

April 2, 2002

ALL AGREEMENT STATES
MINNESOTA, PENNSYLVANIA, WISCONSIN

**PROGRAM INFORMATION: DRAFT RULE -- FEE RECOVERY FOR FISCAL YEAR 2002
(STP-02- 027)**

The U.S. Nuclear Regulatory Commission (NRC) would like to inform the Agreement States of a proposed rulemaking to 10 CFR Parts 170 and 171 regarding the licensing, inspection, and annual fees to recover approximately 96 percent of its fiscal year (FY) 2002 budget authority. The amendments are necessary in order to implement the Omnibus Budget Reconciliation Act of 1990 (OBRA-90), as amended, which mandates that NRC recover through fees approximately 96 percent of its FY 2002 budget authority, less the amount appropriated from the Department of Energy administered Nuclear Waste Fund. The proposed rule would not modify the fees currently assessed to those Agreement States licensees who perform work in Non-Agreement States under the reciprocity provisions of 10 CFR 150.20. The proposed rule was published in the *Federal Register* on March 27, 2002 (67 FR 14818). The *Federal Register* notice requests comments by April 26, 2002.

The proposed rule was sent to each State under separate cover, with a memorandum summarizing the proposed changes. The proposed rule was also made available on the NRC web site (http://ruleforum.llnl.gov/cgi-bin/rulemake?source=FEE02_PRULE). The reciprocity fee can be found at the end of the Schedule of Materials Fees on page 14833 of the March 27, 2002, *Federal Register*. NRC has not changed the reciprocity fee for FY 2002.

Please inform your licensees of the proposed fee rule and how they can access it. If you have any questions regarding this notice, please contact the individual listed below.

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/RA/

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