



UNITED STATES
NUCLEAR REGULATORY COMMISSION

WASHINGTON, D.C. 20555-0001

June 16, 1998

MEMORANDUM TO: James Turdici, Director
Division of Accounting and Finance, OCFO

FROM: Frederick C. Combs, Acting Director
Division of Industrial and
Medical Nuclear Safety, NMSS

SUBJECT: EXEMPTIONS FROM REQUIREMENTS FOR AMENDMENT FEES

As part of our effort to update and consolidate the guidance for materials licensees, we are currently working to finalize the documents pertaining to fixed gauges and to self-shielded irradiators. These documents are Volumes 4 and 5, respectively, in the NUREG-1556 series, "Consolidated Guidance About Materials Licenses," are dated October 1997, and were published for comment.

Like Volume 1 on portable gauges, Volumes 4 and 5 offer applicants the opportunity to provide certain commitments to NRC about the qualifications of their Radiation Safety Officer (RSO). If these commitments are made, then no technical review is needed when a licensee notifies NRC of a change in the RSO. Accordingly, we are requesting that these types of amendments be exempted from the fee requirements in 10 CFR Part 170.

For your information, by memorandum dated September 18, 1996 (copy attached), OCFO agreed to exempt from fees those amendment applications requesting a change in the identity of the RSO for portable gauge licenses issued in accordance with the new guidance in NUREG-1556, Volume 1, "Consolidated Guidance About Materials Licenses: Program-Specific Guidance About Portable Gauge Licenses," dated May 1997.

The important points about the requested fee exemption are as follows:

- The requested fee exemption is for fixed gauge and self-shielded irradiator licensees;
- The licenses are based on applications prepared using the final versions of Volumes 4 and 5, respectively, in the NUREG-1556 series;
- The licenses contain the commitment regarding RSO qualifications;
- The amendment application requests a change in the RSO;
- Because the licensee has made the needed commitments about the RSO's qualifications, there is no technical review of the application;

CONTACT: Patricia C. Vacca, NMSS/IMNS
(301) 415-7908

- The issuance of such amendments is an administrative matter;
- Maintaining knowledge of the identity of the current RSO through a license amendment is for the convenience of the Commission.

NRC's current practice is that fixed gauge and self-shielded irradiator licensees must request an amendment to their licenses before changing the RSO and the NRC staff must perform a technical review of the qualifications of the proposed RSO. The revised guidance in Volumes 4 and 5 of the NUREG-1556 series is a result of the NMSS Business Process Redesign project to streamline the materials licensing process and to take a more risk-informed, performance-based approach to licensing. Thus, allowing fixed gauge and self-shielded irradiator licensees to name their own RSOs and notify NRC of the change is a departure from current practice. The staff believes that this is acceptable if the license contains the needed commitments about RSO qualifications.

We understand that fees would be assessed if the amendment requires technical review or the license authorizes activities other than portable gauge, fixed gauge, or self-shielded irradiators.

Attachment: Memo dtd 9/18/96