



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

TO: NRC Licensees

PURPOSE: Change to Size Standards on NRC Form 526 (Certification of Small Entity Size Status for the Purposes of Annual Fees Imposed Under 10 CFR Part 171)

SUBJECT: Small Entity Size Standard Amendment

Effective October 24, 2007, The U.S. Nuclear Regulatory Commission amended its size standards for qualifying as a small entity under the Regulatory Flexibility Act for receipts-based small business size standards from \$5 million to \$6.5 million to conform to standard set by the Small Business Administration (SBA).

NRC Form 526 has also been revised to include specific information needed for licensees applying under the Manufacturing Industry size standard.

If you deem it appropriate to file under small entity status, complete and return NRC Form 526, "Certification Of Small Entity Status For The Purposes of Annual Fees Imposed Under 10 CFR Part 171", return the payment copy of the invoice and remit payment for the appropriate amount. Please be advised that you must complete this process each annual fee year.

Mail the package to:

**U.S. Bank
Accounts Receivable Team
U.S. Nuclear Regulatory Commission
P. O. Box 979051
St. Louis, MO 63197-9000**

If you have any questions concerning small entity, please contact the license fee staff at 301-415-7554, e-mail the fee staff at fees@nrc.gov, or write to the U.S. Nuclear Regulatory Commission, Washington, DC 20555-0001, Attention: License Fees Team.

NRC FORM 526
(10-2007)
10 CFR 171

U.S. NUCLEAR REGULATORY COMMISSION

**CERTIFICATION OF SMALL ENTITY STATUS FOR THE PURPOSES
OF ANNUAL FEES IMPOSED UNDER 10 CFR PART 171
FY 2008**

If you have **QUESTIONS**, e-mail them to: fees@nrc.gov

**SEE IMPORTANT INSTRUCTIONS FOR NRC FORM 526 ON PAGE 2 -- PLEASE READ CAREFULLY
DO NOT COMPLETE OR RETURN THIS FORM IF YOU DO NOT QUALIFY AS A SMALL ENTITY**

NAME AND ADDRESS OF LICENSEE (as it appears on the invoice):		INVOICE NUMBER	BUSINESS TELEPHONE NUMBER
		LICENSE NUMBER	CONTACT NAME
EMAIL ADDRESS	COMPANY WEBSITE ADDRESS www.	CONTACT TELEPHONE NUMBER	

SIZE STANDARDS (Check one box only)		MAXIMUM ANNUAL FEE PER LICENSED CATEGORY (See Items 2 and 3 on back)
DO NOT RETURN THIS FORM IF YOU DO NOT QUALIFY UNDER ONE OF THESE SIZE STANDARDS		
1. SMALL BUSINESS A for-profit concern that provides a service or a concern not engaged in manufacturing with average gross receipts of \$6.5 million or less over its last 3 completed fiscal years.	<input type="checkbox"/> A. \$350,000 TO \$6,500,000 <input type="checkbox"/> B. LESS THAN \$350,000	\$ 2,300 \$ 500
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. In accordance with the North American Industry Classification System (NAICS), each business is assigned a NAICS business code. If you do not know your NAICS business code refer to www.census.gov, enter NAICS Codes.	<input type="checkbox"/> A. 35 to 500 EMPLOYEES <input type="checkbox"/> B. LESS THAN 35 EMPLOYEES	\$ 2,300 \$ 500
<input type="text" value="NAICS BUSINESS CODE:"/>		
3. SMALL ORGANIZATION A not-for-profit organization that is independently owned and operated and has annual gross receipts of \$6.5 million or less.	<input type="checkbox"/> A. \$350,000 TO \$6,500,000 <input type="checkbox"/> B. LESS THAN \$350,000	\$ 2,300 \$ 500
4. SMALL GOVERNMENTAL JURISDICTION (INCLUDING PUBLICLY SUPPORTED EDUCATIONAL INSTITUTIONS) * A government of a city, county, town, township, village, school district, or special district with a population of less than 50,000.	<input type="checkbox"/> A. 20,000 TO 50,000 POPULATION <input type="checkbox"/> B. LESS THAN 20,000 POPULATION	\$ 2,300 \$ 500
5. SMALL EDUCATIONAL INSTITUTION THAT IS NOT STATE OR PUBLICLY SUPPORTED AND HAS 500 OR FEWER EMPLOYEES*	<input type="checkbox"/> A. 35 to 500 EMPLOYEES <input type="checkbox"/> B. LESS THAN 35 EMPLOYEES	\$ 2,300 \$ 500

