounts Receivable Branch  
Division of Accounting and Finance  
Office of the Controller

Enclosure: NRC Form 526

Distribution:

L. Tremper, OC/DAF/LFARB/ARS  
S. Kimberley, OC/DAF/LFARB/LFS  
C. Phillips, OC/DAF/LFARB/LFS  
License File 37-19357-01 (w/cy inc & encl)  
Invoice File AM4573-96 (w/orig inc)  
NUDOCS (ML-61) (w/cy inc & encl)  
PDR (w/cy inc & encl)  
OC/DAF/LFARB (LF-96-85)  
OC/DAF/LFARB RF  
OC/DAF RF (DAF 6-000)  
OC/DAF SF (LF 3.2.2) (w/cy inc)

G:\BRACKEN

(To receive a copy of this document, indicate in the box: "C" = Copy without attachment/enclosure "E" = Copy with attachment/enclosure "N" = No copy)

OFFICE	OC/DAF/LFARB/LFS	C	OC/DAF/LFARB/LFS	E	OC/DAF/LFARB	C				
NAME	BBrown <i>BA</i>		GCJackson <i>JMR</i>		DBDando <i>DB</i>					
DATE	10/17/96		10/17/96		10/17/96		10/ /96			

OFFICIAL RECORD COPY

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