

Mr. John Pfeiffer  
Office of Management and Budget  
New Executive Office Building  
725 17<sup>th</sup> Street, N.W., Room 8025  
Washington, DC 20503

Dear Mr. Pfeiffer:

The Omnibus Budget Reconciliation Act of 1990, as amended, requires that the Nuclear Regulatory Commission (NRC) recover approximately 98 percent of its FY 2001 budget authority, less the appropriation from the Nuclear Waste Fund, by assessing license and annual fees. The NRC is required to recover approximately \$453.3 million in FY 2001.

In order to comply with the law, the Commission is amending its fee regulations in 10 CFR Parts 170 and 171. The proposed amendments to 10 CFR Part 170 would revise the professional hourly rates and "flat" licensing fees to reflect the costs of providing NRC licensing services to applicants and licensees.

The proposed amendments to 10 CFR Part 171 would establish the amount of the FY 2001 annual fees to be assessed to operating reactors, fuel cycle licensees, transportation certificate holders, and materials licensees to recover costs not recovered through 10 CFR Part 170 fees. The FY 2001 proposed annual fees would decrease for most of the categories of licensees, including operating power reactors. The annual fee decreases are primarily due to the reduction in the NRC's fee recovery requirement from 100 percent in FY 2000 to 98 percent in FY 2001, reduced budgeted costs for some classes of licensees, and increased costs recovered through 10 CFR Part 170 fees. However, the proposed annual fees would increase for some licensees due primarily to increased budgeted costs for those classes.

Those NRC licensees that can qualify as a small entity under NRC's size standards will continue to be eligible to pay reduced annual fees.

Enclosed is a copy of the proposed rule which is being transmitted to the *Federal Register* for publication. The notice provides for a 30-day public comment period.

Sincerely,

R/A

Jesse L. Funches  
Chief Financial Officer

Enclosure: Proposed Revision to  
10 CFR Parts 170 and 171