



CHIEF FINANCIAL
OFFICER

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

November 4, 2021

Ms. Leyla Coleman
Marketing and Sales Manger
Bionomics, Inc.
1550 Bear Creek Rd
Oak Ridge, TN 37830

Dear Ms. Coleman:

On behalf of the U.S. Nuclear Regulatory Commission (NRC), I am responding to your letter dated October 20, 2021 (Agencywide Documents Access and Management System (ADAMS) Accession No. ML21294A068), requesting a fee exemption under Section 170.11(a)(1)(ii) of Title 10 of the *Code of Federal Regulations* (10 CFR), on behalf of Thomas Gray & Associates, to package and remove sources on his way through Idaho.

The NRC has established regulations for granting fee exemptions under 10 CFR 170.11, "Exemptions," which may be applied for in accordance with 10 CFR 170.5, "Communications."¹ Therefore, NRC staff reviewed your request based on the following regulations, 10 CFR 170.11(b) and 10 CFR 170.11(a)(13):²

10 CFR 170.11(b) The Commission may, upon application by an interested person, or upon its own initiative, grant such exemptions from the requirements of this part as it determines are authorized by law and are otherwise in the public interest. Applications for exemption under this paragraph may include activities such as, but not limited to, the use of licensed materials for educational or noncommercial public displays or scientific collections.

10 CFR 170.11(a)(13) All fee exemption requests must be submitted in writing to the Chief Financial Officer in accordance with § 170.5, and the Chief Financial Officer will grant or deny such requests in writing.

Your letter states that Bionomics is contracted with the Conference of Radiation Control

¹ 10 CFR 170.5 provides that "All communications concerning the regulations in this part should be addressed to the NRC's Chief Financial Officer, either by mail to the U.S. Nuclear Regulatory Commission, Washington, DC 20555-0001; by hand delivery to the NRC's offices at 11555 Rockville Pike, Rockville, Maryland; or, where practicable, by electronic submission, for example, via Electronic Information Exchange, or CD-ROM."

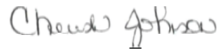
² While I note that you requested an exemption under 10 CFR 170.11(a)(1)(ii) in your letter, however, this activity is not a special project, you are not eligible for an exemption under this regulation.

Program (CRCPD) to perform pickups and disposals of obsolete sources through their Source Collection and Threat Reduction (SCATR) program. You state that your request for exemption would be in the interest of completing a sealed source removal pick up in Idaho that was made at the behest of the NRC and coordinated by the CRCPD. You also note that the NRC has been assisting BHP Enterprises, in the safe removal and disposal of seven sealed sources in its possession. Because of its special situation, the NRC has been in discussion with CRCPD to pay for the disposal of the sources through CRCPD, SCATR, and the Off-Site Source Recovery Program (OSRP). Finally, you state the staff of Bionomics has arranged for a radiation technician of another company, Thomas Gray & Associates, to package and remove these sources on his way through Idaho. Therefore, you have filed for reciprocity on Thomas Gray's behalf.

I have reviewed your request and it meets the criteria under 10 CFR 170.11(b) because of the unique situation with BHP Enterprises as described in my September 22, 2021, letter (ADAMS Accession number ML21230A027) and the fact that this compliments the NRC's mission by promoting public health and safety and the intent of the SCATR and OSRP program. Therefore, I grant your request for a fee exemption for this single occurrence outlined in this letter.

If you have any technical questions regarding this matter, please contact Ms. Casey Alldredge at 817-200-1546 or Ms. Michele Burgess at 301-415-5868. Please contact Mr. William Blaney, of my staff, at 301-415-5092 for any fee-related questions.

Sincerely,



Signed by Johnson, Cherish
on 11/04/21

Cherish K. Johnson
Chief Financial Officer

SUBJECT: RESPONSE LETTER TO L. COLEMAN FOR FEE EXEMPTION FOR A RECIPROCITY APPLICATION FEE, Dated November 4, 2021

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DATE	11/02/2021	11/04/2021		

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