



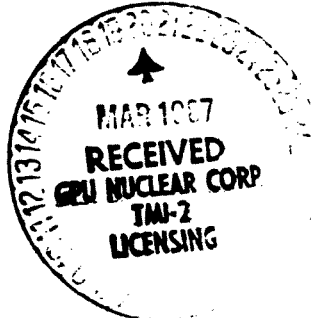
**UNITED STATES
NUCLEAR REGULATORY COMMISSION
WASHINGTON, D. C. 20555**

MAR 18 1987
87-070

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AS:	N/A		
SUBJECT:	10 CFR 171 Exemption Request		
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c/o E. Nealy			
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Docket No. 50-320

GPU Nuclear Corporation
ATTN: Mr. E. E. Kintner
Executive Vice President
100 Interpace Parkway
Parsippany, NJ 07054



Gentlemen:

~~We have completed our review of your request dated November 20, 1986, for a total and permanent exemption from the annual fee requirements of 10 CFR 171 for Three Mile Island Unit No. 2 (TMI-2). The basic justification for your request was that TMI-2's license is analogous to a "possession only" license and the reactor should be considered a "zero" power reactor since it is incapable of producing electrical energy; the authority to operate it was revoked by the NRC in 1979. Therefore, it is your position that GPU receives the same limited benefits for TMI-2 from NRC's generic programs as "possession only" licensees who are already exempted from the annual fees of 10 CFR 171.~~

Based on our evaluation of your request in accordance with the provisions of 10 CFR 171.11, we have determined that an exemption from the annual fee requirements of 10 CFR 171 for TMI-2 should be granted. This exemption is limited to FY 1987 only and is not a permanent exemption for TMI-2.

Our evaluation took into consideration the fact that TMI-2 is a unique case for which the authority to operate was reduced in 1979 to maintaining the reactor in a "shutdown condition". In addition, your plan for monitored storage after cleanup has been submitted for NRC review. This plan provides for removal of the reactor fuel from the site and plant systems and placing it in dry storage and has no provisions for refurbishment of the reactor for restart.

Consistent with the requirements of 10 CFR 171.19, your Corporation paid the FY 1987 first quarterly payment of \$237,500. Since you have been exempted from the annual fees for FY 1987, we are taking the necessary steps to refund to you the \$237,500 payment. This refund will be accomplished by electronic transfer within a week after your receipt of this letter.

Sincerely,

Victor Stello, Jr.
Executive Director
for Operations

cc: P.R. Clark
F. Standifer
R. Logan
J. Shope