* 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
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**IMPORTANT INSTRUCTIONS FOR NRC FORM 526 -- PLEASE READ CAREFULLY
DO NOT COMPLETE OR RETURN THIS FORM IF YOU DO NOT QUALIFY AS A SMALL ENTITY**

**CERTIFICATION OF SMALL ENTITY STATUS FOR THE PURPOSES
OF ANNUAL FEES IMPOSED UNDER 10 CFR PART 171
FY 2008**

A licensee who qualifies as a small entity under a specific size standard established by the NRC may pay a reduced annual fee by filing the required certification on NRC Form 526, which is on the reverse side of this page. A separate NRC Form 526 is required for each invoice. Licensees who do not qualify under one of the size standards shown on NRC Form 526 should disregard this form.

1. Complete all items on NRC Form 526 as follows: **(NOTE: Incomplete or improperly completed forms will be returned as unacceptable.)**
 - Enter the licensee's name and address exactly as they appear on the invoice. Annotate name and/or address changes for billing purposes on the payment copy of the invoice -- Correcting the name and/or address on NRC Form 526 or on the invoice does not constitute a request to amend the license.
 - Enter the invoice number exactly as it appears on the invoice.
 - Enter the company's business telephone number. Enter the license number exactly as it appears of the invoice.
 - Enter the contact person's name and email address. Enter the company's website address (if applicable), and the contact persons telephone number.
 - Check the appropriate size standard under which the licensee qualifies as a small entity. Check one box only. Note the following:
 - a. ***A licensee who is a subsidiary of a large entity, including foreign entities, does not qualify as a small entity. The calculation of a firm's size includes the employees or receipts of all affiliates. Affiliation with another concern is based on the power to control whether exercised or not. Such factors as common ownership, common management and identity of interest (often found in members of the same family, among others, are indications of affiliation). The affiliated business concerns need not be in the same line of business (67 CFR 59).***
 - b. Gross annual receipts, as used in the size standards, include all revenue received or accrued by your company from all sources, regardless of the form of the revenue and not solely receipts from licensed activities.
 - c. NRC's size standards on small entity are based on the Small Business Administration's regulations (13 CFR 121).
 - d. The size standards apply to the licensee, not to the individual authorized users who may be listed in the license.
 - e. If you are a manufacturer please include your North American Industry Classification System (NAICS) business code in the correct box on the form. If you do not know your NAICS business code refer to www.census.gov.
2. If the invoice states the "Amount Billed Represents 50% Proration," the amount due is not the prorated amount shown on the invoice but rather one-half of the maximum small entity annual fee shown on NRC Form 526 for the size standard under which the licensee qualifies (either \$1,150 or \$250) for each category billed.
3. If the invoice amount is less than the reduced small entity annual fee shown on this form, pay the amount on the invoice; there is no further reduction. In this case, do not file NRC Form 526. However, if the invoice amount is greater than the reduced small entity annual fee, file NRC Form 526 and pay the amount applicable to the size standard you checked on the form.
4. The completed NRC Form 526 must be submitted with the required annual fee payment and the "Payment Copy" of the invoice to the address shown on the invoice.
5. 10 CFR 171.16(c)(3) states licensees shall submit a new certification with its annual fee payment each year. Failure to submit NRC Form 526 at the time the annual fee is paid will require the licensee to pay the full amount of the invoice.